



Report to Council

Report of: Chief Executive

Date: 2 July 2014

Subject: Changes to the Constitution

Author of Report: Dave Ross – Democratic Services
0114 273 5033

Summary:

This report provides details of:-

- proposed changes to the Constitution
- a minor/consequential change to the Constitution approved by the Interim Director of Legal and Governance under delegated authority

Recommendations:

That the Council:-

- (a) considers adopting the changes to the following Parts of the Constitution, as set out in the report and Appendices A to C:-
 - (i) Part 4 - Financial Procedure Rules (Financial Regulations); and
 - (ii) Part 6 - Members' Allowances Scheme
- (b) notes the minor/consequential change to the Members' Allowances Scheme made by the Interim Director of Legal and Governance, in consultation with the Lord Mayor, under delegated authority, as outlined in the report and Appendix D.

Background Papers:

None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
NO
Legal implications
YES
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
None
Relevant Cabinet Portfolio Leader
Cllr Julie Dore
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

1. Introduction

1.1 This report provides details of proposed changes to the Council's Constitution.

2. Background

2.1 To ensure that the Constitution is kept up to date, there is a regular review process and, where changes are required, these are submitted to Full Council for approval. Changes were last approved in April 2014.

2.2 In addition, the Interim Director of Legal and Governance, in consultation with the Lord Mayor, has delegated authority to make any minor and consequential drafting changes to the Constitution. A minor change was approved in April 2014 and further details are set out at paragraph 4.1.

3. Proposed Changes and Reasons**3.1 Part 4 - Financial Procedure Rules (Financial Regulations)**

3.1.1 The Financial Procedure Rules (Financial Regulations) were last updated in June 2013 and are an important part of the Council's financial governance arrangements. They provide the rules for the Council to follow so as to protect public money and give clarity for both Members and Officers regarding responsibilities for financial management.

3.1.2 Following a review by Finance Officers, in consultation with the Cabinet Member for Finance and Resources, a number of changes are proposed to the Financial Regulations and include a number of relatively minor clarifications of, and changes to, the roles and responsibilities of officers. These include amendments to the management of reserves, the financial implications of decisions, external funding and the payment of sundry debt by direct debit. The changes also establish that those working for the Council on a voluntary basis are required to adhere to the Financial Regulations.

3.1.3 A summary of the proposed changes and a revised version of the Financial Regulations are attached at Appendices A and B.

3.2 Part 6 – Members' Allowances Scheme

3.2.1 Two minor changes are proposed to the Members' Allowances Scheme to reflect the subsistence rates for 2014/15 and the political groups on the Council as referred to in the exceptions under 'Duties Excluded'. These are set out in Appendix C.

4. Minor/Consequential Changes to the Constitution

4.1 The Interim Director of Legal and Governance, in consultation with the Lord Mayor, approved a consequential change to the Members' Allowances Scheme in April 2014 to reflect the changes arising from the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014. All Councillors were previously informed of this change which is set out in Appendix D.

5. Legal Implications

5.1 Except where delegated by Council (see paragraph 2.2 above), variations to the Constitution may only be made by Full Council.

6. Financial Implications

6.1 There are no financial implications.

7. Recommendations

7.1 That the Council:-

- (a) considers adopting the changes to the following Parts of the Constitution, as set out in the report and Appendices A to C:
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 - (ii) Part 6 – Members' Allowances Scheme
- (b) notes the minor/consequential change to the Members' Allowances Scheme made by the Interim Director of Legal and Governance, in consultation with the Lord Mayor, under delegated authority, as outlined in the report and Appendix D.

Chief Executive