

EAST HERTS COUNCIL

AUDIT AND GOVERNANCE COMMITTEE – 22 MARCH 2017

REPORT BY LEGAL SERVICES MANAGER

CONSTITUTION WORKING GROUP – INTERIM REPORT

WARD(S) AFFECTED: - ALL

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**Purpose/Summary of Report**

- At the request of members at the last Audit and Governance Committee on the 25 January 2017 this report provides an update in relation to the review of the Constitution.
- Kevin Williams, previous Acting Head of Legal and Democratic Services, is reviewing the Constitution in-line with the Localism Act 2011 and other statutory requirements. Since the new head of service has resumed post Kevin is now working in the capacity as a Governance Consultant working on updating and revising the Constitution in consultation with the Constitution Working Group (CWG).
- Once the Governance Consultant has finalised his review he will consult with the CWG.
- The revised Constitution will be submitted to full Council on 10 May 2017 for approval.
- For the avoidance of doubt, no recommendations are being sought from the Committee.

<b><u>RECOMMENDATION FOR AUDIT AND GOVERNANCE COMMITTEE</u></b>
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That :
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## 2.0 Report

2.1 In carrying out the review the Governance Consultant has taken into consideration points previously raised by the CWG and has concentrated on the following issues:

- Simplifying the procedural explanations on governance matters so that they are more easy to understand and accessible especially from the viewpoint of the general public;
- Improving the cross-referencing between one part of the constitution to another, for example, with the use of hyperlinks so that it is clear how one constitutional document relates to another which can be easily cross-referenced;
- Setting out in plain English, what the parameters are for the powers and discretions on different elements of the Constitution. For example, giving greater clarity to the meaning and consequences of Executive arrangements and the Council

## 3.0 Implications/Consultations

3.1 None

### Background Papers:

Localism Act 2011

Local Government Act 2000 (Rights to a meeting and information)

<http://www.legislation.gov.uk/ukxi/2012/2089/contents/made>

Department for Communities and Local Government “Open and Accountable local government”

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/335930/140630\\_Draft\\_Openness\\_Guide\\_-F.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/335930/140630_Draft_Openness_Guide_-F.pdf)

Market Assessment of Public Sector Information – Deloitte 2013

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/198905/bis-13-743-market-assessment-of-public-sector-information.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/198905/bis-13-743-market-assessment-of-public-sector-information.pdf)

Local Government Act 1972 (Access to Meetings of the Council)

<http://www.legislation.gov.uk/ukpga/1972/70/part/VA>

Local Government Transparency Code 2014

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/360711/Local\\_Government\\_Transparency\\_Code\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/360711/Local_Government_Transparency_Code_2014.pdf)

Local Government Transparency Code 2015

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/408386/150227\\_PUBLICATION\\_Final\\_LGTC\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408386/150227_PUBLICATION_Final_LGTC_2015.pdf)

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