

COUNCIL

19 JANUARY 2023

CHANGE TO THE CONSTITUTION – OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE

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Summary

On 25 August 2022, the Business Support Overview and Scrutiny Committee proposed that going forward, the Committee would receive an annual strategic report in relation to Medway Norse, with the Regeneration, Culture and Environment Overview and Scrutiny (RCE O&S) Committee being asked to consider an annual operational report.

At its meeting on 8 December 2022, the RCE O&S Committee agreed that it wished to receive a Medway Norse annual operational report and agreed to recommend to Full Council a change to the Council's Constitution to facilitate this.

1. Budget and policy framework
 - 1.1. The approval of changes to the Constitution, including amendments to the Terms of Reference of Overview and Scrutiny Committees, are matters for determination by the Council.
2. Background
 - 2.1. On 25 August 2022, the Business Support Overview and Scrutiny Committee received a report on its current work programme and discussed the future scrutiny of Medway Norse. Members were supportive of the proposal for the Committee to receive an annual strategic report, with the Regeneration, Culture and Environment Overview and Scrutiny Committee being asked to consider an annual operational report.

- 2.3. Amongst other things, the Business Support Overview and Scrutiny Committee agreed:

the programming of an annual strategic report on Medway Norse at the most appropriate meeting and the recommendation to the Regeneration, Culture and Environment Overview and Scrutiny Committee that it programmes an annual operational Medway Norse report, subject to any necessary amendments to its terms of reference.

- 2.4. On 8 December 2022, the Regeneration, Culture and Environment Overview and Scrutiny Committee considered the recommendation made by the Business Support Overview and Scrutiny Committee and agreed to recommend the relevant change to the Council’s Constitution to Full Council.

3. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Failure to update the Constitution	Not agreeing to amend the Constitution would mean that the operational aspect of Medway Norse reporting to Overview and Scrutiny would not be within the Terms of Reference of the Regeneration, Culture and Environment Overview and Scrutiny Committee. The Committee would therefore not be able to consider this report within its Terms of Reference, which would be contrary to the wishes of the Business Support and the Regeneration, Culture and Environment Overview and Scrutiny Committees.	Amend the Constitution	D3

<i>Likelihood</i>	<i>Impact:</i>
A Very high	1 Catastrophic (Showstopper)
B High	2 Critical
C Significant	3 Marginal
D Low	4 Negligible
E Very low	
F Almost impossible	

4. Financial implications

4.1. There are no financial implications arising from this report.

5. Legal implications

5.1. The legal implications are set out within the report.

6. Recommendation

6.1. It is recommended that the Council agrees the changes to the Overview and Scrutiny Rules set out in the Council's Constitution (Chapter 4, Part 5), as set out in Appendix 1 to the report.

Lead officer contact

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Appendices

Appendix 1 – Proposed amendment to the Constitution

Background papers

None