



# Council 19 May 2011

## Amendments to the Constitution

### (A) Use of Chief Executive's Urgency Powers: Delegation to Interim Joint Head of Planning

1. As part of the shared services initiative, Nicola Baker of Forest Heath District Council has from 1 April 2011 been acting as Interim Joint Head of Planning for both authorities. It is, therefore, necessary for her to have full delegated powers to carry out the functions of the role at St Edmundsbury Borough Council.
2. On 7 April 2011 the Development Control Committee formally resolved (minute 97 refers) to authorise delegation to Mrs Baker, as the Interim Joint Head of Planning, of all those powers which are set out in the Borough Council's Constitution, Scheme of Delegation to Officers, Part G1 (a) paragraphs 1 to 49 (Head of Planning and Economic Development).
3. The Committee also resolved that the Chief Executive be asked to exercise his urgency powers, as contained within the Borough Council's Constitution, to include the delegation in the Constitution until formally ratified by full Council at the Annual Meeting.
4. In accordance with Part 3 C (a) of the Council's Constitution, the Chief Executive exercised his delegated powers as requested. The same Section of the Constitution requires that this be reported to full Council.
5. It is **RECOMMENDED** that:-
  - (1) the exercise by the Chief Executive of his Urgency Powers, as detailed in Part 3 of the Council's Constitution, to authorise the delegation to the Interim Joint Head of Planning of the powers set out in Paragraph 2 above be **NOTED**; and
  - (2) Council **APPROVE** the delegation authorised to the Interim Joint Head of Planning of all those functions delegated to the Head of Planning and Economic Development set out in Section G1(a) paragraphs 1 to 49 of Part 3 of the Council's Constitution, Scheme of Delegation to Officers.

### (B) Payment of Members' Travel Expenses

#### 1. Current System

- 1.1 Where there is an 'official' attendance sheet for Council meetings which are held at West Suffolk House and this is signed by the Member, travel expenses are paid automatically.
- 1.2 Where there is an 'official' attendance sheet but the meeting is **not** held at West Suffolk House the Member needs to complete a travel claim form to initiate payment for travel expenses.

- 1.3 Where Members undertake travelling on behalf of the Council outside of official meetings then the Member has to complete a travel claim form to generate the payment.

## **2. Problems encountered with current system**

- 2.1 Transferring travel details, and cross checking them against the meeting attendance sheets to generate payments takes the Payroll Section a considerable amount of time. In addition, the Payroll Section has to create a detailed payslip to inform Members of the journeys included in their payment. There is also the chance of human error in transferring data.
- 2.2 Members sometimes complete the attendance sheet simply to record their attendance at the meeting and do not always realise that it is the means of generating payment of travel expenses.
- 2.3 Occasionally Members complete travel claims where there is no need to because of the official attendance sheet. The resulting overpayments take time to correct.
- 2.4 Members do not always remember to claim for meetings away from West Suffolk House either for 'official' Borough Council meetings or when they are representing the Borough Council.

## **3. Conclusion and Proposals**

- 3.1 There is a need to improve the payment system of travel expenses to Members to make it more efficient.
- 3.2 It is proposed, therefore, that Members be responsible for their own travel claims with regard to all meetings they attend. If Members complete their own claim forms they will know exactly what has been claimed and will be able to check that they have been paid correctly.
- 3.3 After the May 2011 Elections, Members take responsibility for claiming travel expenses and complete travel claims for all approved journeys.

## **4. Amendments to the Constitution**

- 4.1 Paragraphs 12.2 and 12.3 of Part 6, Members' Allowances, of the Constitution state that:-
  - 12.2 Travel allowances to meetings where an attendance sheet is utilised will be paid for those meeting a month in arrears, subject to the attendance sheet being received by the Payments Section by the 7 of the month.
  - 12.3 Members submitting travel and subsistence claims to attend seminars, conferences etc are paid the month following receipt of the claim, subject to the claim form being received by the 7 day of the month.

4.2 To give effect to the proposed new system the above paragraphs contained within the Constitution need amending to become one new paragraph, 12.2:-

12.2 Members submitting travel and subsistence claims to attend approved meetings, seminars, conferences etc are paid the month following receipt of the claim, subject to the claim form being received by the 7 day of the month.

## 5. Recommendation

5.1 Council is recommended to **APPROVE** the proposals in 3.2 above and that new Paragraph 12.2, detailed in 4.2 above replace paragraphs 12.2 and 12.3 in the current Constitution.

For further information please contact:-

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