



## **Governance Scrutiny Group**

**Thursday, 20 February 2025**

### **Amendments to the Constitution**

#### **Report of the Monitoring Officer**

##### **1. Purpose of report**

- 1.1. To enable Governance Scrutiny Group to consider proposed changes to the Council's Constitution prior to consideration by full Council.

##### **2. Recommendation**

It is RECOMMENDED that Governance Scrutiny Group consider the proposed amendments to the Constitution at Appendix 1 to this report and recommend them for adoption by Council.

##### **3. Reasons for Recommendation**

- 3.1 The Council has a duty to keep its Constitution up to date and is required to review it at least on an annual basis.

##### **4. Supporting Information**

- 4.1. The proposed reversions to the Council's Constitution are set out in Appendix 1 and can be summarised as follows:
- 4.2. Part 1 – Clarification that the Local Government and Social Care Ombudsman will only consider complaints where the Council's formal complaints procedure as been followed.
- 4.3. Part 3 - Clarification that the delegation to the Director for Development and Economic Growth in respect of development management extends to determination of approvals and consents under the Local Development Order.
- 4.4. Part 4 – Amendments to the Standing Orders – Council to ensure the efficient running of council business, to take account of best practice and ensure the Council complies with its equality duty in respect of accessibility.

##### **5. Risks and Uncertainties**

- 5.1. The Council is required to undertake an annual review of its Constitution and ensure that it complies with the law. Failure to undertake a review of the Constitution risks a legal challenge of decisions taken.

## **6. Implications**

### **6.1. Financial Implications**

There are no direct financial implications arising from these proposals.

### **6.2. Legal Implications**

Under section 9P of the Local Government Act 2000, the Council has a duty to keep its Constitution up to date and that section also prescribes its minimum content. The proposals in this report comply with those requirements.

### **6.3. Equalities Implications**

The proposed amendments are intended to address an accessibility issue in compliance with the Council's equality duty.

### **6.4. Section 17 of the Crime and Disorder Act 1998 Implications**

There are no direct Section 17 implications.

### **6.5. Biodiversity Net Gain Implications**

There are no implications.

## **7. Link to Corporate Priorities**

The Environment	Regular review of the Council's Constitution is essential to ensure effective and efficient democratic decision-making which supports all of the Council's Corporate Priorities.
Quality of Life	
Efficient Services	
Sustainable Growth	

## **8. Recommendations**

It is RECOMMENDED that Governance Scrutiny Group consider the proposed amendments to the Constitution at Appendix 1 to this report and recommend them for adoption by Council.

<b>For more information contact:</b>	Sara Pregon Monitoring Officer SPregon@rushcliffe.gov.uk
<b>Background papers available for Inspection:</b>	None
<b>List of appendices:</b>	Appendix 1 – Proposed Amendments