

Crawley Borough Council

Minutes of General Purposes Committee

19 March 2007 at 7.30pm

Present:

Councillor R D Burrett (Chair)

Councillor D English (Vice-Chair)

Councillors C A Cheshire, M T Head, J Mortimer, J G Smith and L A Walker

Officers Present:

P Tinsley
G Hydes

Head of Democratic Services
Democratic Services Officer

Apologies for Absence:

Councillors B K Blake, D G Crow, R A Lanzer; and D J Shreeves

24. Minutes

The minutes of the meeting of the Committee held on 29 January 2007 were approved as a correct record and signed by the Chair.

25. Members' Disclosure of Interests

None.

26. Members' Allowances Scheme – Report of the Independent Review Panel

The Committee considered report DS/70 of the Head of Democratic Services on the final report of the Members' Allowances Independent Review Panel. A copy of the Panel's report had been circulated to all Members of the Council.

The Committee considered the report of the Panel which recommended increases in Members' Allowances in line with inflation (including the basic allowance, the special responsibility allowance, dependent care allowance and the overnight rate). The report also proposed a special responsibility allowance for the Chair of the Audit and Governance Sub-Committee. The Members' Allowances Scheme set out in Appendix 1 to the report would give effect to the recommendations contained in the report of the

Independent Review Panel. The scheme had been amended to make it clear that a special responsibility allowance was payable to a co-opted Member, where applicable (e.g. where an Independent member chaired the Standards Committee) and the Committee recommended that that provision be applied retrospectively to enable a special responsibility allowance to be paid to the Chair of the Standards Committee for 2006/7. Details of the research carried out by the Panel were set out in its report.

The allowances being recommended by the Panel were as follows:-

Office Holder	Special Responsibility Allowance
	£
Basic Allowance (all councillors)	5704
Leader of the Council	13693
Executive Portfolio Holders	6844
Overview & Scrutiny Commission Chair	6126
Vice Chair of Scrutiny Commission	1118
Payments to Lead Member on a Review (note Members would be entitled to only one £1,087 allowance per year even if they chose to undertake a second review)	1087 per completed review:-
Chair of Development Control Committee	5703
Chair of Licensing Committee	5703
Vice-Chair of Licensing	2282
Vice-Chair of Development Control Committee	2282
Chair of Standards Committee	2282
Chair of General Purposes Committee	2282
Chair of Audit and Governance Sub-Committee	2282
Chair of Budget Advisory Group (payable provided the postholder is not an Executive Member)	2282
Leader(s) of minority group(s) (differential rates depending on the number of Members in that Group);	
• Basic allowance	2110
• Additional payment per Group member	263

(No Member would be entitled to more than two special responsibility allowances. If they fulfilled three or more of the above roles, they would be paid only the highest two allowances).

The Committee was informed that the cost of the revised Members' Allowances Scheme would be around £353,300 in a full year, plus an estimated £1,200 for travel and dependent care payments. The figures could be accommodated within the existing budget provision of £353,900.

RECOMMENDATION

That the Council be recommended

1. To approve the Members' Allowances Scheme for 2007/8 as recommended by the Independent Review Panel and set out in the Appendix to report DS/70 of the Head of Democratic Services
2. That the amendment to provide for a special responsibility allowance to be payable to a co-opted member, where applicable, be applied retrospectively to enable a special responsibility allowance to be paid to the Chair of the Standards Committee for 2006/07; and
3. That the Panel be thanked for the thorough and efficient way in which they had carried out the review.

27. Review of Democratic Structures and Constitutional Changes

The Committee considered report DS/71 of the Head of Democratic Services on the review of Democratic Structures and Constitutional Changes.

The report considered whether any changes were required in 2007/8 to the Council's Democratic Structures. It was usual at this time of the year, for a full review of the Constitution to be carried out prior to the start of the new municipal year and the report before the Committee proposed certain revisions (including changes to Part 3 of the document – Responsibility for Functions). The requirement to monitor the operation of the provisions relating to call-in and urgency on an annual basis as required in Scrutiny Procedure Rule 14 (k) had also been addressed, and details were set out in Appendix 2 of the report.

To fulfil the requirements of Article 15.01, the Committee was required to monitor the operation of the Constitution and the Council's Democratic Structures. In addition, Scrutiny Procedure Rule 14(k) required that the operation of the provisions relating to call in and urgency should be monitored annually and a report submitted to Council with proposals for review, if necessary.

The Committee considered the proposed amendments to the constitution as set out in Appendix 1 to the report. In relation to Functions of the Executive (page 122) the Committee noted that the items omitted in error from the current constitution were exceptions to the Executive's powers which had to be referred to the full Council for approval.

The Committee considered that in relation to Function A32 of the Executive (page 130), the words 'e.g. the issuing of street litter control notices' should be omitted because the delegation, without the example, would be wide enough to cover all enforcement activities associated with litter and waste. It was noted that the new delegation relating to the appointment of authorised officers in relation to the Dangerous Dogs Act 1991 should be numbered A33.

The Committee also noted a typing error in the text of the Protocol for the nomination of Honorary Aldermen or Honorary Freemen. The second sentence in the third paragraph should be amended to read "Many people **provide (not provided)** good service both to the town and to the Council".

In relation to Part 7 – Management Structures (Page 441) proposing that references to the Head of Organisational Development and Improvement should be changed to Head of Human Resources and Development throughout the document, the Committee agreed that proposal subject to officers checking whether any of the

references to the Head of ODI should be changed instead to Chief Executive because some duties from the former ODI Division (e.g. Performance Monitoring) had been transferred to the Corporate Policy Unit.

RECOMMENDATION

That the Council be recommended

1. That, subject to any comments received from the Executive with regard to their functions, the amendments to the Constitution proposed in Appendix 1 to these Minutes be agreed with a view to their implementation immediately after the Annual Meeting of the Council.

2. That, since the provisions relating to call-in and urgency have only been used three times during the past twelve months, no revision of the provisions is necessary at this stage.

28. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 7 52 pm.

R D BURRETT

Chair

AMENDMENTS TO THE CONSTITUTION

Function	Proposed amendment	Reason for amendment				
Article 5 – Chairing the Council (Page 21)	<p>In 5.01, after the first sentence, include the following:-</p> <p>‘The Mayor and Deputy Mayor, will hold office until the end of the Municipal Year unless, in the meantime, either resign from office’</p>	As provided in Sections 4 and 5 of the Local Government Act 1972.				
Article 9 – The Standards Committee (Page 31)	<p>Delete the following functions:-</p> <p>‘The overview of internal and external audit The overview of whistleblowing policy’</p>	These functions were transferred to the Audit and Governance Sub Committee when it was established but no amendment to Article 9 was made at that time.				
Article 12 – Employees (Page 36)	<p>Revise to read:-</p> <p>‘Director of Resources Overall responsibility for customer services, finance, information and communications technology, property services and procurement and legal services. (Head of Finance has Section 114 and 151 responsibilities).</p>	Section 114 and 151 functions to be transferred back to the Head of Finance following a permanent appointment to that post.				
Article 12 – Employees (Page 37)	<p>Revise to read:-</p> <p>‘The Council will designate the following posts as shown:-</p> <table border="0" data-bbox="680 1247 1268 1377"> <tr> <td style="padding-right: 20px;">Post</td> <td>Designation</td> </tr> <tr> <td>Head of Finance</td> <td>Chief Finance Officer (Sections 114 and 151)’</td> </tr> </table>	Post	Designation	Head of Finance	Chief Finance Officer (Sections 114 and 151)’	Section 114 and 151 functions to be transferred back to the Head of Finance following a permanent appointment to that post.
Post	Designation					
Head of Finance	Chief Finance Officer (Sections 114 and 151)’					

Function	Proposed amendment	Reason for amendment
Local Choice Function 5 – The discharge of any function relating to the control of pollution or the management of air quality (Page 66)	The following function to be delegated through the Executive to the Head of Environmental Services:- 'The appointment of authorised officers for the purpose of exercising powers contained within Sections 77, 78 and 79 of The Clean Neighbourhoods and Environment Act 2005'.	These sections provide the Council with additional powers to deal with sounding intruder alarms causing annoyance to those in the vicinity
Local Choice Function 5 – The discharge of any function relating to the control of pollution or the management of air quality (Page 66)	The following function to be delegated through the Executive to the Head of Environmental Services:- 'The appointment of authorised officers for the purpose of exercising powers contained within the Noise Act 1996'.	These provisions relate to the service of fixed penalty notices, the investigation of complaints at night including the issue of Warning Notices and the prosecution of offences where noise exceeds permitted level after service of notice.
Functions of the Licensing Committee (Pages 99 -106)	Functions 49 to 69 to be referred to as 'Functions of the Licensing Committee under the Licensing Act 2003'	To avoid any confusion with similar functions under the Gambling Act 2005.
Functions of the Licensing Committee (Page 105)	Add the following words 'Where an application made under the Licensing Act 2003 or the Gambling Act 2005 has been submitted by or on behalf of an employee or Member of the Council, it shall not be determined by an officer under delegated powers'.	To be consistent with the delegation scheme for Development Control Committee.
Functions of the Staff Appeals Board (Page 111)	Add the following delegation through the Staff Appeals Board:-	Compromise agreements are commonly made immediately prior to an Employment Tribunal hearing and representatives from the

Function	Proposed amendment	Reason for amendment
	<p>'The following function is delegated to the Chief Executive, in consultation with the Leader of the Council and the Executive Member for Continuous Improvement and Development</p> <p>Authority to agree a Compromise Agreement in circumstances where an employee or former employee of the Council has made a claim or has a potential claim against the Council. In addition, where the Compromise Agreement includes an amount of financial compensation, the Chief Executive, in consultation with the Leader of the Council and the Executive Member for Continuous Improvement and Development, be given delegated authority to agree the amount following consultation with the Head of Legal Services”.</p>	<p>Council would have to confirm to the Chair of the Tribunal that agreement had been reached in order for the claim to be withdrawn. It would not be possible to change the agreement once made.</p>
<p>Functions of the Audit and Governance Sub Committee (Page 115)</p>	<p>Amend the membership requirements to read as follows:- 'Membership: Five members. Not more than one member shall be an Executive member and that Member shall not Chair the Sub-Committee'</p>	<p>The present wording in the Constitution is ambiguous and suggests that there must be one member of the Executive, whereas the intention is that one member of the Executive is the maximum (i.e. it is not necessary to have any Executive Members).</p>
<p>Functions of the Membership Committee (Page 117)</p>	<p>Delete the words 'Annual Meeting of the' so that function 1. reads as follows:- 'To submit to the Council its recommendations as to the constitution of the Committees, Sub-Committees and the Executive.'</p>	<p>For purposes of consistency and to enable recommendations to be made, as necessary, at other times during the Council year.</p>

Function	Proposed amendment	Reason for amendment
Functions of the Membership Committee (Page 117)	Delete the words 'Annual Meeting of the' so that function 2 reads as follows:- 'To submit to the Council its recommendations on the appointment of the Leader of the Council, Executive Portfolios, Chairs, Vice Chairs and members of the Committees and Sub-Committees.'	To enable recommendations to be made, as necessary, at other times during the Council year.
Functions of the Executive (Page 122(e))	Re insert (b) (c) and (d) Revise to read as follows:- '(e) appointing the Leader (Note - the appointment of Members of the Executive is the responsibility of the Leader)'	(b) – (d) to correct an error in the paper version of the Constitution. (e) for the purposes of clarification..
Functions of the Executive (Page 130)	Omit the words 'e.g. the issuing of street litter control notices' from function A 32 which should now read as follows:- 'A.32 The following function is delegated to the Head of Amenity Services:- Authorisation of officers for the purpose of enforcing all litter and waste related powers granted to local authorities under the Environmental Protection Act, 1990.'	The delegation, without the example, would be wide enough to cover all enforcement activities associated with litter and waste
Functions of the Executive (Page 130)	Add the following new delegation through the Executive:- 'A 33. The following function is delegated to the Head of Amenity Services:- The appointment of authorised officers for the purpose of exercising powers contained in	In order to exercise powers contained in this section of the Act (i.e. to seize a dog) then an officer must be authorised by the Local Authority. It is proposed that the power to authorise officers should be delegated to the Head of Amenity Services

Function	Proposed amendment	Reason for amendment
	section 5 of The Dangerous Dogs Act 1991.'	
Functions of the Executive (Page 152)	<p>Amend G.7 to read as follows:- 'The following function is delegated to the Head of Finance:- Writing off bad debts and stores deficiencies not exceeding £2,500 in any one case'.</p>	<p>This is a proposed increase in delegation. Previously the Head of Finance had delegated powers to deal with write offs up to £1,000 and this figure has not been updated since 2002.</p>
Functions of the Executive (Page 152)	<p>Amend G.8 to read as follows:- The following function is delegated to the Chair of the Executive:- The approval of the writing off of debts of between £2,500 and £10,000 in any one case, in accordance with the agreed protocol for debt collection.</p>	<p>To reflect the increased delegation in G.7 above.</p>
Functions of the Executive (Page 154)	<p>Amend G13 to read as follows:- 'The following function is delegated to the Head of Finance Maintenance of an adequate and effective internal audit service, including amendments to the annual internal audit plan to take account of changes in risks and priorities.'</p>	<p>Function to be transferred to the Head of Finance following a permanent appointment to that post.</p>

Function	Proposed amendment	Reason for amendment
Functions of the Executive (Page 154)	<p>Amend G 17 to read as follows:-</p> <p>The following function is delegated to the Head of Finance in consultation with the Leader:-</p> <p>To vary the timing of schemes within the Council's three year capital programme to maintain an annual programme in accordance with the approved budget strategy.</p>	Function to be transferred back to the Head of Finance following a permanent appointment to that post.
Functions of the Executive (Page 156)	<p>Amend G 27 to read as follows:-</p> <p>The following function is delegated to the appropriate Head of Service jointly with the Head of Finance, following consultation with the appropriate Executive Member</p> <p>1. Review of fees and charges, including the annual review except when the limits set out in the budget strategy for the year would be exceeded</p>	For purposes of clarification.
Responsibility for Executive functions – Proper Officers (Page 166)	The Head of Finance is the Proper Officer for the Accountability of Officers under Section 115(2) of the Local Government Act 1972.	Functions to be transferred back to the Head of Finance following a permanent appointment to that post.
Council Procedure Rule 23.1(2) (Page 195)	<p>Delete the words 'to the Annual Meeting of the Council' so that the first sentence of Rule 23.1(2) reads as follows:-</p> <p>'The Council shall appoint a Membership Committee which shall submit its</p>	To enable recommendations to be made, as necessary, at other times during the Council year.

Function	Proposed amendment	Reason for amendment
	<p>recommendations to the Council as to the constitution of the several standing committees and sub-committees of the Council, and the Executive and on the cycle of meetings of the Council, Committees and Sub-Committees.'</p>	
<p>Council Procedure Rule 23.2(3) (Page 196)</p>	<p>Delete the words shown in italics:- 'The Council may at any time dissolve <i>the Executive or</i> a committee or change its Chairman or Vice Chairman or alter its membership.'</p>	<p>Under the current Constitution, the Leader is responsible for appointing (or altering the membership of) the Executive. This amendment is therefore for purposes of consistency.</p>
<p>Council Procedure Rule 23.3(3) (Page 196)</p>	<p>Replace paragraph 23.3(3) with the following wording:- 'The Head of Democratic Services shall supply every member of a committee or sub-committee with a paper copy of the agenda and every relevant report or supporting document which accompanies the agenda. Except where a body is sitting as a disciplinary, appeal or appointments panel, committee documents will be provided electronically to all other members of the Council, unless a Member specifically requests a paper copy.'</p>	<p>This amendment places the onus on members to request paper copies of documents for committees of which they are not a member. This will be done by way of an annual request form which members will be asked to complete every May. Members can of course change their mind at any time.</p>
<p>Budget Procedure Rules (Page 219)</p>	<p>Amend 2(c) and (d) to read as follows:- '(c) The Budget Strategy encourages a multi-</p>	<p>To reflect the process to be adopted for future years</p>

Function	Proposed amendment	Reason for amendment
	<p>tier approach to decision making rather than a compressed process examining each year in isolation. Nevertheless, there is an annual cycle which is based on Executive approval of the Budget Strategy, with prior consideration by the Overview and Scrutiny Commission, followed by examination of options by the Budget Advisory Group.</p> <p>(d) The views of the Budget Advisory Group shall be reported to the Executive either in a separate report or as part of the consideration of the final budget and Council tax.</p> <p>Delete existing paragraphs (e), (f) and (g) Paragraphs (h) onwards to remain the same - renumber</p>	
<p>Executive Portfolios – Appendix 1 (Page 239) Executive Member for Continuous Improvement and Development</p>	<p>Delete the words ‘Best Value’ and insert ‘Service Review’</p>	<p>For updating purposes.</p>
<p>Executive Procedure Rules (Page 243)</p>	<p>Move the following to the Environmental Services Portfolio under streetscene, from the Leisure and Cultural Services Portfolio:-</p> <ul style="list-style-type: none"> o Verge cutting o Cleansing o Litter Control o Abandoned vehicles 	<p>To rectify a clerical error</p>
<p>Scrutiny Procedure Rules – Rule 13 (Page 249)</p>	<p>Amend sub- heading to read as follows:-</p>	<p>To reflect the requirement for the call-in procedure to apply to the Town Centre North</p>

Function	Proposed amendment	Reason for amendment
	<p>'Call-in of decisions made by a Committee of the Executive or by the Executive as a whole'.</p> <p>Amend 13 (a) to read as follows:-</p> <p>' At Executive meetings or Committees of the Executive, immediately after the decision is taken, any Member of the Council present may indicate that they wish to call-in the decision because they do not believe it has been taken in accordance with the provisions of decision making set out in Article 13 of the Constitution.'</p> <p>Amend the first sentence of 13 (d) to read as follows:-</p> <p>'In the case of the Executive or a Committee of the Executive, if the required number of signatures is produced within the period specified, then the decision will continue to be treated as suspended and the matter will be reconsidered at the next meeting of full Council.'</p>	<p>Committee (a Committee of the Executive). If additional Committees of the Executive are created in the future the procedure would also apply to them.</p>
<p>Financial Procedure Rules (Page 257)</p>	<p>Amend the first sentence of 1.7 to read as follows:-</p> <p>'The Monitoring Officer is responsible for promoting and maintaining high standards of financial conduct and therefore provides support to the <i>Audit and Governance Sub-Committee</i>.....'</p>	<p>The Sub-Committee (rather than the Standards Committee) now has this responsibility.</p>

Function	Proposed amendment	Reason for amendment
<p>Financial Procedure Rules - Financial Management (Page 257)</p>	<p>Amend 1.10 to read as follows:- The Monitoring Officer and Head of Finance are responsible for advising the Executive or Council about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework or budget. Actions that may be 'contrary to the budget' include:</p> <p>initiating a new policy</p> <p>committing expenditure in future years to above the budget level</p> <p>incurring transfers between services (above virement limits)</p> <p>causing the total expenditure financed from Council tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.</p>	<p>Functions to be transferred back to the Head of Finance following a permanent appointment to that post.</p>
<p>Financial Procedure Rules – Financial Management (Page 257)</p>	<p>Amend 1.11 to read as follows:-</p> <p>'The Head of Finance has statutory duties in relation to the financial administration and stewardship of the authority. This statutory responsibility cannot be overridden. The statutory duties arise from:</p> <p>Section 151 of the Local Government Act 1972</p> <p>Local Government Finance Act 1988</p>	<p>Functions to be transferred back to the Head of Finance following a permanent appointment to that post.</p>

Function	Proposed amendment	Reason for amendment
	<p>The Local Government and Housing Act 1989</p> <p>The Accounts and Audit Regulations 2003</p>	
<p>Financial Procedure Rules – Financial Management (Page 257)</p>	<p>Amend 1.12 to read as follows:-</p> <p>‘The Head of Finance is responsible for:</p> <p>the proper administration of the Council's financial affairs including the internal audit function</p> <p>setting financial management standards and monitoring their compliance</p> <p>advising on the corporate financial position and on the key financial controls necessary to secure sound financial management</p> <p>preparing financial projects, annual revenue budget, capital programme and treasury management.</p>	<p>Functions to be transferred back to the Head of Finance following a permanent appointment to that post.</p>
<p>Financial Procedure Rules – Financial Management (Page 258)</p>	<p>Amend 1.13 to read as follows:-</p> <p><u>Section 114</u> of the Local Government Finance Act 1988 requires the Head of Finance to report to the Council if the authority or one of its employees:</p> <p>has made, or is about to make, a decision which involves incurring unlawful expenditure</p>	<p>Functions to be transferred back to the Head of Finance following a permanent appointment to that post.</p>

Function	Proposed amendment	Reason for amendment
	<p>has taken, or is about to take, an unlawful action which has or would result in a loss or deficiency to the authority</p> <p>is about to make an unlawful entry in the Council's accounts.</p> <p>Section 114 of the 1988 Act also:</p> <p>requires the Head of Finance to nominate a properly qualified member of staff to deputise should the Head of Finance be unable to perform the duties under Section 114 personally make it clear that the authority must provide the Head of Finance with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114.</p>	
<p>Financial Procedure Rules – Financial Management Standards (Page 259)</p>	<p>The following functions to be the responsibility of the Head of Finance</p> <p>1.17 To ensure the proper administration of the financial affairs of the Council and provision of internal audit function.</p> <p>1.18 To set the financial management standards, and to monitor their compliance.</p> <p>1.19 To ensure proper professional practices are adhered to, and to act as head of profession in relation to the</p>	<p>Function to be transferred back to the Head of Finance following a permanent appointment to that post.</p>

Function	Proposed amendment	Reason for amendment
	<p>standards, performance and development of finance staff throughout the authority.</p> <p>1.20 To advise on the key strategic controls necessary to secure sound financial management.</p>	
<p>Financial Procedure Rules – Risk Management (Page 267)</p>	<p>Add the following words</p> <p>‘Responsibility of the Director of Resources 6.4 To prepare and promote the Council’s strategic risk management policy’.</p> <p>(Delete existing responsibility of the Head of Finance – To prepare and promote the Council’s risk management policy).</p> <p>Paragraph 6.5 onwards to be the responsibility of the Head of Finance</p>	<p>This function now to be the responsibility of the Director of Resources.</p>
<p>Financial Procedure Rules – Audit Requirements (Page 269)</p>	<p>Amend 7.3 (b) to read as follows:-</p> <p>‘The key controls for internal audit are……..</p> <p>(b) The Head of Finance and the Audit Manager have direct access to the Head of Paid Service, all levels of management and directly to elected members; ……….</p>	<p>Functions to be transferred back to the Head of Finance following a permanent appointment to that post.</p>
<p>Financial Procedure Rules – Audit Requirements – (Page 269)</p>	<p>The following functions are to be the responsibility of the Head of Finance:-</p> <p>7.4. To ensure that internal auditors have the authority to:</p>	<p>Functions to be transferred back to the Head of Finance following a permanent appointment to that post.</p>

Function	Proposed amendment	Reason for amendment
	<p>access Council premises at reasonable times</p> <p>access all assets, records, documents, correspondence and control systems relevant to the audit</p> <p>receive any information and explanation considered necessary concerning any matter under consideration</p> <p>require any employee of the Council to account for cash, stores or any other Council asset under his/her control</p> <p>access records belonging to third parties, such as contractors when required</p> <p>have direct access to the Head of Paid Service and the Executive.</p> <p>7.5. To prepare Strategic and Annual Audit Plans which take account of the characteristics and relative risks of the activities involved. To liaise with Heads of Service on the audit strategy and cover required. In addition to the statutory requirement this takes account of the need to seek added value, effective use of resources, improved performance and cost-effective controls.</p> <p>7.6. To ensure that effective procedures are in place to investigate promptly any fraud or</p>	

Function	Proposed amendment	Reason for amendment
<p>Financial Procedure Rules – Financial Systems and Procedures – General (Page 281)</p>	<p>irregularity.</p> <p>The following functions are to be the responsibility of the Head of Finance:- 14.4.To make arrangements for the proper administration of the Council’s financial affairs, including to:</p> <p>(a) issue advice, guidance and procedures for the Council’s employees and others acting on its behalf</p> <p>(b) determine the accounting systems, form of accounts and supporting financial records</p> <p>(c) establish arrangements for audit of the Council’s financial affairs</p> <p>(d) approve any changes to be made to existing financial systems or new systems introduced.</p>	<p>Functions to be transferred to the Head of Finance following a permanent appointment to that post.</p>
<p>Employment Procedure Rules (Page 324)</p>	<p>Amend Rule 6(a) (Disciplinary action) to read as follows:-</p> <p>Suspension. The Chief Executive, Monitoring Officer (Head of Democratic Services) and Chief Finance Officer (Head of Finance) may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and, subject to Rules 6(b)(i)(b) and 6(b)(i)(c), terminate no later than the expiry of two months, beginning on the day on which the suspension takes</p>	<p>Functions to be transferred back to the Head of Finance following a permanent appointment to that post.</p>

Function	Proposed amendment	Reason for amendment
	<p>effect. Where a direction is made under Rule 6(b)(i)(b) the Council will receive an update at every full Council meeting until the report of the designated independent person is received by the authority.</p>	
<p>Part 5 Codes and Protocols Appointment of Honorary Aldermen or Honorary Freeman</p>	<p>Insert the following additional protocol:-</p> <p><u>Protocol for the nomination of Honorary Aldermen or Honorary Freeman.</u></p> <p>Nominees for Honorary Aldermen should be former Councillors who have served in that capacity for a significant time. Their length of service would normally be substantially greater than the average length of service per Councillor. Nominees should also have given service to the wider community in a role outside of their duties as a Borough Councillor. This might include notable work with the Voluntary Sector, with Educational Bodies, with other Local Authorities covering the geographical areas of the Borough, or any other body that the Council deemed appropriate.</p> <p>Nominees for Honorary Freeman should be either individuals that have given extraordinary service to the town over a prolonged period, or who, by their action, have brought significant distinction to the town.</p> <p>The Council envisages that these honours will</p>	<p>For ease of reference in the future. The protocol reflects the procedure agreed at the meeting of General Purposes Committee on 29 January 2007 and ratified at Council meeting on 21 February 2007.</p>

Function	Proposed amendment	Reason for amendment
	<p>be given infrequently. Many people provide good service both to the town and to the Council, but it should not be expected that retiring Councillors of many years service will automatically receive such an honour. These honours should be given to reward exceptional service.</p> <p><u>Procedure for Nominations</u></p> <p>If anyone considers that a particular individual should be considered for either honour, they should approach the Head of Democratic Services who will consult with the Mayor (as a matter of courtesy) and the Leaders of each of the political groups.</p> <p>If the Head of Democratic Services is satisfied that the person nominated is likely to receive the support of the whole Council, he/she will report the matter to the General Purposes Committee. This Committee would be expected to recommend that the Mayor convene an Extraordinary Meeting of the Council for that purpose.</p> <p>The Head of Democratic Services will then approach the nominated person to ensure that he/she would like to receive such an honour, before any formal arrangements are made.</p>	
Employees' Code of Conduct – Section 15 – page 368 – paragraph r	Amend the second paragraph of r to read as follows:-	To reflect delegated authorities to refer cases of fraud to the police - Audit and Governance

Function	Proposed amendment	Reason for amendment
	<p>“Suspected fraud or corruption should initially be raised with a Senior Manager or one of the other employees listed in the ‘Whistleblowing’ arrangements. Strict confidentiality will be maintained in these circumstances and there will be no recriminations against anyone genuinely raising such issues. Where an individual does not feel able to raise the issues in this way, the Council has arranged a confidential reporting facility with an external agency which is available by telephone – 0870 7572550. A Senior Manager or one of the other employees listed in the ‘Whistleblowing’ arrangements has the authority to refer cases of fraud to the police.</p>	<p>Sub-Committee – 15 January 2007 (minute 29)</p>
<p>Protocol on Member/ Employee Relations (Page 375)</p>	<p>Replace the reference to the Office of the Deputy Prime Minister with the words ‘Department for Communities and Local Government’ in the second line of paragraph 17 so that it reads as follows:-</p> <p>‘In determining publicity arrangements, officers should, at all times, have regard to the Department of Communities and Local Government’s Code of Recommended Practice on local authority publicity.’</p>	<p>For update purposes.</p>
<p>Corporate Governance Statement (Page 421)</p>	<p>Remove the following words from paragraph 2.2:-</p>	<p>For updating purposes</p>

Function	Proposed amendment	Reason for amendment
	<p>'The pattern of election by thirds will resume in 2006.'</p>	
<p>Corporate Governance Statement (Page 421)</p>	<p>Ensure that paragraph 2.3 reflects the up to date position with regard to the number of independent members on the Standards Committee.</p>	<p>Interviews will be taking place shortly with a view to appointing four independent members on the Committee and thereby filling the existing vacancy.</p>
<p>Corporate Governance Statement (Page 423)</p>	<p>Add the Electoral Administration Act 2006 to the list of Principal Acts relating to Elections and Electoral Registration.</p>	<p>For updating purposes</p>
<p>Corporate Governance Statement (Page 424)</p>	<p>Under Section 3 (Responsibility for Functions) add '3H Audit and Governance Sub Committee' and then re-letter the remaining functions.</p>	<p>For updating purposes</p>
<p>Corporate Governance Statement (Page 426)</p>	<p>Replace existing paragraph 6.10 as set out below:-</p> <p>6.10. The Council has an updated risk management strategy that identifies the key strategic risks facing the Council and sets an overall framework for risk management. Risk management is an integral part of many Council activities including health and safety, insurance, project management, legal enforcement and so on. Further improvements will be made to ensure that risk management is embedded within the Council's decision making processes and management culture. Training already given to Members and senior management will be</p>	<p>For updating purposes</p>

Function	Proposed amendment	Reason for amendment
	<p>extended.</p> <p>6.11 The Council has put in place business continuity plans for its key services in accordance with the requirements of the Civil Contingencies Act 2004 and is taking action to mitigate against events that are judged to be likely to occur that would have a significant impact on the Council's ability to provide key services. (re-number subsequent paragraphs)</p>	
Members' Allowances Scheme (Page 429)	Replace the 2006/07 scheme with the new scheme to be the subject of a recommendation to Council on 11 April 2007.	For updating purposes
Part 7 – Management Structures (Page 441)	Amend to reflect revised structure in ODI	For updating purposes
Part 7 – Management Structures (Page 442)	Reinstate s114/151 under Head of Finance	Section 114 and 151 functions to be transferred back to the Head of Finance following a permanent appointment to that post.
Part 7 – Management Structures (Page 445)	<p>Revise chart as follows:-</p> <ul style="list-style-type: none"> (i) Rename the Licensing Act 2003 Applications Sub Committee (Licensing Sub Committee) (ii) Introduce the Audit and Governance Sub Committee (iii) Update the list of Working Groups 	For updating purposes
	References to the Head of Organisational Development and Improvement should be	Updating

Function	Proposed amendment	Reason for amendment
	changed to 'Head of Human Resources and Development' throughout the document,	
	Licensing Act 2003 Applications Sub Committee be renamed the Licensing Sub Committee throughout the Constitution	In anticipation of the Sub Committee taking on responsibilities under the Gambling Act 2005
Contents pages	Re-number	