

# LONDON BOROUGH OF HAMMERSMITH & FULHAM

**Report to:** Full Council

**Date:** 22/01/2025

**Subject:** Review of the Constitution

**Report of:** Councillor Stephen Cowan – The Leader of the Council

**Report author:** David Abbott, Head of Governance

**Responsible Director:** Grant Deg, Director for Legal Services and Monitoring Officer

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## SUMMARY

This report asks Council to approve changes to the Constitution to modernise the document, reflect changes in legislation and organisational structure, and make it easier to navigate and reference. The report also requests approval of appointments to committees and outside bodies.

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## RECOMMENDATIONS

1. That Full Council approves the updates to the Constitution detailed in Appendices 1 and 2.
2. That Full Council agree the following changes to committee appointments:
  - Replace Councillor Zarar Qayyum with Councillor Jacolyn Daly on the Licensing Committee.
3. That Full Council agree the following changes to Outside Bodies appointments to Sir William Powell Almshouse and the Lyric Theatre: Names to be tabled.
4. That Full Council agree to delete the Lead Member for Flood Mitigation role.

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**Wards Affected:** All

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<b>Our Values</b>	<b>Summary of how this report aligns to the <a href="#">H&amp;F Corporate Plan</a> and the H&amp;F Values</b>
Doing things with local residents, not to them	Regular reviews of the constitution help to ensure a high standard of governance across the Council.

## **Financial Impact**

The recommendations in this report have no direct financial implications.

*Alex Pygram, Head of Finance, Corporate Services – 14/1/2025*

## **Legal Implications**

The Local Government Act 2000 requires the Council to have and maintain a Constitution. The Monitoring Officer must be satisfied that the Council's Constitution continues to fulfil its stated purposes, as set out in Article 1 of the Constitution. The appropriate decision maker is Full Council. It is confirmed that there are no legal impediments to Full Council approving the proposed updates to the Constitution.

*Glen Egan, Assistant Director of Legal – 14/01/2025*

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## **Background Papers Used in Preparing This Report**

The Council's Constitution: [www.lbhf.gov.uk/constitution](http://www.lbhf.gov.uk/constitution)

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## **DETAILED ANALYSIS**

### **Proposals and Analysis of Options**

1. The Constitution sets out how the Council operates, how decisions are made and the procedures that are followed to ensure business is conducted in an efficient, transparent, and accountable manner.
2. The Monitoring Officer has a duty to keep the Constitution under review and 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. All extensive changes to the Constitution, however, must be approved by Full Council.
3. 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.

### **Reasons for Decision**

4. The Council's Monitoring Officer is required to review the Council's Constitution each year to ensure that its aims and principles are given full effect in accordance with Article 14 of the Constitution.

### **Updates to the Constitution**

5. This report proposes a range of changes to modernise the constitution and make it easier to navigate and reference. Several sections have been moved to group relevant topics together, sections have been amended to reflect

organisational restructures and changes to job titles, and redundant or outdated sections have been removed.

6. In summary, the proposed changes are:
  - Part 1 – The Council’s Constitution: Removed redundant sections.
  - Part 2 – Articles: Removed redundant sections and incorporated several sections including councillor terms of office, access to information rules, mayoral functions, policy and accountability powers and procedures and access to documents from Part 4 – Rules of Procedure.
  - Part 3 – Responsibility for Functions: Removed redundant sections, amended sections to reflect updates to legislation, improved clarity, and changes to job titles.
  - Part 4 – Rules of Procedure: Removed redundant sections and sections that have been moved to the articles to improve navigation. Updated Planning and Licensing Code for Councillors and Officers.
7. The complete draft constitution with tracked changes can be found at Appendix 1. A detailed summary of the changes can be found at Appendix 2.

### **Changes to Committee Appointments and Outside Bodies Appointments**

8. The following changes to committee appointments have been proposed:
  - Replace Councillor Zarar Qayyum on the Licensing Committee with Councillor Jacolyn Daly to avoid any potential conflict of interest issues due to Councillor Qayyum’s portfolio as Cabinet Member for Enterprise and Skills.
9. Changes to Outside Bodies appointments have been proposed to fill a vacancy on Sir William Powell Almshouse following Councillor Adronie Alford stepping down from the role in December 2024, and replacing Councillor Emma Apthorp on the Lyric Theatre following her resignation in January 2025. The final appointments will be tabled at the meeting.

### **Lead Member Changes**

10. It is proposed that the Lead Member for Flood Mitigation role be deleted.

### **LIST OF APPENDICES**

Appendix 1 – Constitution with tracked changes

Appendix 2 – Summary of changes to the Constitution

