

REPORT TO COUNCIL

REPORT OF: CHAIRMAN OF CONSTITUTION COMMITTEE

REPORT NO: LDS028

DATE: 7TH July 2011

TITLE:	Recommendations from the Constitution Committee - 13th June 2011	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	n/a	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter - Engagement and Corporate Services	
CONTACT OFFICER:	Lucy Youles – Head of Legal and Democratic Services (Monitoring Officer) E-mail: l.youles@southkesteven.gov Telephone: 01476 406105	
INITIAL IMPACT ASSESSMENT:	Carried out and appended to the report: n/a	Full impact assessment Required: n/a
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council’s website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	The Council’s Constitution Report LDS024 – Minor amendments HOF 162 – Mileage Rate	

1. RECOMMENDATIONS

It is recommended that Council approve the recommendations made by the Constitution Committee at its meeting on the 13th June 2011 as follows:

The Constitution be amended

- 1.1 At page 129 – part 4 – rule 13 (xvi) is amended to refer to rules 21.4 and 21.5. instead of rules 21.3 and 21.4.
- 1.2 At page 140 - Rule 24.5 (i), (ii), (iii) and (iv) is amended to refer to paragraph (i) and (ii)

- 1.3 At page 178 – clause 7 is amended to refer to Council Procedure Rule 1.1(viii) and Council Procedure Rule 1.1(xiii) is re-numbered (xi)
- 1.4 To grant delegated authority to the Head of Legal and Democratic Services to make corrections to the constitution in respect of minor anomalies and inaccuracies and to report.
- 1.5 To ensure the Members Allowance Scheme within the Constitution be updated to reflect the change in the mileage rate allowance for 2011/12 to 45p per business mile in line with Her Majesty's Revenue and Customs (HMRC) tax threshold rate from 9th May 2011 being the start of the current term of office.

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 13th June 2011 to Council for approval. The minutes of the Constitution Committee meeting of the 13th June 2011 are attached to this report at the Appendix 1 for information.

3. CONTRIBUTE TO PRIORITY THEME

The amendments to the Constitution recommended contribute to the quality organisation priority theme.

4. DETAILS OF REPORT

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.

- 4.1 Recommendations 1.1 to 1.3 relate to minor amendments to correct inaccuracies in numbering .
- 4.2 Recommendation 1.4 will permit changes to be made in respect of inaccuracies without reference to Constitution Committee provided a report of any changes made is made to the next Constitution Committee.
- 4.3 Recommendation 1.5 reflects the change in travel allowance in line with the tax threshold permitted by Her Majesty's Revenue and Customs.

5. OTHER OPTIONS CONSIDERED

No other options have been considered in respect of this report. Options relating to each recommendation were considered at the Constitution Committee meeting.

6. RESOURCE IMPLICATIONS

The additional cost of introducing the increased rate can be met from existing budgetary resources in 2011/12.

7. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

The recommendations are made to ensure the Constitution reflects changes in legislation and ensure arrangements for committees are fit for purpose.

8. 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

As detailed in the Resource Implications above.

11. COMMENTS OF LEGAL AND DEMOCARATIC SERVICES

The amendments are required to ensure that clause numbering is correct and that the Constitution includes up to date data.

12. COMMENTS OF OTHER RELEVANT SERVICE MANAGERS

Non applicable

13. APPENDIX

1. Minutes of the Constitution Committee meeting of the 13th June 2011