



SPECIAL MEETING OF THE  
OVERVIEW, SCRUTINY AND AUDIT COMMITTEE

PHOENIX HOUSE, MELTON MOWBRAY

21 APRIL 2010

PRESENT

Councillors R. Holt (Chairman)  
C.O. Chapman, P. Cumbers,  
A. Jackson, M.R. Sheldon, N. Slater, J Wyatt

Corporate Director (CM)  
Democratic Services Officer  
Secretariat & Reprographics Supervisor

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OS44. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Illingworth and D.E. Orson.

OS45. DECLARATIONS OF INTEREST

There were no declarations of interest.

OS46. REVIEW OF THE COUNCIL'S CONSTITUTION 2009/10

The Monitoring Officer submitted a report (copies of which had previously been circulated to Members) which

- (a) consolidated various issues relating to the form and content of the Constitution, which had been considered by the Constitution Review Task Group which met on 12 April 2010;
- (b) requested consideration of a list of additional proposed amendments which had been requested for investigation by the Constitution Review Task Group on 12 April 2010;
- (c) requested consideration of two other items raised at the Constitution Review Task Group relating to guidance to changes of scheduled meetings and the Calendar of Meetings for 2010/11;

- (d) requested that the Constitution Review Task Group minutes of 12 April 2010 be noted;
- (e) stated that the recommendations of this Committee would be referred to the Full Council for approval on the same date.

In addition to consideration of the above, the Committee raised several other matters at the meeting which were for referral to Council and they were as follows :-

Part	Page/Ref	Item
		<p><b>Calendar of Meetings 2010/11</b> The Calendar of Meetings for 2010/11 remain as initially circulated ie. the Annual Meeting for 2011 be held on Wednesday 18 May 2011, this being the same date as the Annual Meeting of the County Council.</p>
Part 2	25 (14.4a)	<p>Amended wording as follows :-</p> <p><b>Approval.</b> Changes to the Constitution will only be approved by the Full Council after consideration of the proposal by the Overview, Scrutiny and Audit Committee <i>or by the Monitoring Officer in consultation with the Chair of the Overview, Scrutiny and Audit Committee agreeing that a proposed amendment may be sent direct to Council in respect of minor or urgent amendments.</i></p>
All Parts		<p><b>Standards Board for England</b> All references to the Standards Board for England be replaced by the Standards Committee where appropriate and this apply throughout the Constitution as a consequential amendment.</p>
Part 4	68 3.9	<p><b>Financial Procedure Rules</b> The last word of the paragraph - 'employment' to be considered by the Head of Financial Services and the appropriate amendment be made by her following her consideration with her authority to make minor amendments to the Financial Procedure Rules.</p>
Part 5		<p><b>Guidance to Members on referring Planning Applications to Committee</b> Further to the Overview and Scrutiny Workshop Team meeting which considered a related matter regarding referrals of planning applications to the Development Committee, guidance be updated by the Head of Regulatory Services and considered by the next meeting of the Constitution Review Task Group.</p>

Part 3	13	<p><b>Licensing Sub-Committee - Membership</b>  The Committee requested that the membership revert to 4 to enable a minimum of 3 to be available.</p> <p>Following the meeting, the Head of Legal Services responded that the legislation specified 3 for sub-committees and therefore it was not legally possible to increase the membership to 4.</p>
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**RESOLVED** that

- (1) the following were approved and referred to the Council for adoption :-
  - (a) the revisions to Parts 1, 2, 3, 4 and 6 of the Constitution including the list of additional amendments at Appendix C;
  - (b) the guidance to changes of scheduled meetings being :-

‘Scheduled meetings are not to be changed unless there are exceptional circumstances such as inclement weather conditions’;
- (2) the additional items raised by the Committee as listed above be referred to the Council for adoption also;
- (3) the Constitution Review Task Group minutes of 12 April 2010 be noted.

OS47. **URGENT BUSINESS**

There was no urgent business.

The meeting which commenced at 3.30 p.m., closed at 4:20 p.m.

Chairman