



Hinckley & Bosworth Borough Council

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

SCRUTINY COMMISSION
COUNCIL

10 JULY 2018
7 AUGUST 2018

WARDS AFFECTED: ALL WARDS

HINCKLEY & BOSWORTH BOROUGH COUNCIL'S CONSTITUTION – ANNUAL UPDATE

Report of the Monitoring Officer

1. PURPOSE OF REPORT

- 1.1 To seek approval for updates to the constitution.

2. RECOMMENDATION

- 2.1 The updated constitution be approved.

3. BACKGROUND TO THE REPORT

- 3.1 The constitution is updated when necessary and on an annual basis a full review is undertaken to ensure consistency throughout. If the review shows that changes are required, these changes are recommended to Council.
- 3.2 The majority of changes recommended in this report are not substantive or are minor corrections following the rewrite of the constitution in 2017 and are included on the appended schedule, in addition to any typographical corrections.
- 3.3 It is recommended that the title of and terms of reference for the group previously known as the "Asset & Regeneration Strategy Group" are amended. The proposed terms of reference for the Asset Strategy & Regeneration Group" are attached at appendix 2. The membership will remain the same as that agreed at Annual Council for the Asset & Regeneration Strategy Group.
- 3.4 Some amendments to the financial procedure rules are also recommended in order to enable the council to take advantage of commercial opportunities swiftly but with a level of control. These are listed in appendix 3 and have also necessitated some minor additions to other parts of the constitution to make reference to the financial procedure rules.

- 3.5 In accordance with the Local Government Act 2000, the Council is required to have a constitution. The constitution requires approval of a two-thirds majority in order to make changes to it.

4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES

- 4.1 This report is to be taken in open session.

5. FINANCIAL IMPLICATIONS (AW)

- 5.1 None.

6. LEGAL IMPLICATIONS (AR)

- 6.1 Set out within the body of this report.

7. CORPORATE PLAN IMPLICATIONS

- 7.1 The recommendations contained within this report support all visions, aims and objectives in ensuring effective operation, decision making and compliance with legislation to enable provision of services across the borough.

8. CONSULTATION

- 8.1 This report will be considered by the Scrutiny Commission prior to Council decision.

9. RISK IMPLICATIONS

- 9.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to maintain an up to date constitution resulting in possible breaches of legislation	Undertake annual reviews and raise awareness of changes	Monitoring Officer
Lack of awareness of provisions in the constitution and decision making processes	Ensure members and officers are aware of the provisions of the constitution and receive unified advice	Monitoring Officer / Democratic Services Officer

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 10.1 The recommendations contained within this report will not affect any particular group or community. The creation and maintenance of the constitution and the provisions therein aim to support all who live, work, visit or are educated within the borough and to regulate decision making and ensure powers are in place to provide services appropriate for and accessible to all.

11. CORPORATE IMPLICATIONS

- 11.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: None

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