

	London Borough of Hammersmith & Fulham COUNCIL 23 JULY 2014
REVIEW OF THE COUNCIL'S CONSTITUTION - IN YEAR REVISIONS	
Report of the Leader of the Council: Councillor Stephen Cowan	
Open Report	
Classification: For decision Key Decision: No	
Wards Affected: All	
Accountable Director: Tasnim Shawkat, Monitoring Officer	
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1. EXECUTIVE SUMMARY

- 1.1. The Council at its meeting on 16 June 2014 agreed revisions to the Constitution and re-adopted the document for the 2014/15 Municipal Year.
- 1.2. This report recommends some further amendments to:
 - (1) enable Policy and Accountability Committees to co-opt up to 5 non-voting members,
 - (2) approve the revised Contract Standing Orders;
 - (3) amend the quorum of the Audit, Pensions and Standards Committee.
 - (4) make some in year changes to reflect updates to the Officer Schemes of Delegation as a result of changes in legislation and revisions to officer titles and posts.
 - (5) authorise Cabinet Members to set up advisory Groups which will advise on policy issues.
- 1.3. The Monitoring Officer has delegated authority to amend the Constitution where there has been a change in law, job title, structure, rearrangement of job responsibilities or for general administrative convenience. The Council is asked to note these changes.

2. RECOMMENDATIONS

- 2.1. That the amendments to the Overview and Scrutiny Procedure Rules applying to co-optees to the Policy and Accountability Committees as set out in para. 4.2 of the report be agreed.
- 2.2. That the revised Contract Standing Orders as set out in para. 4.3 and **Appendix 1** of the report be agreed.
- 2.3. That the quorum of the Audit, Pensions and Standards Committee be increased from 3 Members to 5 Members as set out in para. 4.4 of the report.
- 2.4. That the minor amendments made to the Officer Schemes of Delegation by the Monitoring Officer, as set out in para. 4.5 and **Appendix 2** of the report, be agreed.
- 2.5. That the amendments to the Cabinet portfolios enabling Cabinet Members to set up advisory Groups which will advise on policy issues, be agreed.

3. REASONS FOR DECISION

- 3.1. The Council's Monitoring Officer is required to keep the Council's Constitution up to date to ensure that its aims and principles are given full effect in accordance with Article 15 of the Constitution.

4. PROPOSALS

- 4.1. Experience with the new Policy and Accountability Committees (PACs), established following Council approval at the meeting held on 16 June 2014, has demonstrated the need for their contribution to be reinforced by the inclusion of committed co-opted members who can provide the Council with the benefit of their experience and insight in relevant areas.
- 4.2. The current Overview and Scrutiny Procedure Rules in the Constitution enables each Committee to co-opt a number of people in a non-voting capacity, the number of which shall be determined by full Council. It is recommended that each Committee be empowered to co-opt up to 5 non-voting members and that each co-optee receives an annual allowance of £504 per annum. The Children and Education Policy and Accountability Committee already has 4 Statutory Co-opted Members with voting rights on Education matters (2 Parent Governor representatives and 2 diocese representatives). This Committee will be able to appoint two additional co-optees.
- 4.3. The current Contract Standing Orders have been amended as in **Appendix 1**. The majority of the changes are cosmetic, such as redefining the new Cabinet portfolios, re-ordering some of the paragraphs, and including reference to Capital ESourcing as a procurement tool, etc. There are other small changes, for example around the role of Service Review Teams and Tender Appraisal Panels, and to provisions for extension and variations to existing contracts. The Council is recommended to approve the revised Contract Standing Orders.
- 4.4. On 16 June 2014, the Council approved an increase in the membership of the Audit, Pensions and Standards Committee from 6 to 9 Members. In view of this

increase, it is recommended that the quorum for this Committee be increased from 3 members to 5 Members.

4.5. **Appendix 2** outlines the main revisions made, under the Monitoring Officer's delegated powers, to the Scheme of Delegation of powers to officers in part 3 of the Constitution. These reflect legislative changes and updates to titles and jobs as a result of changes to legislation and changes in departmental structures. The changes and the reasons for them are set out the Appendix.

4.6 Setting up Advisory Groups are a good way for Cabinet Members to access the expertise of a wider range of people and organisations. The groups will be wholly advisory with no executive decision making powers. Members will use the forums to advise on policy issues, review existing service provision and particularly work with external partners on developing programmes.

5. EQUALITY IMPLICATIONS

5.1. There are none.

6. LEGAL IMPLICATIONS

6.1. It is important to note that the Local Government Act 2000 requires the Council to have and maintain a Constitution. The Monitoring Officer is satisfied that the Council's Constitution continues to fulfil its stated purposes, as set out in Article 1 of the Constitution.

6.2. Implications verified by: Tasnim Shawkat, Director of Law 020 8753 2700.

7. FINANCIAL AND RESOURCES IMPLICATIONS

7.1. The extra cost of allowances for the co-opted members will be met from existing budget.

7.2. Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny 020 8753 2499.

8. RISK MANAGEMENT

8.1. There are no significant risk management implications for this report.

9. PROCUREMENT AND IT STRATEGY IMPLICATIONS

9.1. There are no procurement of IT strategy implications.

9.2. Implications completed by Alan Parry, Procurement Consultant, Telephone: 020 8753 2581

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		