Policy & Resources Committee
Monday 10 March 2025
Annual Council
Tuesday 20 May 2025

PART I

Proposed Amendments to the Constitution (ADLDS)

1 Summary

1.1 This report proposes two amendments to the Council's constitution related to updates to the LGA Model Code of Conduct and providing a delegation to the Director of Finance to write off irrecoverable debts.

2 Details

Member code of conduct

2.1 On 25 May 2021 the Council adopted the LGA Model Councillor Code of Conduct 2020. On 20 February 2024 the Council amended this by adding a section at page 5 on recording of private meetings which provides:

2.2 'In private meetings, private video calls and private telephone calls including those with Council officers, you should not, or encourage others to, openly or covertly electronically record video and/or audio of the meeting or telephone conversation without the prior consent of those in attendance.'

2.3 The LGA revised its Model Councillor Code of Conduct 2020 on 17 May 2021 (Appendix 1) and this revised version was not adopted by full Council on 25 May 2021. It is therefore proposed that Council adopts this updated version with the incorporation of the prohibition on recording of private meeting as detailed in paragraph 2.2.

Write-offs of irrecoverable debts

2.4 The Council's constitution permits the Section 151 officer (Director of Finance) to write off debts between £501 and £3,000 per individual account, for Council Tax, Business Rates, Housing Benefit overpayment and Sundry Debts. There is no provision relating to debts that exceed this amount when the debt is irrecoverable e.g. due to bankruptcy, insolvency and administration. It is therefore proposed to insert the following delegation between 11.11.3 and 11.11.4 in the scheme of officer delegation contained in Part 3 of the constitution:

2.5 The Section 151 Officer in consultation with the Lead Member for Finance is authorised to write off debts over £3,000 per individual account, for Council Tax, Business Rates, Housing Benefit overpayment and Sundry Debts when the debt in the opinion of the Section 151 officer is irrecoverable.

3 Options and Reasons for Recommendations

3.1 The Committee are asked to make a recommendation on whether:

3.1.1 To recommend the proposed changes be presented to Council (with modifications if the committee agrees)

3.1.2 To not make any change to the current arrangements.

4 Policy/Budget Reference and Implications

4.1 The recommendations in this report are within the Council's agreed policy and budgets.

4.2 The recommendations in this report do not impact on the achievement of specific performance indicators.

Financial, Legal, Staffing, Equal Opportunities, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

None specific.

5 Recommendation

That:

The committee recommends to Council the proposed constitutional amendments set out in paragraph 2.3 and 2.5.

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Background Papers

Three Rivers Council Constitution, available on the Council's website