

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	<b>Meeting:</b>	<b>Annual Council Meeting</b>
2.	<b>Date:</b>	<b>21st May 2010</b>
3.	<b>Title:</b>	<b>Constitution</b>
4.	<b>Directorate:</b>	<b>Chief Executive's</b>

### 5. Summary

Following the adoption of the revised Constitution at the Council meeting of 21<sup>st</sup> April 2010, the supporting Executive Procedure Rules and Overview and Scrutiny Procedure Rules have been amended.

A further amendment to the Constitution is proposed to take account of the new Statutory duty to establish a Petitions scheme, which is the subject of a separate report to this meeting.

### 6. Recommendations

**That the revised Executive Procedure Rules and Overview and Scrutiny Procedure Rules, and the amended wording to Article 8 of the Constitution be approved.**

## **7. Proposals and Details**

Following the adoption by the Council at its meeting on 21<sup>st</sup> April 2010 of the amended Constitution, the Executive Procedure Rules have been amended in line with the revised arrangements. Principal changes concern the operation of the Executive and the Councils Scheme of Delegation at paragraphs 1 and 2 which have been amended to reflect the “strong” leader model. A copy of the document is attached as Appendix 1.

The Overview and Scrutiny Procedure Rules are not directly affected by the changes to governance as regards the Executive but they have been updated and amended so that they fully reflect recent changes in legislation. These include the creation of the Statutory Scrutiny Officer, the designation of the Democratic Renewal Scrutiny Panel as the Crime and Disorder Committee and Councillor Call for Action. It is also proposed to include a new part VI within the rules to cover the role of Overview and Scrutiny Committees as regards the Council’s scheme for handling petitions, which will be a statutory requirement from 15<sup>th</sup> June 2010 and is the subject of a separate report to this meeting. A copy of the revised rules is attached at Appendix 2.

An amendment to Article 8 of the Constitution itself to refer to the role of Overview and Scrutiny as regards the Scheme for the handling of petitions is attached at Appendix 3.

## **8. Finance**

There are no financial implications arising from this report.

## **9. Risks and Uncertainties**

There is a need for the Council’s Constitution to be amended to reflect the revised Governance arrangements which were agreed in December 2009 and take effect this month. The Council’s Constitution and supporting documents should be regularly updated to reflect changes in legislation, including the recent requirements as regards the scheme for the handling of petitions, which are shortly to take effect.

## **10. Policy and Performance Agenda Implications**

The amendments reflect changes in legislation, notably the requirement to adopt new governance arrangements contained in the Local, Government and Public Involvement in Health Act 2007 following the Governments White Paper “ Strong and Prosperous Communities”.

## **11. Background Papers and Consultation**

The Council’s Constitution

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