



Full Council	Thursday, 22 February 2018	Matter for Information and Decision
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Title: **Draft Articles and Terms of Reference of the Oadby, Wigston and South Wigston Residents' Forums**

Author(s): **David Gill (Head of Law & Governance / Monitoring Officer)**

1. Introduction

At its meeting on 5 December 2017, and following consultation with the three Residents' Forums regarding the workings of the same and the community support grant application process, Council resolved that a report on redrafting the Terms of Reference of the three Residents Forums was to be prepared by the Head of Law & Governance / Monitoring Officer and the Interim Director of Services.

2. Recommendation(s)

That Council notes the draft Articles (as set out at Part II of Appendix 1) and draft Terms of Reference (as set out at Appendix 2) for the Residents' Forums and approve the same for consultation in the next quarterly-cycle of meetings in February/March.

3. Information

- 3.1. The Council's current constitution has been amended on a piece-meal basis since it was first adopted on 28 April 2002.
- 3.2. The newly-appointed Head of Law & Governance has been tasked with reviewing the Constitution in its entirety to ensure that it is up-to-date and fit-for-purpose. As the Constitution is fundamental to the operation of the organisation and can only be approved by Full Council, the Head of Law & Governance was of the opinion that it would be worthwhile for Members to be engaged at an early stage of the review.
- 3.3. A 5-Member cross-party Working Group was established by the Change Management Committee on 17 January to provide input into the review process before Full Council is requested to comment on and approve any suggested amendments.
- 3.4. The first matter that the Head of Law & Governance and the Interim Director of Services was requested to address was the lack of any formal or substantive Terms of Reference for the three Residents Forums established under the Constitution.
- 3.5. It should be noted that the Residents' Forums are referenced both in the Articles at the beginning of the Constitution and again in Section 3, 'Responsibility for Functions'. A summary of these references are reproduced at **Part I of Appendix 1** to this report.
- 3.6. It is the view of the Head of Law & Governance that, whilst there is no reason why the Residents Forums' should not be referenced in the Articles, which provide a general view of the manner in which the Council conducts its business, they should not appear in Section 3 as they are not properly constituted "Committees" of the Council and, in any event, have no delegated decision-making powers: to be clear, the Residents' Forums merely have a power to recommend a course of action to the Policy, Finance and Development Committee who, ultimately, is the appropriate decision-making body.

- 3.7. In addition, the reference in the Articles also lacks any substantive detail as it references the exercise of “delegated functions”, as set out in Section 3, which in reality contains no “functions” whatsoever in the proper and true sense of the word.
- 3.8. In order to clarify the purpose of the Residents’ Forums and to provide a properly-defined structure within which to operate, the following steps are proposed:
- (i) Article 7 is renamed as ‘Public Engagement Forums’ and will (subject to further work on the Constitutional review) reference the Residents’ Forums, Children and Young Peoples’ Forum and the Community Engagement Forum;
 - (ii) Formal and substantive Terms of Reference are provided to the Forum’s to support the refocus of their role within the Borough. The draft Terms of Reference are set out at **Appendix 2** to this report; and
 - (iii) The reference to the Residents’ Forums at Section 3 of the Constitution (Responsibility for Functions) is deleted and replaced with the proposed wording in the Articles as reproduced at **Part II** of **Appendix 1** to this report.

Background Documents:

Report to Full Council on 5 December 2017
The Constitution of the Council

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Implications | Draft Articles and Terms of Reference of the Oadby, Wigston and South Wigston Residents' Forums

Finance	There are no financial implications arising from this report.
Chris Raymakers (Head of Finance, Revenues and Benefits)	
Legal	The legal implications are as set out in the report. The report is satisfactory.
David Gill (Head of Law & Governance / Monitoring Officer)	
Corporate Risk(s) (CR)	<input checked="" type="checkbox"/> Regulatory Governance (CR6)
David Gill (Head of Law & Governance / Monitoring Officer)	<input checked="" type="checkbox"/> Organisational/Transformational Change (CR8)
Corporate Priorities (CP)	<input checked="" type="checkbox"/> An Inclusive and Engaged Borough (CP1)
David Gill (Head of Law & Governance / Monitoring Officer)	<input checked="" type="checkbox"/> Effective Service Provision (CP2)
Vision & Values (V)	<input checked="" type="checkbox"/> "A Strong Borough Together" (Vision)
David Gill (Head of Law & Governance / Monitoring Officer)	<input checked="" type="checkbox"/> Accountability (V1)
	<input checked="" type="checkbox"/> Teamwork (V3)
	<input checked="" type="checkbox"/> Customer Focus (V5)
Equalities & Equality Assessment(s) (EA)	There are no equalities implications arising from this report.
David Gill (Head of Law & Governance / Monitoring Officer)	<input checked="" type="checkbox"/> Not Applicable (EA)