

Subject:	Constitution Review		Status:	For Publication	
Report to:	Council		Date:	23 rd September 2020	
Report of:	Monitoring Officer		Portfolio Holder:	Corporate Services	
Key Decision:	No - reserved for Council	Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>	
Equality Impact Assessment:	Required:	No	Attached:	No	
Biodiversity Impact Assessment	Required:	No	Attached:	No	
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1.	RECOMMENDATION(S)
1.1	That Council agree to the proposed changes to the Constitution in relation to: <ul style="list-style-type: none"> Granting a general dispensation to all members of the Council for a period of 4 years as detailed in Appendix A.

2. PURPOSE OF REPORT

2.1 To consider the proposed changes to the Constitution relating to a general dispensation.

3. BACKGROUND

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3.1 The Council's Monitoring Officer is able to grant dispensations. This includes general dispensations relating to the setting of the Council's Budget and Council Tax. General dispensations can only be given for up to a period of 4 years.

3.2 A general dispensation was granted to all members of the Council for a period of 4 years from 14th December 2016 and is currently due for review.

3.3 The proposal was considered by the Council's Governance Working Group on 3rd September and was recommended to Council for approval.

3.4 It is recommended that a general dispensation be given for a further 4 year period as detailed in Appendix A. This will enable each member to participate in any discussion relating to the setting of the Council's budget and participate in the vote taken on the setting of the Council Tax.

4. RISK

4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Failure to maintain and follow an up-to-date Constitution risks legal proceedings being taken against the Council, and risks members of the community being dissatisfied with the action of the Council.
- Monitoring risks and reviewing systems of controls.

5. FINANCE

5.1 There are no immediate financial implications arising from the report.

6. LEGAL

6.1 There are no immediate legal considerations attached to the recommendation in this

report, other than the considerations as detailed at 4.1.

7. POLICY AND EQUALITIES IMPLICATIONS

7.1 The report relates to the Council's Corporate Priority of a connected and successful Rossendale. There are no equalities implications.

8. CONCLUSION

8.1 The Council is required by law to implement a Constitution and it is in the interests of the Council to regularly review and update the document.

Background Papers	
Document	Place of Inspection
The Constitution of the Council	https://www.rossendale.gov.uk/downloads/download/10710/constitution

Exercise of Delegated Powers

6.6 The Monitoring Officer is able to grant dispensations:

This includes general dispensations relating to:

- a) any allowance payment or indemnity granted to a member.
- b) setting the Council Tax or a precept under the Local Government Finance Act 1992.

(A general dispensation has been granted to all members of the Council for the period of four years from ~~14th December 2016~~14th December 2020).