



## GOVERNANCE COMMITTEE 2 November 2022

**Subject Heading:**

Review of the Council's Constitution

**SLT Lead:**

Alison McKane

**Report Author and contact details:**

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**Policy context:**

The Governance Committee will monitor and review the operation of the constitution to ensure that the aims and principles of the constitution are given full effect.

**Financial summary:**

None

**The subject matter of this report deals with the following Council Objectives**

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

**SUMMARY**

To update the Committee on the review of the Council's Constitution.

**RECOMMENDATIONS**

That the Governance Committee:

- 1 Notes the consequential changes to the Constitution to be made by the Monitoring Officer as set out in Appendix 1.
- 2 Notes the terms of reference agreed by the cross party working group (“the Constitution Review Working Group”) as set out in Appendix 2.

### **REPORT DETAIL**

- 1.1 Section 37 of the Local Government Act 2000 requires a local authority operating executive arrangements to prepare and keep up to date a constitution, which sets out how the Council operates and how decisions are made.
- 1.2 A key role for the Governance Committee is to be aware of the strengths and weaknesses of the Constitution adopted by the Council and to make recommendations for ways in which it could be amended, in order to achieve the Council’s aim of ensuring that decisions are properly made and are efficient, transparent and accountable to local people.
- 1.3 In accordance with Article 11 of the Constitution, the Monitoring Officer has delegated power to amend the Constitution to correct errors and insert obvious omissions. Where necessary amendments are made under this authority, the Monitoring Officer must notify the Governance Committee at the first reasonable opportunity. The amendments to be made by the Monitoring Officer are set out in Appendix 1 and include a revision to the responsibilities of the Head of Democratic Services following the transfer of Education Appeals to an external provider and the deletion of all references to the Highways Advisory Committee, Adjudication and Review Committee and Joint Ventures Working Party following decommission.
- 1.4 In addition to these amendments, Governance Committee is also referred to the agreed terms of reference for the Constitution Review Working Group set out at Appendix 2, which held its first meeting in September 2022.

### **IMPLICATIONS AND RISKS**

**Financial implications and risks:**

There are no specific financial implications arising from this report.

**Legal implications and risks:**

Changes to the constitution must be considered by the Governance Committee before recommendation to Full Council for approval.

**Human Resources implications and risks:**

None

**Equalities implications and risks:**

There are no specific equalities implications arising from this report..

**Climate Change Implications and Risks:**

None.

**BACKGROUND PAPERS  
AND APPENDICES**

Appendix 1 – Schedule of changes to be made by the Monitoring Officer

Appendix 2 – Terms of Reference for the Constitution Review Working Group