

**NORTH LINCOLNSHIRE COUNCIL**

**COUNCIL**

**CONSTITUTION**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To propose changes to the Constitution in relation to the council's working arrangements for 2013/2014.

**2. BACKGROUND INFORMATION**

- 2.1 The Local Government Act 2000 requires the council to adopt a Constitution. The Constitution is a "living document" which requires frequent amendment to keep up with changes made by the council to its management structure and procedures.

**3. ISSUES FOR CONSIDERATION**

- 3.1 The Constitution has been amended on a number of occasions since it was first adopted.
- 3.2 Following a review of some of the working practices adopted since May, 2013, it is now necessary to consider making a number of changes to the Constitution to facilitate changes to working arrangements for 2013/2014.
- 3.3 The attached appendices detail the proposed changes to the relevant parts of the Constitution. Additions and deletions are shown. These include -
- (i) Petitions - **Appendix A.**
  - (ii) Terms of Reference of Scrutiny Panels - **Appendix B.**
  - (iii) How the Council Operates - **Appendix C.**
  - (iv) Health Scrutiny - **Appendix D.**

**4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

- 4.1 There are no staffing, financial, property or IT implications associated with this report.

**5. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

- 5.1 Not applicable.

**6. OUTCOMES OF CONSULTATION**

- 6.1 The proposed changes to the Constitution are as a result of the details referred to above.

## 7. RECOMMENDATIONS

- 7.1 To consider approving the changes to the council's constitution as detailed in paragraph 3.3 and the appendices to the report.
- 7.2 To authorise the Chief Executive to make other incidental or consequential amendments or delegations to or within the constitution in line with paragraph 3.3 and in relation to the Health and Wellbeing Board.

### **DIRECTOR OF POLICY AND RESOURCES**

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**Background Papers used in the preparation of this report - The Council's Constitution.**

**D1.35 - PETITIONS**

- (a) (iv)** The closing date for a paper petition which is running concurrently with a corresponding e-petition should coincide with the closing date specified by the petition organiser for the e-petition. The number of signatures will be aggregated to give the total number. Both the e-petition and the paper petition will be cross checked to ensure that there is no duplication of signatures.

- (b) (iv)** add -

A petition will not be considered where it is repetitious. Where a petition on the same or similar issue and seeking the same or similar outcome has been received within the last 6 months, whether or not from the same petition organiser it will not be considered.

## **Appendix B**

### **D5.08 MEMBERSHIP AND TERMS OF REFERENCE OF SCRUTINY PANELS**

The following wording to be included in the terms of reference of the People, Places, Corporate and Health Scrutiny Panels -

To be mindful at all times of the need to take account of the Council's revised Corporate Parenting Pledge, and the commitment to children in care and care leavers as contained within the pledge in carrying out the Panel's work.

**A1.03 HOW THE COUNCIL OPERATES**

The Council is comprised of 43 Councillors elected every four years. Councillors are democratically accountable to residents of their wards. The overriding duty of councillors is to the whole community but they have a special duty to their constituents, ~~including those who did not vote for them.~~ - **delete**

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards Committee trains and advises them on the Code of Conduct.

All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here the councillors decide the Council's overall policies and set the budget each year. The functions and operation of the Council is described in more detail in Article 4. However, the key roles of Council are the debating and approval of policy development, the promotion of community engagement and the receipt and confirmation (where necessary) of minutes of meetings of Committees.

**D5.13 HEALTH SCRUTINY**

- (a) (i) The Health Scrutiny Panel shall scrutinise any matter relating to the planning, provision and operation of health services provided or commissioned by local National Health Services (NHS) bodies within the council's area, or services provided outside the council's area for inhabitants within it. These include services which promote health or prevent ill-health and provide treatment for individual patients which are managed, arranged and provided by ~~a strategic health authority, primary care trust or NHS trusts.~~ **appropriate health agencies.**

The panel shall also scrutinise any issue which may have a wider effect on people's health, to address health inequalities and seek improvements to people's physical and mental wellbeing. This may involve a number of public and private organisations and agencies including the council, NHS bodies and the voluntary and community sectors.

- (ii) Having agreed topics for inclusion in its work programme, following consultation with members and officers of the council, local NHS bodies, ~~Local Involvement Networks (LINKs)~~ Healthwatch and relevant voluntary sector organisations, the panel shall conduct health scrutiny reviews using a similar suggested procedure as outlined in paragraph D5.12 (e) (ii) and applying the requirements of paragraph D5.19 of these procedure rules.
- (iii) The panel may co-opt non-voting individuals onto the panel with an interest in, or knowledge of an issue being scrutinised. They shall remain a co-opted member of the panel for the duration of the issue being scrutinised, unless the panel decides otherwise. On occasions it may be preferable for the individual to act as an adviser to the panel, rather than be co-opted formally.