



**Council**

**Thursday, 16 July 2020**

**Revisions to the Council's Constitution**

## **Report of the Monitoring Officer**

**Cabinet Portfolio Holder for Strategic and Borough Wide Leadership, Councillor S Robinson**

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

- 1.1. This report summarises amendments to the Council's Constitution to reflect changes in the law and textual amendments.
- 1.2. At Annual Council in May 2019, a transitional twelve month model for Scrutiny was approved. Following the expiration of the transitional period, the Scrutiny arrangements have been incorporated into the Constitution.

### **2. Recommendation**

It is RECOMMENDED that Council:

- a) Consider and approve the revisions to the Council's Constitution; and
- b) Formally adopt the revised scrutiny arrangements.

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

- 3.1. The Borough has a duty to keep its Constitution up to date and is required to review it annually.
- 3.2. The proposed Revisions incorporate and give effect to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Regulations").

### **4. Supporting Information**

The proposed revisions are set out in full at Appendix 2. A summary of the main proposed revisions are set out below:

#### **Summary of proposed changes:**

- 4.1. Part 2: Textual changes to reflect changes in management team service delivery structure and Cabinet.

- 4.2. Part 3: Increase value for the acquisition or disposal of land to £25,000.
- 4.3. Part 4:  
Amendment to incorporate the regulations.  
Amendment to include the Terms of Reference of the West Bridgford Special Expenses Group.  
Amended to decrease tender threshold to £25,000 to reflect changes in legislation.

**5. Alternative options considered and reasons for rejection**

- 5.1 No alternative options have been considered as the Council has a legal duty to maintain and keep its constitution up to date.

**6. Risks and Uncertainties**

- 6.1. 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.

**7. Implications**

**7.1. Financial Implications**

There are no direct financial implications arising from these proposals.

**7.2. Legal Implications**

Under section 37 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.

**7.3. Equalities Implications**

There are no implications as this alteration to the Constitution does not involve new or changing policies, services or functions, or financial decisions that will have an effect on services.

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

There are no direct Section 17 implications.

**8. Link to Corporate Priorities**

Quality of Life	The proposed revisions should make it easier for members of the public, Councillors and officers to access, and use, materials, which are essential to effective and efficient democratic decision-making.
Efficient Services	
Sustainable Growth	
The Environment	

## 9. Recommendations

It is RECOMMENDED that Council:

- a) Consider and approve the revisions to the Constitution; and
- b) Formally adopt the revised scrutiny arrangements.

<b>For more information contact:</b>	Sanjit Sull Monitoring Officer 0115 914 8215 <a href="mailto:ssull@rushcliffe.gov.uk">ssull@rushcliffe.gov.uk</a>
<b>Background papers available for Inspection:</b>	The Council's constitution is appended
<b>List of appendices:</b>	Appendix 1: Constitution: Available via the link: <a href="#">Appendix 1 - Constitution</a>  Appendix 2: Table of amendments  Appendix 3: Constitution – Tracked changes Available via the link: <a href="#">Appendix 3 - Constitution Tracked Changes</a>