



Constitution and General Purposes Committee

12 January 2021

Title	Constitution Review
Report of	Monitoring Officer Head of Governance
Wards	Not Applicable
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A – Article 7 – Committees, Forums, Working Groups and Partnerships (Tracked) Appendix B – Article 7 – Committees, Forums, Working Groups and Partnerships
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Summary

Following the comprehensive review of the Constitution which was completed in May 2018 a number of housekeeping amendments are proposed as set out in the report and appendices.

Officers Recommendation

That the Committee recommend to Council that the Constitution be amended to incorporate the changes set out in this report and the amended versions attached at Appendices A and B.

1. WHY THIS REPORT IS NEEDED

- 1.1 The terms of reference Committee include responsibility to “proactively to review and 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”.
- 1.2 Detailed changes and the reason for them are as set out in the table below:

No.	Section	Reference(s)	Issue Identified	Changes Proposed
1.	N/A	N/A	<p>Governance Officers have highlighted that there has been an increased frequency of late amendments moved by Members for committees. Late amendments can be problematic as they need to be circulated to committee members and published online so there is clarity on what is being voted upon. The Council Procedure Rules require amendments to be submitted by 10.30am the day before the meeting. The Committee are requested to consider if it is appropriate to introduce a deadline for all other committees.</p>	<p>None proposed.</p> <p>If the Committee agree that introducing a deadline is acceptable, amendments will be drafted for the next meeting.</p> <p>It is suggested that the cut-off could be 10.00am on the day of the meeting.</p>
2.	Article 7 (Committees, Forums and Working Groups)	Chairmen of Meetings	<p>Previous versions of the Constitution detailed arrangements detailed the procedure to be followed when changing the date or start time, or cancelling, postponing or calling an additional meeting. It is recommended that this procedure be added again so that all parties have clarity about the procedure and responsibilities.</p>	<p>Add a new section 7.10 (and re-number subsequent sections) to add the following wording:</p> <p>“In exceptional circumstances, the Chairman may change the date or start time of any meeting, cancel or postpone any meeting or call any additional meeting by seeking and gaining the agreement of a majority of Members of the Committee.”</p>
3.	Article 7 (Committees, Forums and Working Groups)	Suspension of Committee Business, 7.28 and 7.29	<p>Recently several committee meetings changed their start time (i.e. to start at 6.00pm rather than the traditional start time of 7.00pm). The cut-off time for the meeting to conclude its business has remained unaltered (at 10.00pm for committees and 10.30pm for Council and planning committees). Members have requested that Constitution is amended to state that no business shall be transacted at committees</p>	<p>Amend sections 7.28 and 7.29 (Appendices A and B) to reflect the changes of the meeting cut-off times.</p>

No.	Section	Reference(s)	Issue Identified	Changes Proposed
			after three hours of the meeting start time or three and a half hours in the case of Council and planning committees.	

2. REASONS FOR RECOMMENDATIONS

- 2.1 The Constitution and General Purposes Committee are required under their terms of reference to proactively review and keep under review all aspects of the Constitution. These proposals are recommended to ensure the smooth running of the Council.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Committee could retain the current Constitution un-amended. This is not recommended as the Constitution needs to be kept under review to ensure that it complies with legislation and best practice.

4. POST DECISION IMPLEMENTATION

- 4.1 Subject to the committee's approval, the recommendations will form part of a report to Full Council on 19 January 2021 to make final approval.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Barnet Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. By keeping the Constitution under review it ensures that the framework in which the Council is governed supports the delivery of corporate priorities and performance.

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

- 5.2.1 There are no resource implications as a result of these proposals.

5.3 Social Value

- 5.3.1 None in the context of this decision

5.4 Legal and Constitutional References

- 5.4.1 Council's Constitution, Article 7 - the Constitution and General Purposes Committee terms of reference includes responsibility "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".

5.5 Risk Management

- 5.5.1 The process of managing changes to the Constitution through the Constitution and General Purposes Committee ensures that the proposals are developed through Member participation and consideration.

5.6 **Equalities and Diversity**

5.6.1 The decision-making processes of the Council, as enshrined within the Constitution, need to be transparent and accessible to all sectors of the community.

5.7 **Corporate Parenting**

5.7.1 None in the context of this decision

5.8 **Consultation and Engagement**

5.8.1 None in context of this decision

5.8 **Insight**

5.8.1 None in the context of this decision.

6. **BACKGROUND PAPERS**

6.1 The currently adopted Constitution can be accessed here:
<http://barnet.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13581&path=0>