


<p>London Borough of Hammersmith & Fulham</p> <p>COUNCIL</p> <p>20 July 2016</p>	
<p>REVIEW OF THE CONSTITUTION</p>	
<p>Report of the Leader of the Council - Councillor Stephen Cowan</p>	
<p>Open Report</p>	
<p>Classification: For Decision Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Tasnim Shawkat, Monitoring Officer</p>	
<p>Report Author: Kayode Adewumi, Head of Governance and Scrutiny</p>	<p>Contact Details: Tel: 020 8753 2499 E-mail: kayode.adewumi@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The Council at its meeting on 18 May 2016 agreed revisions to the Constitution and re-adopted the document for the 2016/17 Municipal Year.
- 1.2. This report recommends some further amendments to the Officers Scheme of Delegation to reflect new legislative changes. It also seeks approval to move several scheduled meetings to allow Members and officers time off with their families during the school holiday period, where required.

2. RECOMMENDATIONS

- 2.1 That the disclosure of confidential information protocol attached as Appendix 1, be approved.
- 2.2 That the changes to the Officers Scheme of delegation to reflect new legislative changes in Appendix 2, be approved.
- 2.3 That the scheduled Council meetings be held on the following new dates:
 - Cabinet – Monday 27 March 2017;
 - Community Safety, Environment and Residents Services Policy and Accountability Committee, Monday, 24 April 2017;
 - Planning and Development Control Committee, Tuesday, 25 April 2017; and
 - Health, Adult Social Care and Social Inclusion Committee, Wednesday, 26 April 2017.
 - Health and Wellbeing Board to Wednesday 8 February 2017.

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. The Council has the power to change the date of its meetings.

4. INTRODUCTION

- 4.1 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. Some of the content of the Constitution is required by law; the remainder is for the Council itself to determine.
- 4.2 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.

5. PROPOSALS AND ISSUES

Council Calendar – Change Of Dates

- 5.1 The Council calendar of meetings was agreed in June 2014. It has subsequently been noticed that some scheduled meetings fell during the 2017 Easter school holidays. It is proposed that the following meetings be moved:-
- Cabinet meeting from Monday 3rd April 2017 to Monday 27 March 2017.
 - Community Safety, Environment and Residents Services Policy and Accountability Committee from Tuesday 4 April 2017 to Monday 24 April 2017;
 - Planning and Development Control Committee from Wednesday 5 April 2016 to Tuesday 25 April 2017;
 - Health, Adult Social Care and Social Inclusion Committee from Monday 10 April 2017 to Wednesday 26 April 2017.
 - Health and Wellbeing Board from Monday, 13 April 2017 to the earlier date of Wednesday 8 February 2017.

Disclosure Of Confidential Information Protocol

- 5.2 This protocol sets out further guidance in respect of requests by Committee members for information relevant to planning matters submitted in confidence by third parties. This disclosure is being updated to change the emphasis from information being confidential to being open except in exceptional cases. This is in line with the viability protocol which is part of the draft Local Plan earlier considered. The protocol attached as Appendix 1 should be read in conjunction with the Local Protocol For Councillors On Access To Information in the Council's Constitution. This protocol deals with information which is exempt from disclosure under the provisions of the Freedom of Information

Act 2000, the Environmental Information Regulations 2004 and the Local Government Act 1972.

Scheme of Delegation

- 5.3 Since the last update, new legislation has been enacted. This report is seeking approval of changes to the officers scheme of delegation to reflect the introduction of the legislation as highlighted in Appendix 2.

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 The Authorities have the power to share officers under s.113 of the Local Government Act 1972. They also have the power to establish joint committees for the joint discharge of non-executive functions, such as appointments, under s.102 of the 1972 Act.
- 6.3 Implications verified by: Tasnim Shawkat, Director of Law (020 8753 2700)

7 FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial implications.
- 7.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499)

8 EQUALITY IMPLICATIONS

- 8.1 A date outside the school holidays is considered to be more accessible to councillors and officers with caring/dependency responsibilities. The equalities implications of this decision has been considered to be neutral.
- 8.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny 020 8753 2499.

9 BUSINESS IMPLICATIONS

- 9.1 There are no business implications.
- 9.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny 020 8753 2499.

LOCAL GOVERNMENT ACT 2000 BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.