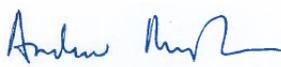


<b>LONDON BOROUGH OF CAMDEN</b>	<b>WARDS:</b> All
<b>REPORT TITLE:</b> Minor constitutional changes to be included in the annual report to May Council	
<b>REPORT OF:</b> Borough Solicitor	
<b>FOR SUBMISSION TO:</b> Audit and Corporate Governance Committee	<b>DATE:</b> 26 <sup>th</sup> March 2026
<b>SUMMARY OF REPORT:</b>  At every annual meeting of the Council, the Borough Solicitor submits a report to Council that seeks to: <ul style="list-style-type: none"> <li>• Establish the committees for the next municipal year</li> <li>• Appoint members to them</li> <li>• Confirm the terms of the Constitution and delegations to officers</li> </ul> <p>The opportunity is also taken to make some minor updates to the Constitution. As the annual Council meeting is primarily ceremonial, it is important as far as possible that discussion at the meeting does not become overly political or the subject to any serious debate. To that end, any changes proposed at this meeting are designed to be nothing more than a tidying up and clarification. They do not therefore seek to make any significant changes in decision making or impact the rights and duties of Members.</p> <p><b>LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION</b> No documents that require listing were used in the production of this report.</p> <p><b>Contact officer:</b> Andrew Maughan Borough Solicitor Town Hall Judd Street London WC1H 9JE E-mail: Andrew.maughan@camden.gov.uk Tel: 020 7974 5656</p>	
<b>RECOMMENDATIONS:</b>  The Audit and Corporate Governance Committee is asked to note and comment on the suggested changes to the Constitution detailed within the report and the intention to include those changes in the annual report to Council in May.	

Signed: 

Borough Solicitor

Date: 17 March 2026

## 1. Introduction

- 1.1 At every annual meeting of the Council the Borough Solicitor reports to the Council concerning the Constitution. This report establishes the committees for the next municipal year, appoints members to them and confirms the terms of the Constitution and delegations to officers. These are all things that the Council must do on an annual basis.
- 1.2 The opportunity is also taken to make some minor amendments to the Constitution. Taking very minor changes to regular Council meetings can take up significant Council time and, as the annual report must in any event be submitted, it is seen as sensible to at this stage make any minor and nonurgent changes. It is important, as the annual Council meeting is primarily ceremonial, that the meeting does not become overly political or the subject to any serious debate. To help ensure this, any Constitutional changes are designed to be simply a tidying up and clarification. They do not therefore seek to make any significant changes in decision making or impact the rights and duties of Members.
- 1.3 It is hoped that by bringing them to this Committee in advance of their submission to Council, any concerns or issues can be dealt with by this Committee rather than at Council. This includes the option of not taking them to Council at all but rather coming back to this Committee at a date in the future.
- 1.4 The Audit and Corporate Governance Committee is therefore invited to comment on the proposed changes.

## 2. Proposed changes

### 2.1 Sealing of Council's Deeds

#### Current wording in the Constitution

15.05

Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Borough Solicitor.

The Common Seal of the Council may be affixed either by physical means or by such electronic means as the Borough Solicitor may from time to time authorise. The affixing of an electronic seal shall be of the same legal effect as affixing the Common Seal of the Council physically.

#### New Wording

The Common Seal of the Council may be affixed either by physical means or by such electronic means, **including the application of a digital image or electronic representation of the Common Seal** as the Borough Solicitor may

from time to time **agree and** authorise. The affixing of an electronic seal shall be of the same legal effect as affixing the Common Seal of the Council physically.

#### Reason for proposed change

While arguably already covered by the existing wording, the above changes make it clear how this new process will operate.

## **2.2 Audit and Corporate Governance (Staff Appeals) Sub-Committee**

While not requiring an amendment to the Constitution as such, the Committee is asked to note that, as a result of a slight upturn in work levels and difficulties in arranging panels at short notice, officers will be proposing the creation of two staff appeal sub-committees in May, rather than the current one.

## **2.3 Allocation of Statutory Roles to specified council posts**

2.3.1 The Constitution formally notes the allocation of statutory roles such as Monitoring Officer and Section 151 (s151) officer to specific posts in the Council.

2.3.2 The s151 role is currently recorded in the Constitution as sitting with the Executive Director Corporate Services post. However, this post has a broad portfolio of responsibility ranging from our key strategic enabling services to services that provide frontline service delivery.

2.3.3 S151 officers must by law be qualified accountants. Jon Rowney was the previous postholder and following his appointment as Chief Executive, interim arrangements have been in place.

2.3.4 The current interim Executive Director Corporate Services leads the Corporate Services directorate which includes the Finance service but does not carry the s151 responsibility. The current Director of Finance has been designated as the statutory 151 Officer as part of these interim arrangements.

2.3.5 In determining the recruitment approach for the Executive Director Corporate Services role, it was important to have a process that was as inclusive as possible to encourage the best talent in the market to apply and that the approach recognised a candidate's suitability, experience and expertise across the full suite of responsibilities in the portfolio. As such, the Council has advertised the role with the flexibility for it to include the s151 responsibilities or not, depending upon the qualifications and experience of the successful applicant. There is no standard model for s151 officers and no statutory requirement for it to be the most senior corporate officer.

2.3.6 Should the cross-party Audit and Corporate Governance (Appointments Panel) Sub-Committee ultimately offer the role to a candidate who cannot hold the s151 office, it will be asked to request the Borough Solicitor to draft

the minor amendments to the Constitution required to record this and to seek the Council's agreement to them. The Council would also need to appoint another suitably qualified office holder as s151 officer in due course. Should this happen the Borough Solicitor will, because of the timing of the appointment, suggest these updates to the Constitution in the annual report.

**3. Legal comments of the Borough Solicitor**

- 3.1 This is a report of the Borough Solicitor and there are no further legal comments.

**4. Comments of Director of Finance**

- 4.1 There are no financial or resource implications stemming from this report.

**5. Environmental Implications**

- 5.1 There are no environmental implications arising from this report.

**Report ends**