

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 11th July 2023

Decision Type: Non-Urgent Non-Executive Non-Key

Title: CONSTITUTION UPDATE

Contact Officer: Graham Walton, Democratic Services Manager
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Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: All

1. Reason for decision/report and options

- 1.1 At the Committee's meeting on 30th March 2023, it was noted that Officers would redraft the Constitution into a more user-friendly layout as set out in an index presented to the Committee. This report attaches the new format of the Constitution presented in chapters as laid out in the agreed index. The Constitution attached at Appendix 1 also includes updates which reflect updated legislation.
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2. **RECOMMENDATION**

That the Committee recommend to Council to approve the new layout and updated contents of the Constitution attached at Appendix 1.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
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Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority:
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: Estimated Cost:
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £1,607k
 5. Source of funding: Revenue Budget
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Personnel

1. Number of staff (*current and additional*): 6
 2. If from existing staff resources, number of staff hours: Not Applicable
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Not Applicable: This report does not involve an executive decision
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Procurement

1. Summary of Procurement Implications: Not Applicable
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Property

1. Summary of Property Implications: Not Applicable
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
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Impact on the Local Economy

1. Summary of Local Economy Implications: Not Applicable
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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Not Applicable
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Customer Impact

1. Estimated number of users or customers (*current and projected*): Not Applicable
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

3.1 The new proposed layout of the Constitution is presented at Appendix 1. Members are advised that although the layout has changed Officers have, at this stage, only proposed minor changes to the contents, all of which are tracked for easy reference. Examples of minor amendments include:

- 1) All references to legislation have been reviewed, updated where necessary and hyperlinked.
- 2) Out of date material has been deleted, such as -
 - a. "the ability to suspend Councillors" has been removed as this sanction is no longer available to the Standards Committee; and
 - b. references to Best Value in the Local Choice Functions.
- 3) The inclusion of a list of all Members and which committees they sit on.
- 4) Deletion of duplicated information. The previous layout of the Constitution had references to eg Citizen's rights in Part 1 Summary and Explanation and also Part 2, Article 3. This is now combined and found in Chapter 1, section 4.

3.2 The amended Constitution is attached, including track changes. There are some further sections to be added, and Chapter 9 Finance Rules is not attached as no changes have been made to these documents at this stage.

Further proposed amendments

3.3 The Monitoring Officer intends undertaking a comprehensive review of the constitution which will include:

- a) the Financial Procedure Rules
- b) the Council Procedure Rules
- c) the Employee Procedure Rules
- d) the Scheme of Delegations
- e) key decision thresholds
- f) the Code of Conduct - any proposed amendments will be taken to the Standards Committee for consideration

The Monitoring Officer will consult with chief officers and bring any proposed amendments to the Constitution to this Committee to consider and comment upon later in this calendar year.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications relating to this decision.

5. LEGAL IMPLICATIONS

5.1 The Local Government Act 2000 requires the Council to have and maintain a Constitution. The Monitoring Officer is satisfied that the Council's proposed Constitution, as attached at Appendix 1, continues to fulfil its stated purposes.

Non-Applicable Headings:	Impact on vulnerable adults and children/Policy/ Procurement/Property/Carbon Reduction/ Local Economy/Health and Wellbeing/Customers/ Ward Councillors
Background Documents: (Access via Contact Officer)	None