

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Wednesday 8 November 2023

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

Title: REVIEW OF THE CONSTITUTION

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 11th July 2023 a report was presented setting out a new, simplified structure for the Council's Constitution. The Committee deferred the proposals pending consideration by the Constitution Working Group. The Working Group has now met and considered the proposals, which are set out in the attached appendices to this report. This is an exercise to make the Constitution clearer and easier to use; no changes of substance are proposed. The detailed changes are track-changed in red, with additional changes requested by the Constitution Working Group highlighted in yellow.

2. **RECOMMENDATION**

That the Committee recommends to Council that the new structure and updated contents of the Constitution attached to this report be adopted.

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: No Cost
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £402k
 5. Source of funding: Revenue Budget
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Personnel

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

1. Legal Requirement: Statutory Requirement: Local Government Acts 1972 and 2000
 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 Constitution Working Group has approved a new structure for the Council's Constitution, which is recommended for support by this Committee and referral to full Council for approval. The aim of the proposal is to simplify the Constitution, replacing a confusing mix of several Parts and various appendices with a streamlined structure of eleven chapters as follows –

1. The Constitution
2. The Full council
3. The Leader and executive
4. Scrutiny
5. Committees
6. Scheme of Delegation to Officers
7. Ethical Governance
8. Access to Information Procedure Rules
9. Finance Rules (*not changed and not attached to this report*)
10. Officer Employment Procedure
11. Councillors Allowance Scheme (*not changed and not attached to this report*)

3.2 As part of the review, out of date or duplicate material has been removed and references to legislation checked and updated, with hyperlinks included where possible. Although the layout and presentation of the Constitution has been changed significantly, there is no intention to make changes of substance at this stage.

3.2 The amended Constitution is attached. The track changes show amendments made as part of the review, with additional changes requested by the Constitution Working Group showing as yellow highlights.

3.4 Working with the Constitution Working Group, the Monitoring Officer intends to carry out further reviews focussing on significant sections of the Constitution. These will include –

- Financial Procedure Rules and Contract Procedure Rules (following consultation with the S.151 Officer and the Executive)
- Key Decision Thresholds (a review in consultation with the Leader and Executive)
- Local Planning Protocol and Code of Conduct (with the assistance of Development Control Committee)
- Outside Bodies (to check the guidance meets Members' requirements)

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 to this report, 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)	Report to GP&L 11/7/23 Council Constitution