

HARBOROUGH DISTRICT COUNCIL

Minutes of the Meeting of the Constitutional Review Committee

Held at Council Chamber

Council Offices, Adam and Eve Street, Market Harborough.

On Thursday, 05 October 2023

Commencing at 18:30

Present:

Councillors: Anderson, Asher, Grafton-Reed, Barbara Johnson, King, Knowles (chair) and Rickman.

Officers: Liz Elliot (Chief Executive), Clare Pattinson (Director of Law and Governance), Christine Elsasser (Democratic Services Officer)

1. Apologies for Absence

There were no apologies for absence received.

2. Declarations of Members' Interests

There were no declarations of interest.

3. DRAFT Constitutional Review Committee Minutes 29 June 2023

The meeting minutes of the meeting on 29 June 2023 were accepted as a true and accurate record and signed by the Chairman.

There were some points of clarification required by Councillor King.

4. Consider the following reports:

The following report was considered by the Committee to ensure they were informed of the timeline for the refresh of the Constitution.

a. Refresh of the constitution

The Monitoring Officer provided a report that explained that the Constitution Review Committee ("CRC") was responsible for overseeing the maintenance and development of the Council's Constitution.

At the meeting on 29 June 2023, the CRC agreed that a task and finish group of 7 Members would be created to ensure communication and discussion on constitutional changes could occur and that progress would be reported to the

Committee as appropriate. The Group would engage with all Members in a variety of mediums, starting at Part 1 of the constitution with a rolling review. It was to be noted that, the Council does not at this stage, wish to undertake a fundamental review of the constitution, but rather to remove ambiguity and duplication to make the constitution fit for purpose. However, given the scale of ambiguity and duplication within the Constitution, this may appear to be a more fundamental review than it is.

The CRC requested that the review of the Constitution progressed with a “side by side” approach to each section for ease of reference by Members. Samples were provided to Members at the meeting and it was explained that the main purposes were to simplify the language. **Action Point: Chairman would remain instead of Chair (otherwise all other terms would be gender neutral), Member would be replaced with Councillor and a Task and Finish group would be set up as soon as possible.** Once the updates were implemented, a yearly update would be done to take into consideration any legislative changes etc.

AGREED that the Committee would create a Task and Finish Group and adopt Timeline B which is summarised as follows:

Timeline B

N.B. This timeline reflects different time periods for the various sections of the constitution depending on the anticipated issues in each section being reviewed. It also takes account of the existing scheduled meeting dates and re-prioritises the order of consideration of the Parts to allow for the potential determination as to whether the Scrutiny Commission is retained by December 2024. By issuing more than one Part for consideration in tranche 1 and tranche 2 (instead of just tranche 1), a longer period of time is allowed for consideration (5 weeks) of the most complex sections of the Constitution (Parts 2 to 4).

As with Timeline A however, while Timeline B allows Cabinet to comment on the final refreshed document, it, like Timeline A, requires the decision whether to adopt the refreshed constitution to be taken in Annual Council and implemented forthwith. By that stage the municipal year will have started and the Council will need to communicate any changes to the changes to Council and ensure it is adequately presented to Council and implemented as quickly as possible in year.

May – Jun 23 Consider the scope of the work to be undertake

Jul – Sep 23 Plan how the work can be undertaken

Oct 23 – Mar 24 Implement the plan and secure feedback from those interested in providing their views on the refresh of the constitution:

w/c 2 Oct

explain the response
options to Members

w/c 9 Oct

issue consultation on Parts
1, 6 and 7 of the
constitution

w/c 6 Nov	close consultation on Parts 1,6 and 7 and CRC
w/c 13 Nov	consider the responses
w/c 18 Dec	issue consultation on Parts 2 and 5 of the constitution
w/c 1 Jan	close consultation on Parts 2 and 5 of the constitution and CRC consider the responses
w/c 22 Jan	issue consultation on Part 3 of the constitution
w/c 29 Jan	close consultation on Part 3 of the constitution and CRC consider the responses
w/c 26 Feb	issue consultation of Part 4 of the constitution
w/c 25 Mar	close consultation on Part 4 of the constitution and CRC consider the responses
w/c 4 April	Cabinet comment on the draft constitution
Annual Council	Constitutional Review Committee finalise recommendations to Council
	Council to consider the proposed constitution

Furthermore, the Chair stated the following and it was **RESOLVED** that:
The Task and Finish Group would agree the review process including the timeline and method of engagement with Members and Officers. Scrutiny Commission met and agreed the political balance needed to be corrected. The Scrutiny and CRC Task and Finish Groups would agree a joint recommendation to Council following the complete review of the Constitution and then direct the Monitoring Officer to undertake the following:

1. Review the legislation and legal elements of the Constitution and correct any inaccuracies.
2. Review the areas of duplication and where there are any combine the changes and if any more substantial changes are required consult the Task and Finish Group to implement timelines and engage with all Members to complete the review.

5. To consider any urgent items (to be decided by the Chairman)

There were no urgent items considered.

The meeting ended at 19:00