

EAST HERTS COUNCIL

COUNCIL – 18 JULY 2017

REPORT BY HEAD OF LEGAL AND DEMOCRATIC SERVICES

REVIEW OF THE CONSTITUTION

WARD(S) AFFECTED: All

Purpose/Summary of Report

- This report is to update Members on the progress of the Review of the Constitution and seek agreement to transitional arrangements as a result of Constitutional changes which took effect on 1 March 2017.

RECOMMENDATIONS FOR COUNCIL: That:

(A)	the report on the review of the Constitution be noted; and
(B)	current Members of the Standards Sub Committee remaining in place to deal with any matters presented to them before 1 March 2017, be approved.

1.0 Background

1.1 On 21 September 2016, the former Audit and Governance Committee agreed to the establishment of a Constitution Working Group to carry out a significant review of the Constitution in order to ensure that it was fit for purpose, to facilitate transparency of decision making processes and to better serve the needs of East Herts residents.

1.2 On 25 January 2017, the former Audit and Governance Committee received an interim report from the Legal Services Manager which sought agreement to the overall approach by the Constitutional Working Group in reviewing the Constitution and to seek Members' comments aimed at enhancing the transparency and usability of a revised Constitution.

- 1.3 Work has been undertaken on the Constitution and continues and substantial progress has been made. However, due to transitional arrangements, it was not possible to present a final version to Council on 10 May 2017 as first envisaged. It is anticipated that the work can be undertaken by the end of 2017. This will allow for any legislative changes which come into force during this time to be considered and provide that it is an inclusive process seeking Officers and Members' comments on the proposed changes.
- 1.4 On the 1st March 2017, Council agreed to reduce the number of scrutiny Committees from 5 to 2. The former Audit and Governance Committee was disbanded and formulated within the new Performance, Audit and Governance Committee which holds the responsibility for the appointment of a Standards Sub Committee which should be drawn from three members of the Performance, Audit and Governance Committee.
- 1.5 Prior to this change, a Standards Sub committee was in place to deal with outstanding complaints which have not yet reached a conclusion. In the interests of prudence and transparency, Council is asked to agree to the continuation of the formation of the present Standards Sub-Committee in relation to any matters presented to them prior to the change in the Constitution which took effect on 1 March 2017
- 1.6 This is beneficial in respect of the considerable time they have spent on present matters and have a familiarisation with the issues in hand. To begin this process with a new Standards Sub Committee will impede process resulting in greater costs to the Council.

2.0 Implications/Consultations

- 2.1 Information on any corporate issues and consultation associated with this report are contained within **Essential Reference Paper A**

Background Papers:

None

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