

REVIEW OF CONSTITUTION - SCRUTINY

Scrutiny Committee – 21 November 2023

Report of: Chief Officer Customer and Resources

Status: For Consideration

Key Decision: No

Contact Officer: Jim Carrington-West, Ext. 7286

Recommendation to the Scrutiny Committee:

That members of the Scrutiny Committee note the contents of the report and pass any comments to the Chief Officer Customer and Resources by 11 December 2023

Reason for recommendation: In order that a report may be presented to the Governance Committee to consider changes to Part 5 and Appendix C of the constitution.

Introduction and Background

- 1 The local elections in May this year resulted in a number of new Councillors and subsequent changes to committee memberships in line with political proportionality. There has followed an initial Scrutiny meeting in July and a further meeting in September to consider the call-in of an executive decision.
- 2 It is apparent from this initial period that the information contained within the Council's constitution relating to Scrutiny matters and in particular the call-in process could be clearer and more helpful to the democratic process.
- 3 Following a number of questions raised by Councillors and at the request of the Chief Executive, it is proposed that the Chief Officer Customer and Resources presents a report to the Governance Committee to inform potential changes to procedure rules. Following consideration at Governance Committee a report could then be made to Council to adopt recommended changes to the constitution.
- 4 In order to assist the writing of a report to the Governance Committee it would be useful to canvass the views of Councillors more widely, including those of the Scrutiny Committee.
- 5 It is therefore recommended that any views or suggestions that Councillors may have in relation to Part 5 and Appendix C of the Constitution are sent to the Chief Officer Customer and Resources by 11 December 2023.

Other options Considered and/or rejected

No action could be taken, however this is unlikely to result in any change or improvement to the current Scrutiny processes.

Key Implications

Financial

There are no financial implications arising directly from this report. Any financial implications arising from the further consideration of the areas of the constitution within the scope of this report will be assessed and reported on at the relevant time.

Legal Implications and Risk Assessment Statement

The Council exercises its powers and duties in accordance with the law and its Constitution. The Constitution allows decisions to be taken efficiently and effectively and provides mechanisms to hold decision-makers (including those participating on the Scrutiny Committee) to public account.

The Scrutiny Committee discharges the functions conferred by section 9F of the Local Government Act 2000 to support the work of the Cabinet and the Council as a whole. The Scrutiny Committee Procedure Rules are contained within Appendix C of the Constitution. The Scrutiny Committee terms of reference are contained within Part 5.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Background Papers

Constitution of Sevenoaks District Council

Part 5 – Scrutiny Function:

<https://cds.sevenoaks.gov.uk/ecSDDisplayClassic.aspx?ID=2137&RPID=31658672&sch=doc&cat=13284&path=13284%2c13284&J=7>

Appendix C – Scrutiny Committee Procedure Rules:

<https://cds.sevenoaks.gov.uk/ecSDDisplayClassic.aspx?ID=2164&RPID=31658672&sch=doc&cat=13284&path=13284%2c13284&J=7>

Jim Carrington-West

Deputy Chief Executive and Chief Officer – Customer and Resources