

Mountsett Crematorium Joint Committee
22nd June 2015



**Mountsett Crematorium, Joint Committee,
Changes to Constitution/Terms of
Reference**



Report of the Clerk to the Joint Committee

Purpose of the Report

1. The purpose of this report is to provide details of a review of the Mountsett Crematorium Joint Committee's Constitution, which, in accordance with the Annual Governance Statement requirements is reviewed on an annual basis.

Background Information

2. The Constitution of the Mountsett Crematorium Joint Committee was presented to, and approved by members on 25th April 2013.
3. Members also gave a commitment to review the Constitution on an annual basis, as part of the approval process for the Annual Governance Statement.

Review of the Constitution

- 5 The Constitution has been reviewed by the Clerk to the Mountsett Crematorium Joint Committee.
- 6 Members will recall that the Constitution fully reflects the constituent authority legal titles, expenditure and subsequent surplus distribution arrangements on a 60/40 basis, along with the policies regarding retained surplus transfer to reserves.
- 7 Members will again note that the constituent authority membership appointments and asset ownership remain as per the original constitution, dated 7th September 1976.
- 8 The Mountsett Crematorium Joint Committee 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.
- 9 The review has not highlighted any requirements for change to the current Constitution, therefore this report reaffirms continuation of the existing Constitution and governance arrangements set out within.

Recommendations:**It is recommended that:**

10 Members of the Committee consider the outcome of the review of the Constitution of Mountsett Crematorium Joint Committee, and reapprove the Constitution which has been subject to review in accordance with Annual Governance Statement requirements.

Background Papers

Mountsett Crematorium Joint Committee Constitution (amended 25.4.13)

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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 constitution.

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 constitution.

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 Gateshead Council were originally 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 Mountsett Crematorium.

Procurement

None

Disability Discrimination Act

None

Legal Implications

The constitution (revised (April 2013) has been reviewed by the Clerk to the Joint Committee, an employee of Legal Services, Durham County Council, in line with relevant legislative requirements.