

## **Report of the Interim Head of Governance**

**Audit and Governance Committee, 20 March 2024**

### **REVIEW OF THE COUNCIL'S CONSTITUTION**

#### **1. Purpose of the Report**

1.1 To update the committee on the progress of the constitution review since the last report in November 2023.

#### **2. Background**

2.1 Under section 9P of the Local Government Act 2000 (LGA 2000) the Council is under a duty to prepare and keep up to date a Constitution. Section 9P of the LGA 2000 states that the Constitution must contain:

- The standing orders/procedure rules;
- The Members' Code of Conduct;
- Such information as the Secretary of State may direct; and
- Such other information (if any) as the Council considers appropriate.

#### **3. Progress since 15 November 2023**

3.1 At the meeting on 15 November 2023 it was resolved that an elected member working group would be established to consider options and proposals to advise the review and the development of the Constitution. The terms of reference, approach and timeline for this group were presented to the committee and noted.

3.2 It was also agreed at that meeting that any drafts of new and/or revised sections would be submitted to the Audit and Governance Committee for formal consideration prior to submission to Full Council for adoption and that a training session on the Constitution for Audit and Governance Committee Members should be arranged in due course.

3.3 Shortly after this meeting, on 8 December 2023, the previous Head of Governance left the council. She did not take forward any of the actions above including the establishment of the elected member working group prior to leaving.

3.4 As a result of this the timetable presented on 15 November 2023 has been adjusted and phase two will now report to Audit and Governance Committee later in the year with the entire review to be completed by the end of 2024.

3.5 Other strands of the review have been able to progress, the officer delegations and contract procedure rules have been concluded and the Independent Remuneration Panel has submitted its proposal to update the scheme of members allowances.

#### **4. Constitution Working Group**

- 4.1 The Interim Head of Governance has now taken over as lead officer for this project.
- 4.2 The elected member working group has now been established and a work programme agreed in line with the proposals previously agreed.

#### **5. Legal & Risk Implications**

- 5.1 Section 9P of the Local Government Act 2000, every local authority is under a duty to prepare and keep up to date its Constitution. This review and the development of a review programme will help to ensure that these legal requirements are met.
- 5.2 There are no significant risks arising from this report. Conducting a review process would help to reduce any risks that could arise as a result of the Constitution not properly supporting decision making and delivery of Council services.

#### **10 Appendices**

None

Contact officer: Peter Clark, Interim Head of Governance, Elections and  
Registration  
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