



## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Council 18 April 2023

Wards affected: All wards

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### Review of the council's constitution

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Report of the Monitoring Officer on behalf of the Constitution Working Group

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

1.1 To propose revisions to the council's constitution.

#### **2. Recommendation**

2.1 The amendments listed in the appendices to the report be approved.

#### **3. Background to the report**

3.1 In autumn 2022 the Constitution Working Group met to consider revisions to the constitution. Members of the working group are:

Cllr Bray (Chairman)

Cllr R Allen

Cllr J Crooks

Cllr Hollick

Cllr Furlong.

3.2 The proposed changes to the constitution are contained in the appendices to this report. Amendments include discontinuation of the term 'chairman', further delegations to enable more efficient decision making, changes to responsibilities following the restructure (already approved by Council but included here for completeness), changes to the deadline for public questions and questions and motions from members and changes to public speaking at Planning Committee to allow speaking on new applications, not those that have been deferred. Appendix 2 provides an additional section to the financial procedure rules.

3.3 The constitution will be checked for any other typographical and grammatical errors which will be corrected before publication.

#### **4. Exemptions in accordance with the Access to Information procedure rules**

4.1 To be taken in open session.

#### **5. Financial implications (FMC)**

5.1 There are no financial implications arising directly from the report.

#### **6. Legal implications (MR)**

6.1 Responsibility for amendments to the constitution lies with Council following a report by the Monitoring Officer or by a group of members appointed for that purpose.

#### **7. Corporate Plan implications**

7.1 The recommendations within this report support all corporate aims by ensuring decision making is carried out in accordance with legislation and the council's constitution.

#### **8. Consultation**

8.1 The Constitution Working Group, which is made up of representatives of all political groups on the Council, drafted these proposals.

#### **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.	Ensure the document is regularly reviewed and updated	J Kenny

## **10. Knowing your community – equality and rural implications**

- 10.1 This report does not impact any group or community.
- 10.2 This report does not propose a new service or change so significant that it would require an equality impact assessment.

## **11. Climate implications**

- 11.1 Amending the constitution does not in itself have climate implications. The amendments proposed to the constitution would also not have an impact.

## **12. Corporate implications**

- 12.1 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

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Background papers: None

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