

REPORT TO COUNCIL

REPORT OF: CORPORATE MANAGER, DEMOCRATIC AND
LEGAL SERVICES

REPORT NO. DLS 34

DATE: APRIL 2005

TITLE:	AMENDMENTS TO THE CONSTITUTION – RECOMMENDATIONS OF THE CONSTITUTION & ACCOUNTS COMMITTEE
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	N/A
CORPORATE PRIORITY:	CORPORATE GOVERNANCE MANAGEMENT OF COUNCIL BUSINESS
CRIME AND DISORDER IMPLICATIONS:	N/A
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report is available via the Local Democracy link on the Council's website www.southkesteven.gov.uk
BACKGROUND PAPERS:	MINUTES AND AGENDA OF THE CONSTITUTION AND ACCOUNTS COMMITTEE HELD ON 28 TH FEBRUARY 2005 AND THE JOINT MEETING OF THE CONSTITUTION AND ACCOUNTS COMMITTEE AND THE SCRUTINY CO-ORDINATING GROUP HELD ON 24 TH MARCH 2005.

CONSTITUTION & ACCOUNTS COMMITTEE RECOMMENDATIONS

1. INTRODUCTION

- 1.1 Since the previous Council meeting the following decisions of the Constitution and Accounts Committee have been made that require the approval of the Council, being proposed amendments to the Council's Constitution.

2. THE RECOMMENDATIONS TO BE CONSIDERED

- 2.1 At the meeting of the Constitution and Accounts Committee held on 28th February 2005, minute number 62

ii) States as follows: -

“To recommend to the Council that a written response where information is available to be given to questions without discussion prior to the Council meeting. Supplementary questions to be allowed. Any questions that cannot be answered at the meeting to be forwarded to the relevant DSP for discussion and a full answer supplied for the next Council meeting.”

iv) Further states

“To recommend to the Council that the main debate be removed from the Constitution.”

- 2.2 At the joint meeting of the Constitution and Accounts Committee and the Scrutiny Co-ordinating Group held on 24th March 2005 the following decision (minute number ??) was made:-

“That the Committee recommends to Council that the Council's Call-in arrangements remain the same with the exception that Rule 16 (c) of the Overview and Scrutiny Procedure Rules of the Council's Constitution be amended as follows: -

‘During that period, the proper officer shall call-in a decision for scrutiny by the panel if so requested by the Chairman or **any five members of the Council from any political group(s)**. No one member shall request more than three call-ins in any one municipal year. The proper officer shall notify the decision-taker of the call-in. He/she shall call a meeting of the panel on such a date as he/she may determine, where possible after consultation with the Chairman of the panel, and in any case as soon as possible after the meeting’ “

The proposed amendment to the Constitution is shown underlined above. (Rule 16 (c) currently requires that call-in is triggered by three members of the relevant DSP from at least two political groups.)

3. **RECOMMENDATION**

- 3.1 The above decisions require the approval of the Council if any amendment of the Council's Constitution is to be made.

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