

City Council – 13 November 2023

Report of the Chair of the Housing and City Development Scrutiny Committee

Corporate Director/ Director:

Malcolm Townroe, Director of Legal and Governance

Report Author:

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Title: Amendments to the Constitution

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 The Local Government Act 2000 requires the Council to keep its Constitution up to date. Following the passing of the Social Housing Regulation Act 2023, local authorities with housing management and maintenance responsibilities have to provide assurance and oversight of the Council's regulatory compliance and tenant satisfaction. This report recommends building this requirement into the terms of reference for the Housing and City Development Scrutiny Committee to contribute to the delivery of this requirement.

2. Recommendations

- 2.1 To add the following wording to the "Purpose" section of the Housing and City Development Scrutiny Committee's Terms of Reference:

"regarding housing, contribute towards providing assurance and oversight of the Council's statutory responsibilities in the context of regulatory compliance and tenant satisfaction."

3. Reasons for recommendations

3.1 To ensure the Council's Constitution remains up to date and in line with relevant legislation.

4. Other options considered in making recommendations

4.1 Not to amend the terms of reference. This option was rejected as it would not support the delivery of the requirements of the Act.

5. Consideration of Risk

5.1 Inclusion of this responsibility in the Committee's terms of reference reduces the risk that the Council will not deliver the requirements of the Act.

6. Best Value Considerations

6.1 The recommendation proposes a response to a statutory requirement and the amendment to the Constitution does not, in itself, have any cost implications.

7. Background (including outcomes of consultation)

7.1 Following the passing of the Social Housing Regulation Act 2023, local authorities with housing management and maintenance responsibilities have to provide assurance and oversight of the Council's regulatory compliance and tenant satisfaction. As a committee with a key role in the oversight of housing services it is important that the Housing and City Development Scrutiny Committee plays a role in this. It is therefore proposed that this responsibility is incorporated into the Committee's terms of reference. A revised copy of the terms of reference, with the amended point highlighted, is attached.

7.2 Further consideration is being given as to how the Council's governance arrangements for housing can support the delivery of the requirements of the Act, including the appointment of co-optees to the Housing and City Development Scrutiny Committee. Provision for this is already made in Article 11 of the Council's Constitution. Further amendments to the Committee's Terms of Reference and other sections of the Constitution may be proposed in due course as discussions about oversight and governance progress.

7.3 The proposal was approved for recommendation to Council by the Housing and City Development Scrutiny Committee at its September meeting.

8. Finance colleague comments (including implications and value for money)

8.1 This report summarises the work undertaken by the Governance Team to amend the Nottingham City Council Constitution. The work is funded by their allocated budget within the Medium-Term Financial Plan for 2023-24. There is no additional financial implication as a direct or indirect result of this work.

Alfred Ansong, Strategic Finance Business Partner 17/10/2023

9. Legal colleague comments

9.1 The Council has a requirement to keep its constitution up to date in accordance with The Local Government Act 2000. This report seeks to bring the Constitution, as

adopted in September 2021 up to date to ensure that we are meeting the legislative requirements as set out in the body of the report.

Beth Brown, Head of Legal, 18 October 2023

10. Crime and Disorder Implications (If Applicable)

10.1 Any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee.

11. Social value considerations (If Applicable)

11.1 Any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee.

12. Regard to the NHS Constitution (If Applicable)

12.1 Any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee.

13. Equality Impact Assessment (EIA)

13.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee. Amending the Constitution will not have any direct impacts.

14. Data Protection Impact Assessment (DPIA)

14.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee. Amending the Constitution will not have any direct impacts.

15. Carbon Impact Assessment (CIA)

15.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee. Amending the Constitution will not have any direct impacts.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 None

17. Published documents referred to in this report

Social Housing Regulation Act 2023
Reports to and Minutes of the Housing and City Development Scrutiny Committee
held on 18 September 2023
Nottingham City Council's Constitution

Councillor Sam Harris
Chair of the Housing and City Development Scrutiny Committee