

	<p>Council</p> <p>29 October 2019</p>
<p style="text-align: center;">Title</p>	<p>Report of the Constitution & General Purposes Committee – Constitution Review</p>
<p style="text-align: center;">Report of</p>	<p>Monitoring Officer and Chief Legal Advisor Head of Governance</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>Annex 1 – Report to Constitution and General Purposes Committee – 7 October 2019 Appendix A – Article 2 (Members of the Council) Appendix B – Article 3 (Residents and Public Participation) Appendix C – Full Council Procedure Rules</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Andrew Charlwood, Head of Governance, 020 8359 2014, andrew.charlwood@barnet.gov.uk</p>

Summary

The Constitution and General Purposes Committee at a meeting held on 7 October 2019 considered a report on the Constitution, reviewing various sections. Except for minor administrative matters which are delegated to the Monitoring Officer (following consultation with the Chairman of the Constitution and General Purposes Committee), only Full Council may amend the Constitution. Council are therefore recommended to approve the Constitution amendments proposed by the Committee.

Recommendations

- 1. That Council note the report of the Constitution & General Purposes Committee held on 7 October 2019 (Annex 1) and the agreed and rejected amendments as detailed in Section 1.2 below.**
- 2. That Council approve the Constitution amendments as set out in Appendices A to C.**
- 3. That Council authorise the Monitoring Officer and Chief Legal Advisor to implement these revisions and publish a revised Constitution.**

1. WHY THIS REPORT IS NEEDED

1.1 As set out in the report attached at Annex 1.

1.2 At the Constitution & General Purposes Committee held on 7 October 2019 the Committee agreed that:

- A detailed report should be brought to the next meeting of the Committee on the rationale relating to the proposed amendments to Article 2 and Article 7 which would restrict Members who have called-in planning applications from sitting on the committee which determines the application.
- The proposal to change the allocated time given for the Lead Petitioner to present their petition to an Area Committee from five to three minutes be rejected.
- Agree the change to Section 2.3(f) except to add the word 'Ward' before 'Member'
- Approve all other proposed amendments as set out in Appendices A to D.

2. REASONS FOR RECOMMENDATIONS

2.1 As set out in the report attached at Annex 1.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Options were put forward to the Committee and decisions at section 1.2 above reflect the options chosen (as amended by the Committee) for recommendation to Council following discussion and debate.

4. POST DECISION IMPLEMENTATION

- 4.1 The Monitoring Officer will make arrangements for any changes agreed to be actioned, together with minor drafting and housekeeping changes. The revised Constitution will be published online.
- 4.2 The Constitution and General Purposes Committee will continue to proactively keep the Constitution under review and may make further recommendations in the next municipal year.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As set out in the report attached at Annex 1.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 None.

5.3 Legal and Constitutional References

- 5.3.1 Council Constitution, Article 4 states that “The Full Council is a formal meeting of all Councillors and is required by law to take certain important decisions as set out below. Full Council also approves a number of key plans and strategies, which together form the Policy Framework:....Adopting and changing the Constitution (unless delegated).”
- 5.3.2 Council Constitution, Article 7 states that the Constitution and General Purposes Committee terms of reference includes to: “Keep under review all aspects of the Council’s Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council.”.
- 5.3.3 Council Constitution, Article 9 states that “The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public”.

5.4 Risk Management

- 5.4.1 As set out in the report attached at Annex 1.

5.5 Equalities and Diversity

5.5.1 As set out in the report attached at Annex 1.

5.6 Consultation and Engagement

5.6.1 As set out in the report attached at Annex 1.

6. BACKGROUND PAPERS

6.1 As set out in the report attached at Annex 1.