

## **AMENDMENTS TO CONSTITUTION – MEMBERS’ ALLOWANCES**

### **Executive Summary**

The Members’ Allowances provisions are set out in Part 5, Section 4 of the Constitution. These include clauses 5.7 on Members Surgeries within the Travelling and Subsistence clause, and 8.2 on Co-optees’ entitlement within the Co-optees clause:

“5.7 Members are entitled to claim reimbursement for surgery accommodation to enable them to perform approved duties as a Member of Woking Borough Council.”

“8.2 The amount of entitlement to co-optees’ allowance for a co-optee in respect of the Municipal Year 2022/23 is a sum equal to 5% of the Basic Allowance (£369 in 2022/23).”

It is proposed that both clauses are removed from the Constitution. Clause 5.7 is no longer felt to be affordable for the Council, noting that it has not been claimed in recent times, and therefore could represent a saving. Clause 8.2 refers to decisions relating to pay which all fall under the delegated authority of the Head of Paid Service, and could therefore include the determination of the entitlement to the Co-optees’ allowance.

A proposed amended version of the clauses on Members’ Surgeries and Co-optees are attached as Appendix 1.

The proposal was considered at the meeting of the Corporate Governance Working Group held on 20 February 2024. An extract from the minutes of the meeting is set out below, with the recommendations from the Working Group beneath:

#### **“5. Members’ Allowances.**

The Group received a draft report to the Standards and Audit Committee which set out a proposal to amend the Members’ Allowances provisions in the Constitution. It was proposed to remove removing wording in two areas: Members’ Surgeries within the Travelling and Subsistence clause as the reimbursement was utilised rarely and offered by no other Surrey authorities; and regarding the Co-optees entitlement within the Co-optees clause as it should fall under the delegated authority of the Head of Paid Service and the sum of £369 was a small percentage of the Members Allowance which Independent Members would not receive.

Amended clauses with the deletions under Section 4 of Part 5 were attached as an appendix to the report. The Group recommended the proposal to the Standards and Audit Committee.”

### **Recommendations**

The Standards and Audit Committee is requested to:

#### **RECOMMEND TO COUNCIL That**

- (i) the clauses on ‘Members Surgeries’ and ‘Co-optee’s Allowance’ (Appendix 1) be removed from the Council’s Constitution under Section 4 of Part 5;**

## Amendments to Constitution – Members Allowances

- (ii) the authority delegated to the Monitoring Officer to make minor amendments to the Constitution be noted, including amendments to references within the document and section numbering; and
- (iii) the Monitoring Officer be instructed to make the agreed changes to the Constitution.

The item(s) above will need to be dealt with by way of a recommendation to Council.

**Background Papers:** None.

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**Members Surgeries**

~~5.7 Members are entitled to claim reimbursement for surgery accommodation to enable them to perform approved duties as a Member of Woking Borough Council.~~

**8 Co-optees**

8.1 The Council may pay co-optees' allowances in respect of their attendance at conferences and meetings. 'Co-optees' for these purposes are persons who are not members of the authority but are members of a committee or sub-Committee of the authority. The person who qualifies at the present time as a co-optee is the co-opted (independent) member who sits on the Standards and Audit Committee.

~~8.2 The amount of entitlement to co-optees' allowance for a co-optee in respect of the Municipal Year 2022/23 is a sum equal to 5% of the Basic Allowance (£369 in 2022/23).~~

8.3 Where the term of office of a co-optee does not begin or end to constitute a full year, their payment shall be a proportional amount of the co-optee's yearly entitlement. The amount shall be equivalent to the period served during that year by days.

8.4 Where a co-optee is suspended or partially suspended from their responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of co-optees' allowance payable to them in respect of the period for which they are suspended or partially suspended may be withheld by the Council.