



Governance Scrutiny Group

Tuesday 29 September 2020

Constitution Review

Report of the Monitoring Officer

1. Purpose of report

- 1.1. The Constitution provides the framework for the Council's decision making process. The purpose of this report is to ensure that the Council's Constitution remains fit for purpose, and reflects existing legislation and best practice.
- 1.2. The Governance Scrutiny Group, considered the Constitution at the meeting 30 July 2020. The Group considered the suggested areas of review; however, overall no specific revisions were identified.

2. Recommendation

It is RECOMMENDED that the Governance Scrutiny Group agree that the Constitution remain as currently drafted.

3. Reasons for Recommendation

- 3.1. It is a statutory requirement under the Local Government Act 2000, as amended, that the Council has and maintains a Constitution which must be publicly available. The Constitution should contain the Council's rules of procedure. The Council should review its Constitution annually.

4. Supporting Information

- 4.1. The Constitution was presented to Council on 16 July 2020. The adopted Constitution can be accessed at <https://www.rushcliffe.gov.uk/aboutus/aboutthecouncil/documentsstrategiesandpolicies/>.
- 4.2. Since its inception, there have been a number of reviews of the Council's Constitution, the most recent one being in 2018.
- 4.3. The most recent reviews concentrated on the public speaking protocol and the Councillor Code of Conduct.
- 4.4. The Governance Scrutiny Group may, following review of the Constitution, propose changes to it, and make comments on the proposed amendments, if any, to be reported to the full Council meeting in June 2021.

5. Risks and Uncertainties

5.1. If the Council does not review its Constitution decisions could be taken unlawfully.

6. Implications

6.1. Financial Implications

6.1.1. There are no direct financial implications arising from this report.

6.2. Legal Implications

6.2.1. The Local Government Act 2000 requires the Council to prepare and keep up to date a Constitution. The provisions in the current, and proposed amended, Constitution comply with this requirement. Once agreed the Constitution must be publicly available.

6.2.2. The Council has a general duty to secure continuous improvement in the way in which its functions are exercised. The proposals in this report are designed to comply with that duty.

6.3. Equalities Implications

6.3.1. There are no equalities implications to this report.

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

6.4.1. There are no Section 17 Implications to this report.

7. Link to Corporate Priorities

Quality of Life Efficient Services Sustainable Growth The Environment	The Constitution is integral in the supporting the Council's decision-making framework and delivery of its Corporate Priorities.
--	--

8. Recommendations

It is RECOMMENDED that the Governance Scrutiny Group agree that the Constitution remain as currently drafted.

For more information contact:	Sanjit Sull, Monitoring Officer Tel: 0115 914215, ssull@rushcliffe.gov.uk
Background papers available for Inspection:	Constitution: https://www.rushcliffe.gov.uk/aboutus/aboutthecouncil/documentsstrategiesandpolicies/
List of appendices:	None