

HAVANT BOROUGH COUNCIL

At a meeting of the Governance, Audit and Finance Board held on 2 July 2019

Present

Councillor Kennett (Chairman)

Councillors P Bains, Crellin, Hart, Patel and Smith K

1 Apologies

Apologies for absence were received from Councillors Inkster and Milne.

2 Declarations of Interest

There were no declarations of interests relating to items on the agenda.

3 Policy Approval for a Proposed Revision, Efficiency and Alignment of the Constitutions of East Hampshire District Council and Havant Borough Council

The Committee considered a report presented by the Interim Head of Legal recommending both Havant Borough and East Hampshire District Councils to review their constitutions. The aim of the review was to: align the two documents; remove inconsistencies; ensure that the constitutions reflected changes in legislation; achieve a consistency in approach and greater efficiency.

The report outlined the need for a review of the constitution and the rationalisation for aligning the two constitutions. The options available and the risks involved for each option were also outlined in the report.

The Solicitor to the Council advised that since the publication of the agenda:

- (a) It had been agreed that the review would be funded out of the Reserves Fund. Therefore Appendix 3 of the report had been withdrawn; and
- (b) East Hampshire District Council had agreed to the recommendations set out in the report subject to 4 members being appointed by that Council

In response to questions raised by members of the Board, the Interim Head of Legal advised that:

- (1) although an alignment of the two constitutions could lead to an alignment of the policies of each Council, this would not inevitably lead to the replacement of the two councils by one authority;

- (2) it was not cost effective to draft the revised constitutions in-house. An alignment of the two constitutions would reduce the drafting costs;
- (3) there was an increased risk of legal challenges, if a review was not undertaken;
- (4) staff had not be consulted on this proposed review and its implications on the policies and each council; and
- (5) although the aim was to align the two constitutions, it was accepted that there would be some areas where the constitution would differ.

The Interim Head of Legal advised that, if the recommendations were approved, a report would be submitted to Full Council.

RESOLVED that Council be Recommended to:

- (a) agree the review of the constitution and methodology set out in the submitted report.
- (b) approve the policy principles set out in Appendix 1 of the submitted report.
- (c) approve the creation of a single purpose joint subcommittee with Havant Borough Council of 8 Members.
- (d) appoint 4 Members from Havant Borough Council to the subcommittee referred to (c) above.
- (e) invite the Sub-Committee to report to full Councils in October 2019.
- (f) approve the budget to a maximum of £20,000 from Havant Borough Council General Reserve.

The meeting commenced at 4.30 pm and concluded at 5.04 pm

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Chairman