

# REPORT TO COUNCIL

**REPORT OF: CHAIRMAN OF THE CONSTITUTION COMMITTEE –  
COUNCILLOR RAY WOOTTEN**

**REPORT NO: LDS094**

**DATE: 18<sup>th</sup> April 2013**

<b>TITLE:</b>	<b>Recommendations from the Constitution Committee - 15<sup>th</sup> April 2013</b>	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	n/a	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Councillor Paul Carpenter – Portfolio Holder for Governance and Communication	
<b>CONTACT OFFICER:</b>	Lucy Youles – Head of Legal and Democratic Services (Monitoring Officer) E-mail: <a href="mailto:l.youles@southkesteven.gov">l.youles@southkesteven.gov</a> Telephone: 01476 406105	
<b>INITIAL IMPACT ASSESSMENT:</b>	Carried out and appended to the report: n/a	Full impact assessment Required: n/a
<b>Equality and Diversity</b>		
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	The Council's Constitution <a href="http://www.southkesteven.gov.uk/index.aspx?articleid=1974">http://www.southkesteven.gov.uk/index.aspx?articleid=1974</a>	

## 1. RECOMMENDATIONS

It is recommended that Council approve the recommendations made by the Constitution Committee at its meeting on the 15<sup>th</sup> April 2013 as follows:

- 1.1 At page 94 of the Constitution relating to delegations to the Strategic Director – Corporate focus add the authority to authorise use of powers contained in the Council Tax Reduction Scheme (Detection of Fraud and Enforcement) (England) Regulations 2013.

1.2 At page 252 of the Constitution relating to the Members' Code of Conduct - Principles of Conduct of Public Life be amended in accordance with Appendix A to report LDS092 including the following further amendment (as underlined)

- INTEGRITY: Holders of public office must avoid placing themselves under any obligation to outside individuals or organisations that might try in appropriately to influence them in their work. They should not act or take decisions in order to gain financial or material benefits for themselves, their family, their friends or other parties. They must declare and resolve and interests and relationships.
- LEADERSHIP: Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge breaches of the Code by others where they see this occurring.

## **2. PURPOSE OF THE REPORT**

The purpose of this report is to detail the recommendations made by the Constitution Committee at its meeting on the 15<sup>th</sup> April 2013 to Council for approval. The report made to the Constitution Committee and minutes of the Constitution Committee meeting of the 15<sup>th</sup> April are attached to this report at the Appendix for information.

## **3. DETAILS OF REPORT**

- 3.1 The details of the recommendations and the reasons for the recommendations are given in the minutes of the Constitution Committee meeting attached to this report and the reports made to that meeting.
- 3.2 The Secretary of State has put in place regulations to give local authorities power to enable the prevention and detection of localised council tax support scheme fraud. The regulations provide for the appointment of an individual officer to authorise the exercise of those powers. The Strategic Director – Corporate Focus is proposed as the officer appointed to authorise use of those powers.
- 3.3 The Committee of Standards in Public Life has introduced changes to the definitions of the principles of conduct in public life. The Localism Act requires local authorities to adopt a code which is consistent with those principles. The Council adopted a code which set out the full definition of those principles. The proposal in the recommendation from the Committee is to adopt the new definitions with slight amendment as detailed in this report.
- 3.4 The Committee received an update on the review of the Constitution which is detailed in the report and minutes attached to this report.

## **4. OTHER OPTIONS CONSIDERED**

No other options are proposed.

## **5. RESOURCE IMPLICATIONS**

The proposals are made to ensure that the Constitution can be amended to incorporate current requirements.

## **6. RISK AND MITIGATION**

Risk has been considered as part of this report and any specific high risks are included in the table below:

<b>Category Risk</b>	<b>Action / Controls</b>
None identified	Not applicable

## **7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT**

No assessment is required in respect of this report.

## **9. CRIME AND DISORDER IMPLICATIONS**

No crime and disorder implications arise as a result of this report

## **10. COMMENTS OF FINANCE SECTION**

There are no financial implications resulting from this report.

## **11. COMMENTS OF LEGAL AND DEMOCARATIC SERVICES**

The proposed amendments are required to ensure the content of the Constitution is relevant and up to date.

## **12. COMMENTS OF OTHER RELEVANT SERVICE MANAGERS**

None relevant

## **13. APPENDIX**

Report to Constitution Committee – HOF233, LDS092 andLDS093 –  
Minutes of Constitution Committee meeting –15<sup>th</sup> April 2013