

COUNCIL

DATE	21 st May 2026
REPORT OF	The Monitoring Officer
SUBJECT	Annual Review of the Constitution
STATUS	Open
FORWARD PLAN REF NO.	Not applicable

CONTRIBUTION TO OUR AIMS

Good governance arrangements contribute directly to the achievement of the Council's strategic aims.

EXECUTIVE SUMMARY

An initial report setting out proposed amendments and modifications to the Council's constitutional and governance arrangements for the Municipal Year 2026/27.

RECOMMENDATIONS

1. That the Scheme of Delegation, as currently set out in the Constitution, be approved for the Municipal Year 2026/27 subject to any changes required by (i) operation of law or (ii) owing to the direct effect of Cabinet or Committee decisions, in which case authority is delegated to the Monitoring Officer to make such changes, in consultation with the Leader of the Council (in respect of executive arrangements) and the Chair of any relevant Committee or Panel (non-executive arrangements) as the case may be.
2. That the recommendations from the Constitution Working Group, as set out in paragraphs 3.1.1 to 3.1.2 of the report now submitted, be approved and the Constitution updated accordingly.
3. That authority be delegated to the Monitoring Officer, in consultation with the Group Leaders, to make any amendments of a minor nature to the Constitution from time to time.

REASONS FOR DECISION

To ensure that the Council's governance arrangements are fit for purpose.

1. BACKGROUND AND ISSUES

- 1.1 The annual review of the Constitution is intended to ensure that the Council's governance arrangements are fit for purpose and meet the needs of the prevailing political arrangements.

2. SCHEME OF DELEGATION

- 2.1 The scheme of delegation, in so far as it relates to the discharge of executive responsibilities, is approved by the Leader. Nonetheless, Council is asked to approve the scheme of delegation, in full and subject to the Monitoring Officer being given delegated authority to make such consequential in-year changes required by operation of law or to give effect to Cabinet and/or Committee decisions, in consultation with the Leader (executive arrangements) and the relevant Committee Chair (non-executive arrangements) as the case may be. There are no proposed changes this year to the Council's Scheme of Delegation.

3. CONSTITUTION WORKING GROUP

- 3.1 The Constitution Working Group has continued to meet throughout the Municipal Year to maintain regular oversight of the review and development of the Constitution. The working group will continue to meet during the municipal year and further reports to full council may be warranted. The working group has considered a number of proposed changes to the Constitution and made the following recommendations:

3.1.1 Call-in mechanism

The working group felt that there should be some flexibility over acceptance of call-ins from Members and suggested that, in the event of an anomaly, the Chief Executive, either directly or through the Monitoring Officer, should consult with the Leader of the Group(s) seeking to call in the decision.

This would require an amendment to the Overview and Scrutiny Procedure Rules (Part 2 Article 8 Appendix 1) as follows:

(c) The Chief Executive shall call-in a decision for scrutiny if so requested by any two members of the Council (including co-opted members provided the Proposal relates to their area of responsibility) and shall then notify the decision taker of the call-in. The two members "calling-in" must give written notice to the Chief Executive no later than 4.00 pm on the fifth working day after publication of the decision notice and shall specify the reason for calling the decision in. **In the event of any anomaly or concern, the Chief Executive shall either directly, or through the Monitoring Officer, consult with the Leader of the Group(s) seeking to call in the decision.**

3.1.2 Scrutiny Panel Remits

The working group felt that clarity was required around scrutiny panel remits in certain areas in order to avoid duplication of scrutiny work.

The working group focused on housing, which had been the subject of a number of joint panel meetings, and suggested that it be brought under the remit of a single panel in order to avoid duplication and

improve transparency. As such, it was suggested that the Transport, Infrastructure and Strategic Housing Scrutiny Panel be retitled to become the Transport, Infrastructure and Housing Scrutiny Panel. It was also suggested that domestic abuse be specifically referred to within the remit of the Communities Scrutiny Panel, that Town Centre masterplans be specifically referred to within the remit of the Economy, Culture and Tourism Scrutiny Panel and that school nursing be transferred from the Health and Adult Social Care Scrutiny Panel to the Children and Lifelong Learning Scrutiny Panel. Full details of the proposed changes are set out in Appendix 1 of this report.

This would require an amendment to the Overview and Scrutiny Procedure Rules (Part 2 Article 8 Appendix 1) as per the changes highlighted in Appendix 1 of this report.

4. AMENDMENTS OF A MINOR NATURE

From time to time, amendments to the Constitution of a minor nature are required. These can be to provide clarity over a particular matter without changing its meaning or intention as well as to confirm minor changes arising from decisions taken by individual panels/committees of the Council. Examples of matters dealt with under these delegated powers during the previous year include the following:

- A refresh of the Partnership Protocol (as agreed by the Audit and Governance Committee)
- Update of thresholds in the Contract Procedure Rules.
- Removal of reference to the Equans partnership.

It is proposed that authority continue to be delegated to the Monitoring Officer, in consultation with the Leaders of the political groups, to make such changes.

5. RISKS, OPPORTUNITIES AND EQUALITY ISSUES

The annual review of the Constitution acts as a mechanism to test and refresh the Council's governance arrangements.

6. OTHER OPTIONS CONSIDERED

The recommendations in this report are intended to reflect the need to modify the Council's governance arrangements to support elected members in the discharge of their various roles and responsibilities and ensure that the Constitution is accessible to the public.

7. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

These matters are reported to the Council as required by the Constitution and to support the continued good governance of the Council.

8. FINANCIAL CONSIDERATIONS

There are no financial considerations to be taken into account as a result of the recommendations within this report.

9. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

There are no direct implications for children and young people arising from the recommendations within this report.

10. CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS

There are no climate change, nature recovery or environmental implications arising from the recommendations within this report.

11. PUBLIC HEALTH, HEALTH INEQUALITIES AND MARMOT IMPLICATIONS

There are no public health, health inequalities or Marmot implications arising from the recommendations within this report.

12. CONSULTATION WITH SCRUTINY

Not applicable.

13. FINANCIAL IMPLICATIONS

As stated above, there are no financial implications arising directly from the recommendations in this report.

14. LEGAL IMPLICATIONS

As set out in the main body of the report.

15. HUMAN RESOURCES IMPLICATIONS

There are no direct human resources implications arising from the recommendations in this report.

16. WARD IMPLICATIONS

The Council's governance arrangements impact on all wards.

17. BACKGROUND PAPERS

The Council's Constitution.

18. CONTACT OFFICER(S)

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Children and Lifelong Learning Scrutiny Panel	<ul style="list-style-type: none"> • Safeguarding children • Children’s social care • Fostering and adoption • Looked after children and residential care • Corporate parenting • Children and young people leaving care • Children with disabilities • Integrated family support (Including early intervention and prevention) • Early years and childcare • Family hubs • Education, standards, attainment and school improvement • Special educational needs and inclusion • Access and educational welfare services • Children’s health commissioning • Child and adolescent mental health services (CAMHS) • Children's complex health care • Teenage pregnancy • Employability and skills • School nursing (transferred from Health Panel)
Health and Adult Social Care Scrutiny Panel	<ul style="list-style-type: none"> • Matters relating to the Health and Wellbeing Strategy • Health improvement • Public health (prevention agenda) • Adult social care • Integrated health and social care arrangements (referrals from and to the Integrated Care Board/Partnership and the Health and Wellbeing Board) • Health and social care providers in North East Lincolnshire (including voluntary, community and social enterprise sector) • Safeguarding adults • Health visiting
Economy, Culture and Tourism Scrutiny Panel	<ul style="list-style-type: none"> • Matters pertaining to the Economic strategy • Economic development • External funding and inward investment (including renewable energy) • Regeneration projects, including town centre and resort growth • Local enterprise and growth • Town Centre Master Plans • Regeneration Partnership performance monitoring • Business and education partnerships • Tourism • Visitor economy and retail offer • Libraries, museums and culture • Local heritage • Leisure and sport

Transport, Infrastructure and Strategic Housing Scrutiny Panel	<ul style="list-style-type: none"> • Local Plan (to include delivery, development, control and market housing) • Transport and traffic regulations (including parking) • Highways • Strategic housing • Housing Enforcement/Housing related support (transferred from Communities Panel) • Homelessness (transferred from Communities Panel) • Empty and derelict property (transferred from Communities Panel) • Asset management (including business centres) • Emergency planning and civil contingencies • Flood risk management
Communities Scrutiny Panel	<ul style="list-style-type: none"> • Crime and community safety • Domestic Abuse • Youth justice/youth offending • Equality, diversity and inclusion • Community cohesion • Voluntary and community sector • Town and Parish Council liaison • Customer services • To discharge community governance review responsibilities under the Local Government and Public Involvement in Health Act 2007 • Public protection (trading standards, licensing, port health, environmental health) • Waste Strategy and collections • Street Scene • Parks, open spaces and physical resort management • Digital • Energy and climate change