

Waverley Borough Council

Report to: Standards & General Purposes Committee

Date: 2 October 2023

Ward(s) affected: All

Report of Director: Transformation and Governance

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Report Status: Open

Update on the Guildford BC and Waverley BC Joint Constitutions Review Group

1. Executive Summary

1.1 There is a statutory obligation upon every Local Authority to have a constitution and to both maintain and publish it. It is considered good practice to keep the constitution under constant review and for councillors to consider a more formal review on an annual basis.

1.2 At the last meeting of the Standards & General Purposes Committee (S&GP) held on the 3 July 2023. The Committee, in joint conjunction with Guildford Borough Council's Corporate Governance & Standards Committee, approved the formation of a new Joint Constitutions Review Group (JCRG), with an overall objective of aligning key parts

of the Councils' respective constitutions, where appropriate to do so. This report provides an update on the status (Appendix 1) of the group since the last S&GP Committee meeting.

2. Recommendations to Committee

- 2.1 That the Committee notes the report and current status in **Appendix 1** of the G&W Joint Constitutions Review Group (JCRG).

3. Reason(s) for Recommendation:

- 3.1 To ensure the Standards and General Purposes Committee is updated and informed of the progress of the G&W Joint Constitutions Review Group. And, to ensure work on the review of Waverley Borough Council's Constitution, in collaboration with partners from Guildford Borough Council, is meeting the overall objective of aligning key parts thereof, where appropriate to do so.

4. Exemption from publication

- 4.1 No part of this report is exempt from publication.

5. Purpose of Report

- 5.1 This report asks the Committee.
 - (a) To note the report and current status of the G&W Joint Constitutions Review Group.

6. Strategic Priorities

- 6.1 The work of Councillor task or working groups assist in the delivery of the Council's Corporate Plan priorities.

7. Background

- 7.1 Following the commitment by both Guildford and Waverley to collaborate and the establishment of a Joint Management Team, with the prospect of further collaborative proposals coming forward, the benefits of aligning the governance processes within the respective Constitutions, where appropriate to do so, is becoming increasingly apparent.
- 7.2 On the 3 July 2023 the Committee agreed a Joint Constitutions Review Group, comprising councillors nominated both by this Committee and Guildford's Corporate Governance & Standards Committee, be established to meet and consider constitutional matters jointly. The overarching role of the Joint Constitutions Review Group will be to examine, review, and report back initially to this Committee and Guildford's Corporate Governance & Standards Committee on any matter relating to the Constitutional arrangements of both councils. Each Council will then have the opportunity to debate, and decide upon, any changes to their own Constitution. It is anticipated that ultimately the two Constitutions will always differ in some aspects to reflect the preferences of each Council, but that, in matters pertaining to officer accountabilities are likely to be the same.
- 7.3 The Committee is invited to note the JCRG's progress to date.

8. Equality and Diversity Implications

- 8.1 The Joint Constitutions Review Group is responsible for having due regard to the requirements of the Public Sector Equality Duty (Equality Act 2010) when making any recommendations concerning constitutional arrangements.

9. Financial Implications

- 9.1 There are no financial implications arising from this report. Any proposals, projects, or suggestions from the groups with financial implications will either be contained within approved budgets or considered as part of the Service and Financial Planning cycle.

10. Legal Implications

- 10.1 There is no legal requirement to establish working groups or task groups, but they can be useful to support and inform the work of Council Committees. There is no legal requirement for them to be politically balanced.

11. Human Resource Implications

- 11.1 Currently, we are able to service the proposed working group from within existing staffing resources in the Democratic Services team.

12. Background Papers

Waverley Borough Council Constitution

Minutes from the Standards and General Purposes Committee held on 3 July 2023.

13. Appendices

Appendix 1: Key stages of progress of the Joint Construction Review Group

Appendix 2: Amended Terms of Reference of the Joint Constitutions Review Group

Appendix 3: Agreed membership of the Joint Constitutions Review Group