



**Full Council**  
6 July 2026

**Report from the Corporate Director  
of Finance & Resources**

## Changes to the Constitution

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Council
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>List of Appendices:</b>	Three Appendix 1: Proposed amendments to Scrutiny Function Appendix 2: Proposed amendments to Full Council Meeting Standing Orders Appendix 3: Proposed amendments to Members Allowance Scheme
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Pameel Crowther- Newman, Head of Law & Litigation 020 8937 4102 <a href="mailto:Pameel.Crowther-Newman@brent.gov.uk">Pameel.Crowther-Newman@brent.gov.uk</a>

### 1.0 Executive Summary

- 1.1. This report proposes constitutional changes to the Council's existing scrutiny arrangements (Part 4 of the Constitution), including establishing an additional scrutiny committee with a housing remit; Full Council meeting standing orders (Part 2 of the Constitution) and the Members' Allowance Scheme (Part 6 of the Constitution).
- 1.2. It is proposed that the changes come into effect immediately so that the procedural changes can be applied to the conduct of the remaining proceedings of this meeting.

### 2.0 Recommendation(s)

- 2.1 To review and agree the changes to the Constitution set out in this report and the appendices.

2.2 To authorise the Monitoring Officer/Director of Law to amend the Constitution accordingly, including making any necessary incidental or consequential changes.

### **3.0 Detail**

#### **3.1 Contribution to the Borough Plan and Strategic Priorities**

3.1.1 Ensuring the Constitution is kept up to date and supportive of good governance contributes to the delivery of all the strategic priorities within the Borough Plan by supporting and enhancing the Council's activity.

### **4.0 Background**

4.1 A general review of the provisions of the Constitution and its operation is being undertaken on an on-going basis to not only ensure it remains up to date and fit for purpose but also to secure improvements and deliver the objectives of the Council.

4.2 The proposals set out in this report have been informed by cross-party discussion at the Constitution Oversight Group (COG). COG is an informal officer/member working group. The political membership of the COG is balanced and it has met four times since the Annual Council Meeting.

4.3 In the time available between the Annual Council Meeting and this meeting it was only possible to review and consider a limited number of issues but outstanding matters will be addressed in the coming months and will next be reported to Full Council at its meeting in September 2026.

### **5.0 Proposals**

#### **Homes Scrutiny Committee**

5.1 At the Annual Council Meeting on 20 May 2026, members agreed to establish a dedicated housing scrutiny committee, subject to officers reporting back to members at this meeting on the terms of reference and related changes to the Constitution.

5.2 Attached at **Appendix 1** are the tracked changes to the scrutiny section of the Constitution for approval. In summary, it is proposed that:

- A third scrutiny committee styled the 'Homes Scrutiny Committee' be established comprising of 9 councillors and 4 non-voting co-opted members. A 9 member scrutiny committee would mean the following split: Labour x4 seats; Conservative x2 seats; Liberal Democrats x2 seats and Green x1 seat. Establishing a new scrutiny committee and reducing the size of the other two scrutiny committees has no broader political balance implications because scrutiny committees are not so-called 'ordinary committees'.

- The Homes Scrutiny Committee will be responsible for the statutory scrutiny function of all the Council's housing functions.
- The Homes Scrutiny Committee will meet 5 times in each municipal year but without the ability to establish task groups etc.
- The 4 non-voting co-opted members will comprise of: an independent member of the Housing Management Advisory Board; a council housing tenant representative; a leaseholder representative and a registered provider representative.
- The tenant/leaseholder representatives will be appointed by Full Council following a competitive recruitment process overseen by a panel comprising of the members of the Homes Scrutiny Committee and officers.
- The chair/vice-chair of the Homes Scrutiny Committee will be appointed by Full Council at this meeting under the standing agenda item of Appointments.
- All 3 scrutiny committees be put on an even footing regarding the number councillors on the committees, number of meetings etc.

### **Full Council meeting standing orders**

5.3 Proposed changes to Full Council meeting standing orders are attached at **Appendix 2**. A number of aspects of the operation of Full Council meetings are yet to be reviewed but for the purposes of this meeting members are asked to approve the tracked changes at **Appendix 2** which can be summarised as follows:

- Proposals that will free up time such as deleting standing orders 31 (Report from the Leader or Members of the Cabinet); 34 (Non Cabinet Members' Debate) and 38 (Annual Report on the Borough) as well as amending standing order 36 (Reports from the Chairs of the Scrutiny Committees) by removing the right to speak and ask questions.
- A new arrangement for the allocation of political group motions at standing order 41 which will mean 3 motions per council meeting and that each motion can be debated for up to 20 minutes and with an overall time allocation of 60 minutes.
- Unless a different rule applies and with the exception of procedural motions, a requirement for advance written notice of motions and amendments to motions consistent with the practices of most other councils and good governance. To ensure flexibility however the Mayor will have the discretion to allow motions and amendments even if the notice requirements have not or cannot be complied with.

### **Members' Allowance Scheme**

- 5.4 Brent Members' Allowance Scheme (the Scheme) is set out in Part 6 of the Constitution. The current Scheme was approved by Full Council on 23 February 2026 and is effective from 1 April 2026 until 31 March 2027. The allowances payable to members are listed in Schedule 1 to the Scheme.
- 5.5 The payment of allowances is informed by [The Remuneration of Councillors in London 2023 – Report of the Independent Panel](#).
- 5.6 The tracked changes to the Members' Allowance Scheme at **Appendix 3** relate to the following:
- **Pensions.** Following enactment of the Local Government Pension Scheme (Amendment) (Elected Member Pensions) Regulations 2026 (the 2026 Regs), access to the Local Government Pension Scheme (LGPS) has been reinstated for councillors in England on an opt-in basis since 11 May 2026. The recent legislative changes were introduced to support recruitment and promote diversity in public service. Regulation 8 of the 2026 Regs amends the Local Authorities (Members' Allowances) (England) Regulations 2003 to require schemes for allowances to specify that basic and special responsibility allowances are pensionable, and require authorities to record employer pension contributions in allowance registers.
  - **Chair of the Homes Scrutiny Committee.** It is proposed that the new Chair of the Homes Scrutiny Committee should receive the same allowance as the other two scrutiny Chairs.
  - **Group Leaders.** The allowance for the Leader of the Second Opposition Group has been increased to reflect the current size of that group whilst acknowledging the constitutional significance of the Principal Opposition Group designation. Further, an allowance for the Leader of the Third Opposition Group has been introduced to reflect the political make-up of the Council since the local elections.
  - **Whips/Business managers.** In recognition of the demands and importance of the role of the political group whips/business managers, it is proposed that all whips/business managers of all political group receive an allowance. The Scheme remains within the budget set for allowances by combining the savings achieved by the Leader appointing 7 (and not 9) other members to the Cabinet and the allowance allocated to the 'Group Whip for the majority group whip'. The funds available have been allocated to the 4 political group on a political balance basis.
- 5.7 Full Council can make in year changes to the Scheme and, it is proposed that the changes be backdated.
- 5.8 COG will be undertaking a more comprehensive review of the Scheme in this Scheme year and the findings and proposals will be reported to Full Council.

## **6.0 Stakeholder and ward member consultation and engagement**

6.1 The proposed changes have been considered by the Constitution Oversight Group.

## **7 Financial Considerations**

7.1 The financial issues are addressed in the body of the report. The proposed changes to allowances remain within the budget set. The full cost impact of pension contributions for members can only be fully assessed in 2027/28.

## **8 Legal Considerations**

8.1 The legal issues are addressed in the body of the report.

## **9.0 Equity, Diversity & Inclusion (EDI) Considerations**

9.1. Under section 149 of the Equality Act 2010, the council has a duty when exercising its functions to have “due regard” to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not. This is the public sector equality duty. The protected characteristics are age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.2 “Due regard” is the regard that is appropriate in all the circumstances. The weight to be attached to the effect is a matter for the council. As long as the council is properly aware of the effects and has taken them into account, the duty is discharged. Depending on the circumstances, regard should be had to the following:

- the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision;
- the need to remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
- the need to take steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes taking account of disabled persons’ disabilities. There can be a positive duty to take action to help a disabled person. What matters is how they are affected, whatever proportion of the relevant group of people they might be;
- the need to encourage persons who share a protected characteristic to participate in public life (or in any other activity in which participation by such persons is disproportionately low); and

- the need to tackle prejudice and promote understanding.

9.3 No equalities implications arise directly from this report but the recent legislative changes to members' access to the LGPS are intended to support recruitment and promote diversity in public service.

## **10.0 Climate Change and Environmental Considerations**

10.1 None

## **11.0 Human Resources/Property Considerations (if appropriate)**

11.1 None

## **12.0 Communication Considerations**

12.1 None

**Report sign off:**

**Minesh Patel**  
Corporate Director, Finance & Resources