

Central Durham Joint Crematorium Committee



27 June 2012

Review of Terms of Reference



Report of the Clerk to the Joint Committee

Purpose of the Report

- 1 The purpose of the report is to set out for Members consideration, the revised / updated Constitution of the Central Durham Crematorium Joint Committee.

Background

2. The Constitution of the Central Durham Crematorium Joint Committee was last reviewed and amended on 3 May 1983 to reflect the constituent authorities of the City of Durham Council and Spennymoor Town Council.
3. More recently, with effect from 1 April 2009, Local Government Reorganisation in County Durham transferred the responsibilities of City of Durham Council to Durham County Council
4. Following audit reviews of the Joint Committee's during 2009/10 and 2010 / 11, it was recommended that the Joint Committee undertake a review and update of its terms of reference.

The Constitution

5. The Constitution of the Central Durham Crematorium Joint Committee has been reviewed and brought up to date. The updated constitution fully reflects the revised constituent authority legal titles; expenditure and subsequent surplus distribution arrangements on a 80/20 basis; along with the policies regarding retained surplus transfer to reserves.
7. Members will note that the Constituent authority membership appointments and asset ownership remains as per the original constitution. The Central Durham Crematorium will continue to operate within the procedure rules and financial regulations of the lead partner authority, Durham County Council, who will continue to be responsible for the management of the facility and for supporting the Joint Committee.

8. The updated constitution is attached at Appendix 2. For Members' information, a copy of the original Constitution (dated 3 May 1983) is attached at Appendix 3.

Recommendations and Reasons

9. It is recommended that:

Members of the Joint Committee note and approve the updated Constitution.

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Appendix 1: Implications

Finance

The Constituent Authority income sharing (unchanged) and reserves protocols (in line with the strategy adopted in recent years) are disclosed within the revised constitution detailed within Appendix 2.

Staffing

There are no staffing implications associated with this report.

Risk

There are no risk implications associated with this report

Equality and Diversity / Public Sector Duty

There are no Equality and Diversity implications associated with this report.

Accommodation

The Constituent Authority asset ownership (unchanged) is highlighted within the revised constitution detailed within Appendix 2.

Crime and Disorder

There are no Crime and Disorder implications associated with this report.

Human Rights

There are no Human Rights implications associated with this report

Consultation

Legal officers of Spennymoor Town Council were provided with a copy of the constitution and given opportunity to comment / raise any detailed questions/ request amendments on its content in advance of circulation to members of the Central Durham Crematorium Joint Committee.

Procurement

None

Disability Discrimination Act

None

Legal Implications

The constitution has been updated by Legal services, Durham County Council, in line with relevant legislative requirements and taking into account the current constitution terms of reference, which remains substantially unchanged.