

COUNCIL		
Report Title	Constitutional Review	
Key Decision		Item No.
Ward		
Contributors	Head of Law	
Class	Part 1	Date: 28 November 2018

1 Summary

This report proposes certain updates to the Council's constitution to reflect current law.

2 Purpose

The purpose of the report is to ensure that the Council's Constitution remains fit for purpose, reflects existing legislation and best practice.

3 Recommendations

- 3.1 To agree the draft amended Constitution at Appendix 3 and to note the changes to the Mayoral Scheme of Delegation therein.

4 Background

- 4.1 On 15 November 2018, the Constitution Working Party met to consider proposed changes to the Constitution. Members are referred to the contents of the report which was considered then. It appears at Appendix 1. The proposed amended Constitution was appended to it. The text of the report is appended. The link to the full report, including its appendix, is here:-

<http://councilmeetings.lewisham.gov.uk/documents/s60636/Report%20to%20CWP%20-%20Constitutional%20Review%20151118.pdf>

<http://councilmeetings.lewisham.gov.uk/documents/s60637/constitution%20draft%20071118.pdf>

The review was necessary to reflect legal changes and to bring the Constitution up to date.

- 4.2 The Constitution Working Party recommended that the Council agree the proposed amended Constitution which was appended to their report. The draft minutes of its meeting on 15 November 2018 now appear at Appendix 2.

4.3 Since the Constitution Working Party meeting, the Mayor has agreed to make certain changes to his Scheme of Delegation, some of which are subject to the Council agreeing the changes to the Constitution. The proposed amended Constitution incorporating his amended Scheme of Delegation appears at Appendix 3.

4.5 The changes in the Mayoral Scheme of Delegation are twofold. First, the delegation to officers in relation to contract letting is clarified to make it clearer and provide guidance for officers on the extent of their delegation. They do not represent any change of substance. Second, the delegation to the Head of Law to settle legal proceedings is specifically stated to include administrative proceedings (such as certain planning matters) which are not covered by the existing delegation.

5. Legal implications

These remain as set out in Appendix 1

7. Equalities implications

There are no specific implications.

8. Crime and Disorder implications

The Constitution as currently drafted, and as proposed, contains provisions for the scrutiny of the police by the Council and reflects statutory requirements.

9. Financial implications

There are no specific financial implications arising from this report.