

# Public Document Pack

Subject to approval at the next Constitution Working Party meeting

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## CONSTITUTION WORKING PARTY

15 April 2024 at 6.00 pm

Present: Councillors Yeates (Chair), Jones (Vice-Chair), Bower, Butcher, Haywood, Penycate, Purser and Turner (Substitute for Councillor Greenway).

16. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Greenway.

17. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

18. MINUTES

The minutes of the last meeting of the Working Party held on 29 February 2024 were approved as a correct record, subject to a minor amendment as set out below:

Page 4 – 12.1 – Addressing a Committee

That the word **the** in the sentence below be deleted:

A member of the council shall have the right to attend a meeting of any committee of the council (~~except the Standards Committee~~) of which they are not a member, but they shall not be entitled to take part in any discussion or vote on **the** any matter under consideration.

19. ITEMS NOT ON THE AGENDA THAT THE CHAIR OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chair confirmed that there were no urgent matters for this meeting.

20. SUNDRY DEBTORS - DEBT MANAGEMENT AND WRITE-OFF POLICY, REPORTING DEBT WRITE OFFS AND DELEGATION LIMITS

The Working Party received a report from the Group Head of Finance and Section 151 Officer proposing changes to the Council's Constitution in respect of the Debt Management and Write Off Policy and passing responsibility of it from the Policy & Finance Committee to the Corporate Support Committee.

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The report also proposed consolidating responsibility of the delegated write off limits and debt write off reporting requirements covering the subsequent reporting of sundry debts, including write offs for irrecoverable council tax and business rates so that the process in place for reporting these could be streamlined and made easier to manage. Currently the reporting of these write offs were managed under three different service committees, the Policy & Finance Committee, the Housing & Wellbeing Committee and the Corporate Support Committee.

Such inconsistencies were reflected in the current Debt Management and Write Off Policy and would be addressed and updated when the Policy would next be revised. The report proposed that a revised Policy be presented to the Corporate Support Committee on 27 June 2024 for adoption with that Committee assuming responsibility for the Policy rather than the Policy & Finance Committee.

It was explained that the Corporate Support Committee would also have the responsibility of approving the writing off of irrecoverable council tax and business rates debts over the approved limits falling under its responsibility instead of the Housing & Wellbeing Committee.

The Group Head of Finance and Section 151 Officer then explained each of the constitutional changes proposed. It was highlighted that none of the proposals for change related to housing tenancy debts which would continue to report into the Housing & Wellbeing Committee. Members were also reassured that proposals to increase delegation limits would not result in any change in approach to debt management and the approach taken to writing off debts.

The Working Party then discussed the proposals. One question asked was if the changes were approved by Full Council, how would any future amendments be dealt with and could the Corporate Support Committee be granted delegated authority to change the delegation levels in the future, if needed, and if so, could this be considered as an additional recommendation.

It was explained by the Group Head of Law and Governance and Monitoring Officer that although Full Council held responsibility for approving constitutional changes, it could decide to give delegated authority to a committee to review an item moving forward and following initial review by Full Council. The Working Party agreed that the proposal to grant the Corporate Support Committee authority to be able to change write-off delegation limits in the future was sensible. It then discussed Member consultation on the proposals and some questioned whether each committee should have received a report on the proposals in advance of this meeting. Following debate, it was accepted that the membership of the Constitution Working Party consisted of a wide range of members from different Committees that could raise any concerns with other Members, this was the consultation process. It was also accepted that all Members would be able to debate the proposals when recommended onto Full Council.

Following further debate, the Working Party

**RECOMMEND TO FULL COUNCIL – That**

- (1) The Debt Management and Write-Off Policy be submitted to the Corporate Support Committee for future adoption as set out in Paragraph 4.3.1;
- (2) The proposed changes to the delegation levels outlined in paragraph 4.3.2 to 4.3.4 and 4.3.6 be approved;
- (3) The proposed changes to the constitution to transfer the responsibility of approving writing off of irrecoverable council tax and business rates debts over the limits set out in paragraphs 4.3.5 and 4.3.7 transfer from the Housing & Wellbeing Committee to the Corporate Support Committee; and
- (4) Delegated authority be given to the Corporate Support Committee to review and reset write off delegation levels in respect of irrecoverable sundry debts, council tax and business rate debts if and when required.

21. REVIEW OF WORKING PARTY WORK PROGRAMME

The Group Head of Law and Governance and Monitoring Officer confirmed that the scoping report regarding considering the reintroduction of a formal scrutiny function within the Committee system had been deferred to the next meeting of the Committee.

22. DATE OF NEXT MEETING

The Working Party

**RESOLVED**

That the date of its next meeting be 10 June 2024 at 6.00 pm.

(The meeting concluded at 6.37 pm)

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