

# **Report to the Overview and Scrutiny Committee**

**Date of meeting: 20 October 2015**



**Subject:** Constitution Review - Overview & Scrutiny

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## **Recommendations/Decisions Required**

**That the Committee consider proposed revisions to Article 6 (Overview & Scrutiny) of the Constitution and revised Procedure Rules for overview and scrutiny.**

## **Report**

1. As the Committee will be aware, the Constitution Working Group is currently undertaking a comprehensive review of the Council's constitution, which has not been undertaken for a considerable number of years. This work is anticipated to be completed by March 2016.
2. The aim of the review of the Constitution is for the Working Group to look critically at each part of the Constitution to bring together and rationalise procedures against the relevant legislative background. Under the current Constitution, the rules relating to the Overview and Scrutiny Committee are contained in Article 6, the Overview and Scrutiny Procedure Rules, the Access to Information procedure rules and (in some way) the Council procedure rules.
3. A revised version of Article 6 (Overview & Scrutiny) of the Constitution is attached (Appendix 1) for consideration by the Committee, together with proposed revisions to the Procedure Rules for the Overview and Scrutiny Committee (Appendix 2). As part of its ongoing review of the Constitution, the Working Group has previously decided that where rules apply generally, they should be taken into the main rules section. Therefore in the redrafting of the rules section of the Constitution, officers have attempted to take sections into the rules. Some of what was previously contained in the Overview and Scrutiny Procedure Rules has been inserted into the new Article 6, and the re-drafted Article also seeks to address instances of relevant procedures being spread across the Constitution, making it difficult to use.
4. The revised Overview and Scrutiny Committee Article and Procedure Rules were considered by the Constitution Working Group at its meeting on 22 September 2015. The Working Group wishes to seek the views of the Committee on the proposed changes to Article 6 and the Procedure Rules and any views expressed by members will be reported back to the next meeting of the Working Group.

## **Resource Implications:**

The review of the Constitution is being undertaken within existing budget provision.

## **Legal and Governance Implications:**

The Council's constitution sets out rules for the operation of overview and scrutiny activity.

**Safer, Cleaner, Greener Implications:**

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

**Consultation Undertaken:**

None required.

**Background Papers:**

None

**Impact Assessments:**

***Risk Management***

The Council's constitution sets out rules for the operation of overview and scrutiny activity.

***Equality:***

There are no equality implications arising from the recommendations of this report.