

EAST HERTS COUNCIL

COUNCIL - 2 MARCH 2011

REPORT BY THE MONITORING OFFICER

AMENDMENT TO THE CONSTITUTION – SCRUTINY COMMITTEES

WARD(S) AFFECTED: All

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**Purpose/Summary of Report**

- The report sets out a proposed amendment to Constitution.

<b><u>RECOMMENDATION FOR DECISION:</u></b>	
<b>(A)</b>	<b>That the amendment to the Constitution be approved.</b>

1.0 Background

1.1 The report considers a further amendment to the Council's Constitution following the debate on the report on Amendments to the Constitution which took place at the meeting of Council on 23 February 2011.

2.0 Report

2.1 The outstanding issue relates to a proposed amendment to the Constitution relating to the role of Scrutiny Committees. Members were asked to consider whether a Scrutiny Committee's work plan should be determined entirely by each Scrutiny Committee and not affected by the agenda for the Executive unless, of course, the Scrutiny Committee chose to consider an item on the Executive agenda.

2.2 The original proposal suggested the deletion of the following paragraph:

2.3 "To consider any item in the Forward Plan, within the remit of the Committee, to be considered by the Executive (except items of urgent business) before the item is considered by the Executive if

requested by the Chairman of the Scrutiny Committee. The relevant report to the Executive will be made available to the Scrutiny Committee.”

2.4 Instead of simply deleting the above paragraph, it is proposed that the paragraph is replaced with the following:

2.5 To consider, should it choose to do so, any item in the Forward Plan within the remit of the Committee to be considered by the Executive (except items of urgent business). The relevant report to the Executive will be made available to the Scrutiny Committee. The Executive shall consider any report and recommendations on the item submitted by the Scrutiny Committee.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper ‘A’**.

## Background Papers

### The Council’s Constitution

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## ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/Objectives (delete as appropriate):	<b>Fit for purpose, services fit for you</b> <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i>  <b>Leading the way, working together</b> <i>Deliver responsible community leadership that engages with our partners and the public.</i>
Consultation:	The Monitoring Officer has consulted the Section 151 Officer and the Head of Paid Service.
Legal:	The legal implications have been taken into account in amending the Constitution.
Financial:	Not applicable
Human Resource:	No comments.
Risk Management:	A Constitution which reflects the Council's structure and delegation is important to the smooth running of the organisation.