



GOVERNANCE COMMITTEE

5 June 2024

Subject Heading:

CONSTITUTIONAL REVIEW – UPDATE

SLT Lead:

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Policy context:

A well run Council that delivers for People and Place.

Financial summary:

There are no financial implications arising from this report.

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

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place. X

SUMMARY

1. Governance Committee (“GC”) is aware that the Council’s constitution is currently being updated.
2. GC has already considered a range of proposed changes, including to the officer scheme of delegations.

3. This paper seeks to update GC as to the progress of the ongoing review.

RECOMMENDATIONS

4. GC is asked to note the contents of this report.

REPORT DETAIL

Progress to date

5. In September 2023, GC approved various changes, including a revised social media protocol and the access to information provisions. These have not yet been submitted to Full Council ("FC") for approval.
6. In March 2024, GC approved a revised scheme of officer delegations. These were approved by FC in March 2024 and were put into place as of 2 April 2024.

Next steps

7. The constitutional working group has identified the contract procedure rules and the planning procedure rules as being the two areas most in need of attention. These sections of the constitution will provide the main focus for the remainder of the year. Updates, and proposed revisions, will be provided to GC in due course.
8. Alongside that, the Monitoring Officer has started reviewing the constitution from page 1. The first section of the constitution is unlikely to need substantive changes, as illustrated by the latest draft as attached. (Please note this is a working draft).
9. It was always envisaged that the scheme of delegations would require further updates. This has become apparent as the articulation of certain statutory roles has been the subject of further debate. It is likely that the scheme will be revised although the details of that are still being ascertained. An update, and revised draft, will be provided to GC in due course.
10. The social media protocol and the flag flying policy (previously approved by GC) will be presented to FC at the next available opportunity. The other changes approved by GC in September 2023 will be brought forward as part of the process described at 8 above.

IMPLICATIONS AND RISKS

Equalities implications and Risks

10. None.

Legal implications and Risks

11. A key role for GC 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 better to achieve the purposes set out in Article 1, including setting the framework within which the Council operates, enabling the Council to provide clear leadership to the community and providing an effective means of holding decision-makers to public account.
12. Changes to the constitution will be approved by FC only after consideration of the proposals by GC.
13. It is the Monitoring Officer's responsibility to maintain an up-to-date version of the constitution and ensure that it is widely available for consultation by members, staff and the public. The proposals set in the report are intended to meet these requirements.

Financial implications and risks:

14. There are no financial implications arising from the contents of this report.

Human Resources implications and risks:

15. The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Environmental and climate change implications and risks

16. None.

BACKGROUND PAPERS