

Crawley Borough Council

Minutes of General Purposes Committee

30 June 2008 at 7.30pm

Present:

Councillor R D Burrett (Chair)
Councillor C R Eade (Vice-Chair)
Councillors M L Ayling, B K Blake, ALI Burke, C A Cheshire, A C W Crane,
D G Crow, R A Lanzer and L A Walker.

Also in Attendance:

Councillor L A M Burke

Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Mez Matthews	Democratic Services Officer
Andrew Oakley	Electoral Services Manager
Chris Pedlow	Democratic Services Officer

1. Minutes

The minutes of the meeting of the Committee held on 17 March 2008 were approved as a correct record and signed by the Chair.

2. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Nature of Disclosure
Councillor ALI Burke	Minute 4	Report of the Electoral Turnout Scrutiny Panel	Personal and Non- Prejudicial Interest in the item as her husband (Councillor L A M Burke) had been an active member of the Scrutiny Panel and was presenting the report at the meeting.

3. New Committee Members

The Chair welcomed the newly elected Members Councillors M L Ayling and ALI Burke to the Committee, as well as Councillor A C W Crane who, despite being a long serving Councillor, had never previously served on the General Purposes Committee.

4. Report of the Electoral Turnout Scrutiny Panel

Councillor L A M Burke introduced the item and informed Members that he would present the information on behalf of the Scrutiny Panel.

The Committee considered report OSC/77 of the Chair of the Electoral Turnout Scrutiny Panel which recommended a range of new initiatives aimed at improving electoral registration and turnout in Crawley. Members noted that the report before them included the changes which had been made by the Overview and Scrutiny Commission on 25 March 2008.

Members noted that some of the Panel's recommendations which did not require formal approval by the General Purposes Committee had been put in place prior to the May 2008 elections, and that the funding needed for those activities had been met within the current budget. Funding for future activities which required additional funding would be subject to the approval of the Budget Advisory Group.

The Commission had agreed to establish a Scrutiny Panel to undertake the review at its meeting on 9 July 2007 as concerns had been raised over the historically low voter turnout in Crawley. Members noted the techniques and methods the London Borough of Hammersmith and Fulham (an electoral services beacon authority) used to improve electoral registration and enhance the electoral process, as well as the good practice ideas recommended by the Electoral Commission. Members noted that although the London Borough of Hammersmith and Fulham sent out poll cards the weekend before an election, a letter containing a voter guide was sent out five weeks prior to the election, and the poll card acted as a reminder for residents to vote.

Members agreed that although the Council was responsible for maintaining the Electoral Register, encouraging people to vote and thus increasing electoral turnout was mainly the responsibility of the political parties.

The Committee considered Recommendation 7 in detail ("That an informal Elections Forum be established to include Councillors, officers, local political agents representing those parties currently represented on the Council and also some local community leaders"), and concerns were raised that such a Forum would create extra unnecessary bureaucracy. Members were also of the view that it could involve 'self appointed' community leaders who did not necessarily represent the community. Members were dissatisfied that the proposed Forum would not include the political agents for parties which were not represented on the Council, but who would be standing for election. Members agreed that the recommendation be dropped in its entirety as they felt it would not increase electoral turnout.

The Committee considered Recommendation 8 (“That a Voters’ Guide be produced and sent to new electors under rolling registration, to 18 year old attainers, and to those who have just become British Citizens. Copies of this guide also be placed on the Council’s website and in Crawley Live and made available at the Town Hall”). Members agreed with the recommendation and stressed that a Voters’ Guide would need to be easy to read. Members emphasised the importance of encouraging young people to vote by creating a link with schools, and reaching people who came from a culture where they had never voted before.

Members noted that including a confirmation of registration letter with the Annual Council Tax Bill which was sent to all households could be expensive because of the need to insert a personalised letter in the Council Tax envelope, together with the personalised Council Tax information. Members were informed that it also raised the question of whether, legally, the names on the register ought to be disclosed in this way. Members agreed that a generic information leaflet might prove more cost effective.

The Committee considered Recommendation 10 (“That officers take advantage of opportunities to communicate with electors at lower cost by enclosing additional publicity in communications that the Council is already sending to every household eg. the annual Council Tax demand”). Some Members were concerned that the annual Council Tax demand already contained a lot of paperwork, and that any additional publicity sent out in the same envelope could be overlooked by the public. However, the Committee were of the opinion that it would be an effective way of reducing the cost of reaching all electors and could be used as a way of publicising the May elections. The Committee agreed with the recommendation.

The Committee thanked Panel members and the officers involved in the review, and thanked Councillor L A M Burke for presenting the report to the Committee.

RESOLVED

The Committee:

1. Noted that Recommendations 3, 4 5, 6 and 11 contained within the report had already been implemented.
2. Agreed that Recommendation 7 contained within the report should not be implemented.
3. Approved Recommendations 8, 9, 10, 12, 13 and 14 contained within the report.

5. Changes to the Constitution

The Head of Legal and Democratic Services informed Members that the majority of the changes related to the implementation of sections of the Local Government and Public Involvement in Health Act 2007, other changes proposed additional delegations. Members’ attention was drawn to the supplementary report, which noted that the Constitution had incorrectly delegated staffing matters through the Cabinet. The supplementary report proposed amendments which would rectify those inconsistencies by delegating staffing matters through the Appointments and

Investigating Committee. Members noted that the report only proposed to change the route of the delegations, and did not change the delegations themselves.

The Committee considered the proposed changes to the Constitution. The majority of the Committee were of the opinion that the allowances claimed by the Mayor and Deputy Mayor should be published along with the other Member allowances. Members agreed that the Head of Legal and Democratic Services would pursue the matter.

Due to the complicated nature of the Local Government and Public Involvement in Health Act 2007, the Committee requested that a briefing note be produced for members of the Committee explaining the amendments proposed within the Act regarding a 'Change of Executive Arrangements' and a 'Change in Governance Arrangements'.

Although Members agreed that disposal of the Council's interest in land or property on terms proposed by the Head of Property Services and Procurement should be delegated to the Leader in consultation with the Head of Property Services and Procurement and the Head of Finance (after consulting with local Ward Members), Members agreed that the matter would be referred to the Cabinet if one or more Ward Members raised an objection. Members agreed that the amendment be made, and that Appendix 1 be amended as appropriate, to ensure that the delegation was consistent with other similar property matters delegated to Cabinet Members and officers.

Members agreed that minor changes to Human Resources policies and procedures which were in line with the Council's overall policies and the budget should be delegated to the Head of Human Resources and Development following consultation with the Cabinet Member for Continuous Improvement and Development, subject to the publication of such decisions in the Members' Information Bulletin. Members agreed that Appendix 1 should be amended as appropriate.

Members commended officers on the work they had undertaken in relation to the implementation of the Local Government and Public Involvement in Health Act 2007.

RESOLVED

That the full Council be recommended to agree the changes to the Constitution as proposed in Appendix 1 to these minutes.

6. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.25pm.

R D BURRETT
Chair

APPENDIX 1

AMENDMENTS TO THE CONSTITUTION

Function	Proposed amendment	Reason for amendment
Contents – Page iii	Add the Corporate Equality Scheme to Part 5 – Codes and protocols	To reflect Government Guidelines
Article 4 – The full Council – Page 16	Delete the “Community Strategy” from the list of Policy Framework Documents and replace with “Sustainable Community Strategy”	To reflect the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008
Article 4 – The full Council – Page 17	Amend the first sentence of paragraph 3 to read: “The function of amending, modifying, revising, varying, withdrawing or revoking a plan or strategy relating to the policy framework, to the control of the authority’s borrowing, investments or capital expenditure, or for determining the authority’s minimum revenue provision , or to housing land transfer shall be the responsibility of the Cabinet where such action:- ...”	Amended wording highlighted in bold. To reflect the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008
Article 4 – The full Council – Page 19	Add the following function of the full Council: “Approval of an allowance for the Mayor and Deputy Mayor other than where the allowance is updated for inflation in accordance with the Budget Strategy”	To reflect the requirements of the Local Authorities (Functions and responsibilities) (England) (Amendment) Regulations 2008 (see also page 136)

Function	Proposed amendment	Reason for amendment
Responsibility for Local Choice Functions – Page 55	<p>Remove the following item from the list of Local Choice Functions:</p> <p>“3. The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under Section 5 (best value reviews) of the Local Government Act 1999”</p>	To reflect the requirements of the Local Authorities (Functions and responsibilities) (England) (Amendment) Regulations 2008
<p>Full Council Functions - Page 70a</p> <p>Power to determine the terms and conditions on which staff hold office (including procedures for their dismissal and redundancy procedures)</p>	<p>Add the following wording:-</p> <p><u>‘The following function is delegated to the Head of Human Resources and Development, Head of Finance and the relevant Director or the Chief Executive:-</u></p> <p>To approve operational staffing changes below Head of Service level (including numbers of posts, post types, job duties, grades, deployment of posts, redundancies, flexible retirement and retirement in the interest of efficiency of the service) to meet the operational needs of the service within the limits of the approved financial budget and financial procedure rules, subject to compliance with Council policies and to no significant service implications.</p> <p>Consultation must take place with the Leader, the Cabinet Member for Continuous Improvement and Development and the appropriate Cabinet Member for the service area before exercising these delegated powers and, where the Leader or either of these Portfolio Holders has an objection to the proposals, or where the proposals do not meet the provisos relating to finance or policy outlined above, then the decision is reserved to full Council.’</p>	<p>To correct inconsistencies in the Constitution. This is a delegation of a Council function</p> <p>(see also page 135)</p>

Function	Proposed amendment	Reason for amendment
Functions of the Standards Committee – Page 115	<p>Relocate (from page 161) the following function which shall be delegated through the Standards Committee:</p> <p><u>“The following function is delegated to the Head of Human Resources and Development:</u></p> <p>Adjustment to list of politically restricted posts to reflect changes in salary levels.”</p>	To correct inaccuracies in the Constitution. This is a delegation of a Council function.
Appointments and Investigating Committee - Page 119	Delete the words ‘(which shall be referred to the Committee)’ from the delegation under Function 3.	To remove inconsistencies from the Constitution.
Appointments and Investigating Committee - Page 119	<p>Relocate (from page 161) the following functions which shall be delegated through the Appointments and Investigating Committee :-</p> <ul style="list-style-type: none"> ▪ Authorisation of overtime where unavoidable including, in exceptional circumstances, work over the overtime limit defined in the National Conditions of Service <p>This function is delegated to the appropriate Director/Head of Service</p> <ul style="list-style-type: none"> ▪ Exercise of any discretion given by national and local conditions of service apart from those requiring negotiation and agreement by the Council (e.g. Part 3 of the NJC Conditions of Service). <p>This function is delegated to the appropriate Director/Head of Service</p>	<p>To correct inaccuracies in the Constitution. These delegations relate to a Council function.</p> <p>(see also page 161)</p>

Function	Proposed amendment	Reason for amendment
<p>Appointments and Investigating Committee - Page 119 (continued...)</p>	<ul style="list-style-type: none"> <li data-bbox="814 386 1455 475"> <p>▪ Implementation of decisions of recognised joint negotiating bodies regarding salaries, wages and conditions of service.</p> <p>This function is delegated to the Head of Human Resources and Development</p> <li data-bbox="814 618 1503 708"> <p>▪ Granting of approved staff benefits to individual posts including essential car users' schemes and reimbursement of professional subscriptions.</p> <p>This function is delegated to the Head of Human Resources and Development in consultation with the relevant Director/Head of Service</p> <li data-bbox="814 902 1535 959"> <p>▪ Granting of relocation assistance in accordance with the Council's scheme</p> <p>This function is delegated to the appropriate Director/Head of Service</p> <li data-bbox="814 1125 1478 1182"> <p>▪ Granting of concessionary leave on compassionate grounds</p> <p>This function is delegated to the appropriate Director/Head of Service (or the Head of Human Resources and Development)</p> 	<p>To correct inaccuracies in the Constitution. These delegations relate to a Council function.</p> <p>(see also page 161)</p>

Function	Proposed amendment	Reason for amendment
<p>Appointments and Investigating Committee - Page 119 (continued...)</p>	<ul style="list-style-type: none"> <li data-bbox="814 363 1535 451"> <p>▪ Granting of additional or accelerated increments to staff as a result of examination success in accordance with a scheme approved by the Council</p> <p>This function is delegated to the Head of Human Resources and Development</p> <li data-bbox="814 613 1535 701"> <p>▪ Granting of additional or accelerated increments to staff to reflect special merit or to adjust anomalies in a work area.</p> <p>This function is delegated to the Head of Human Resources and Development in consultation with the appropriate Director / Head of Service</p> <li data-bbox="814 896 1535 984"> <p>▪ Issue of certificates confirming for the purposes of S3(3) of the Local Government Act 1989 that the “sensitive duties criteria” does not apply</p> <p>This function is delegated to the Head of Human Resources and Development</p> <li data-bbox="814 1146 1352 1179"> <p>▪ Implementation of job evaluation reviews</p> <p>This function is delegated to the Head of Human Resources and Development</p> 	<p>To correct inaccuracies in the Constitution. These delegations relate to a Council function.</p> <p>(see also page 161)</p>

Function	Proposed amendment	Reason for amendment
<p>Appointments and Investigating Committee - Page 119 (continued...)</p>	<ul style="list-style-type: none"> <li data-bbox="814 391 1549 516"> <p>▪ The prior agreement of proposed changes in responsibilities to existing posts which are likely to result in an increase in salary, before the post is reassessed through the job evaluation process.</p> <p>This function is delegated to the appropriate Director</p> <li data-bbox="814 634 1514 792"> <p>▪ The application of nationally negotiated pay awards to locally agreed pay structures</p> <p>This function is delegated to the Head of Human Resources and Development</p> <li data-bbox="814 846 1472 1154"> <p>▪ To approve any exceptions that may occur under paragraph 4.4 of Report ODI/10 relating to the Recruitment Incentive Scheme and the associated Retention Incentive Scheme.</p> <p>This function is delegated to the Head of Human Resources and Development following consultation with the Portfolio Holder for Continuous Improvement and Development and the appropriate Director or Chief Executive</p> 	<p>To correct inaccuracies in the Constitution. These delegations relate to a Council function.</p> <p>(see also page 161)</p>

Function	Proposed amendment	Reason for amendment
<p>Appointments and Investigating Committee - Page 119 (continued...)</p>	<ul style="list-style-type: none"> ▪ Minor changes to Human Resources policies and procedures which are in line with the Council's overall policies and the budget, subject to the publication of such decisions in the Members' Information Bulletin <p>This function is delegated to the Head of Human Resources and Development following consultation with the Portfolio Holder for Continuous Improvement and Development"</p>	<p>To correct inaccuracies in the Constitution. These delegations relate to a Council function.</p> <p>(see also page 161)</p>
<p>Functions of the General Purposes Committee – Page 123</p>	<p>Add the following functions under 'functions relating to elections':</p> <ul style="list-style-type: none"> ▪ "Making a request for single-member electoral areas (relating to Section 14A(1) of the Local Government Act 1992)* ▪ Duty to consult on change of scheme for elections (relating to Sections 33(2), 38(2) and 40(2) of the Local Government and Public Involvement in Health Act 2007) ▪ Power to pass a resolution to change a scheme for elections (under section 32(1), 37(1) or 39(1) of the Local Government and Public Involvement in Health Act 2007)* 	<p>To reflect the requirements of Part 2 – Electoral Arrangements, Chapter 1 – Power of District Councils in England to Change Electoral Scheme, of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the General Purposes Committee – Page 123 (continued...)</p>	<ul style="list-style-type: none"> <li data-bbox="814 363 1545 451">▪ Duties relating to publicity (relating to Sections 35, 41 and 52 of the Local Government and Public Involvement in Health Act 2007) <p data-bbox="852 488 1472 545">This function is delegated to the Head of Legal and Democratic Services</p> <li data-bbox="814 613 1545 701">▪ Duties relating to notice to Electoral Commission (relating to Sections 36 and 42 of the Local Government and Public Involvement in Health Act 2007) <p data-bbox="852 738 1472 795">This function is delegated to the Head of Legal and Democratic Services</p> <li data-bbox="814 863 1545 951">▪ Power to alter years of ordinary elections of parish Councillors (relating to Section 53 of the Local Government and Public Involvement in Health Act 2007)* <li data-bbox="814 1019 1545 1107">▪ Functions relating to change of name of electoral area (relating to Section 59 of the Local Government and Public Involvement in Health Act 2007)* <p data-bbox="768 1149 1545 1206">*These matters may be considered by the General Purposes Committee but shall be referred to the Council for determination”</p>	<p>To reflect the requirements of Part 2 – Electoral Arrangements, Chapter 1 – Power of District Councils in England to Change Electoral Scheme, of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the General Purposes Committee – Page 123</p>	<p>Add the following functions:</p> <p>“Functions relating to a change in governance arrangements:</p> <p>(1) Take decision whether to make a proposal for a change in governance arrangements (relating to Sections 33A and 33B of the Local Government Act 2000)*</p> <p>(2) Duty to consult prior to drawing up proposals (relating to Section 33E(6) of the Local Government Act 2000)</p> <p>(3) Duty to draw up proposals (relating to Section 33E(2) of the Local Government Act 2000)*</p> <p>(4) Duty to comply with direction given by the Secretary of State (relating to Section 33I of the Local Government Act 2000)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p> <p>(5) Take decision whether a change of the kind set out in Section 33A of the 2000 Act should be subject to approval in a referendum under Section 33E(5) of the Local Government Act 2000 *</p>	<p>To reflect the requirements of Part 3 – Executive Arrangements for England; and Schedule 4 of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the General Purposes Committee – Page 123 (continued...)</p>	<p>(6) Duty to hold referendum (relating to Section 33K(2) of the Local Government Act 2000)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p> <p>(7) Duty to publish notice if proposals not approved in referendum (relating to Section 33K(6) of the Local Government Act 2000)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p> <p>(8) Duty to obtain written consent of elected Mayor (relating to Section 33N of the Local Government Act 2000)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p> <p>(9) Duty to implement new governance arrangements (relating to Sections 33G and 33H of the Local Government Act 2000)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p>	<p>To reflect the requirements of Part 3 – Executive Arrangements for England; and Schedule 4 of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the General Purposes Committee – Page 123 (continued...)</p>	<p>(10) To make a change in the form of Executive (relating to Schedule 4 of the Local Government and Public Involvement in Health Act 2007)**</p> <p>*These matters may be considered by the General Purposes Committee but shall be referred to the Council for determination</p> <p>** This matter may be considered by the General Purposes Committee but shall be referred to a meeting of the full Council specially convened for the purposes of deciding the resolution with notice of the object during the permitted resolution period (Local Government and Public Involvement in Health Act 2007, Schedule 4, paragraph 3(4))</p>	<p>To reflect the requirements of Part 3 – Executive Arrangements for England; and Schedule 4 of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>
<p>Functions of the General Purposes Committee – Page 123</p>	<p>Add the following functions:</p> <p>“Functions relating to community governance:</p> <p>(1) Duties relating to community governance reviews (relating to Section 79 of the Local Government and Public Involvement in Health Act 2007)*</p> <p>(2) Functions relating to community governance petitions (relating to Sections 80, 83, 84 and 85 of the Local Government and Public Involvement in Health Act 2007)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p>	<p>To reflect the requirements of Part 4 – Parishes, Chapter 3 - Reorganisation, of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the General Purposes Committee – Page 123 (continued...)</p>	<p>(3) Functions relating to terms of reference of review (relating to Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007)*</p> <p>(4) Power to undertake a community governance review (relating to Section 82 of the Local Government and Public Involvement in Health Act 2007)*</p> <p>(5) Functions relating to making of recommendations (relating to Sections 87 to 92 of the Local Government and Public Involvement in Health Act 2007)*</p> <p>(6) Duties when undertaking a review (relating to Sections 93 to 95 of the Local Government and Public Involvement in Health Act 2007)*</p> <p>(7) Duty to publicise the outcome of a review (relating to Section 96 of the Local Government and Public Involvement in Health Act 2007)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p>	<p>To reflect the requirements of Part 4 – Parishes, Chapter 3 - Reorganisation, of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the General Purposes Committee – Page 123 (continued...)</p>	<p>(8) Duty to send two copies of the order to the Secretary of State and Electoral Commission (relating to Section 98(1) of the Local Government and Public Involvement in Health Act 2007)</p> <p>This function is delegated to the Head of Legal and Democratic Services</p> <p>(9) Making an order giving effect to recommendations made in a community governance review (under Section 86 of the Local Government and Public Involvement in Health Act 2007)*</p> <p>(10) Power to make agreements about incidental matters (relating to Section 99 of the Local Government and Public Involvement in Health Act 2007)*</p> <p>*These matters may be considered by the General Purposes Committee but shall be referred to the Council for determination”</p>	<p>To reflect the requirements of Part 4 – Parishes, Chapter 3 - Reorganisation, of the Local Government and Public Involvement in Health Act 2007; and the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>
<p>Responsibility for Cabinet functions – Page 132</p>	<p>Delete the “Community Strategy” from the list of Policy Framework Documents and replace with “Sustainable Community Strategy”</p>	<p>To reflect the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
Responsibility for Cabinet functions – Page 133	<p>Amend the first sentence of paragraph 3 to read:</p> <p>“The function of amending, modifying, revising, varying, withdrawing or revoking a plan or strategy relating to the policy framework, to the control of the authority’s borrowing, investments or capital expenditure, or for determining the authority’s minimum revenue provision, or to housing land transfer shall be the responsibility of the Cabinet where such action:-</p>	<p>Amended wording highlighted in bold.</p> <p>To reflect the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>
Responsibility for Cabinet Functions – Page 135	Delete exception (xix).	<p>To correct inconsistencies in the Constitution. This is a delegation of a Council function</p> <p>(see also page 70a)</p>
Responsibility for Cabinet functions – Page 136	<p>Include the following to the list of Council powers and duties NOT allocated to the Cabinet:</p> <p>“passing a resolution to make a change in alternative governance arrangements under Section 33F of the Local Government and Public Involvement in Health Act 2007”</p>	<p>To reflect the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
Responsibility for Cabinet functions – Page 136	<p>Include the following to the list of Council powers and duties NOT allocated to the Cabinet:</p> <p>“Approval of an allowance for the Mayor and Deputy Mayor other than where the allowance is updated for inflation in accordance with the Budget Strategy”</p>	<p>To reflect the requirements of the Local Authorities (Functions and responsibilities) (England) (Amendment) Regulations 2008</p> <p>(see also page 19)</p>
Environmental matters delegated to Cabinet Members and officers – Page 143	<p>Include the following delegations:</p> <ul style="list-style-type: none"> ▪ <u>“The following function is delegated to the Portfolio Holder for Environmental Services:-</u> Approval of the Health and Safety Service Plan ▪ <u>The following function is delegated to the Portfolio Holder for Environmental Services:-</u> Approval of criteria for the prioritisation of community safety improvement schemes and a programme for implementation of the schemes, subject to the proposals being achievable within the limits of the approved financial budget. 	Additional delegations

Function	Proposed amendment	Reason for amendment
<p>Environmental matters delegated to Cabinet Members and officers – Page 143 (continued...)</p>	<ul style="list-style-type: none"> ▪ <u>The following function is delegated to the Head of Planning Services:-</u> To agree detailed Community Safety Improvement Schemes for the purposes of public consultation. ▪ <u>The following function is delegated to the Portfolio Holder for Environmental Services, in consultation with the Head of Environmental Services:-</u> Approval of the Food Service Plan“ 	<p>Additional delegations</p>
<p>Housing matters delegated to Cabinet Members and officers – Page 157</p>	<p>Include the following delegations:</p> <ul style="list-style-type: none"> ▪ <u>“The following function is delegated to the Portfolio Holder for Housing:-</u> Approval of amendments to the Discretionary Rent Relief management policy. ▪ <u>The following function is delegated to the Portfolio Holder for Housing (in consultation with the Leader and the Head of Finance):-</u> Authority to determine claims for compensation in respect of the housing benefit service. “ 	<p>Additional delegations</p>

Function	Proposed amendment	Reason for amendment
Human Resources matters delegated to Cabinet Members and officers – Page 161	Delete functions D1, D3 – D14, D16 and D18 – D20	To correct inaccuracies in the Constitution. These delegations relate to a Council function. (see also page 119)
Planning matters delegated to Cabinet Members and officers – Page 166	<p>Include the following delegation:</p> <ul style="list-style-type: none"> ▪ <u>“The following function is delegated to the Leader and the Cabinet Member for Planning and Economic Development, in consultation with the Head of Finance:-</u> <p>Approval of the utilisation of the planning delivery grant and the housing and planning delivery grant. “</p>	Additional delegation
Property matters delegated to Cabinet Members and officers – Page 169	<p>Include the following delegations:</p> <ul style="list-style-type: none"> ▪ <u>“The following function is delegated to the Leader, in consultation with the Head of Property Services and Procurement and the Head of Finance :-</u> <p>Authority to approve the transfer of residual land on terms proposed by the Head of Property Services and Procurement, subject to the spending limits set out in Financial Regulation 3 not being exceeded and the proposals being achievable within the limits of the approved financial budget.</p>	Additional delegations

Function	Proposed amendment	Reason for amendment
<p>Property matters delegated to Cabinet Members and officers – Page 169 (continued...)</p>	<ul style="list-style-type: none"> ▪ <u>The following function is delegated to the Leader in consultation with the Head of Property Services and Procurement and the Head of Finance (after consulting local Ward Members):-</u> <p>Disposal of the Council's interest in land or property on terms proposed by the Head of Property Services and Procurement, where</p> <ul style="list-style-type: none"> - the market value of the interest is more than £10,000 but does not exceed £500,000 in the case of an individual plot (or £750,000 in the case of more than one plot) ;and - the highest offer is to be accepted; and - the offer is equal to, or more than, the estimated value of the site <p>except where the intention is to approve a disposal and one or more Ward Members raise objections to the proposal (in which case the matter will be referred to the Cabinet).</p> <ul style="list-style-type: none"> ▪ <u>The following function is delegated to the Leader (in consultation with local Ward Members):-</u> <p>Determination of applications for landlord's consent, except where the intention is to approve an application and one or more Ward Members raise objections to the proposal (in which case the application will be referred to the Cabinet).“</p>	<p>Additional delegations</p>

Function	Proposed amendment	Reason for amendment
<p>General matters delegated to Cabinet Members and officers – Page 180</p>	<p>Include the following delegations:</p> <ul style="list-style-type: none"> <li data-bbox="814 415 1535 602"> <p>▪ <u>“The following function is delegated to the Leader:-</u></p> <p>To receive a report on any overspend on a scheme, subject to the virement and other spending limits set out in Financial Regulation 3 not being exceeded in which case the matter should be referred to the Cabinet.</p> <li data-bbox="814 659 1535 943"> <p>▪ <u>The following function is delegated to the Leader, in consultation with the Head of Finance:-</u></p> <p>Authority to approve the use of any underspend on a capital scheme, up to a total value of £75,000, on further work associated with the scheme during the same financial year, subject to the Council not being committed to expenditure in future years above the existing budgetary provision.</p> <p>This amendment would require revision of Financial Procedure Rule 3.</p> <li data-bbox="814 1097 1535 1252"> <p>▪ <u>The following function is delegated to the Leader:-</u></p> <p>The approval of the writing off of irrecoverable debts exceeding £2,500 but not exceeding £50,000, in accordance with the agreed protocol for debt collection.</p> 	<p>Additional delegations</p>

Function	Proposed amendment	Reason for amendment
<p>General matters delegated to Cabinet Members and officers – Page 180 (continued...)</p>	<ul style="list-style-type: none"> <li data-bbox="814 391 1493 516"> <p>▪ <u>The following function is delegated to the Leader:-</u> Approval of revisions to the anti-fraud and corruption strategy.</p> <li data-bbox="814 581 1541 894"> <p>▪ <u>The following functions are delegated to the Leader (in consultation with the Head of Finance) :-</u> (1) Authority to appoint an external fund manager for the purposes of managing the Council's investment portfolio. (2) Authority to review the performance of external fund managers in managing the Council's investment portfolio and to agree to the liquidation of the portfolio of an external fund holder in appropriate circumstances.</p> <li data-bbox="814 959 1556 1175"> <p>▪ <u>The following function is delegated to the Leader and the appropriate Portfolio Holder:-</u> The establishment of partnership bodies involving Council Members and stakeholders to assist the Council in strengthening the delivery of its services by way of consultation.</p> 	<p>Additional delegations</p>

Function	Proposed amendment	Reason for amendment
<p>General matters delegated to Cabinet Members and officers – Page 180 (continued...)</p>	<ul style="list-style-type: none"> ▪ <u>The following functions are delegated to the Leader:-</u> <ol style="list-style-type: none"> (1) Following consultation, the identification and submission of the Council's key priorities as preferred options for inclusion in the local area agreement. (2) Authority to agree the structure and procedure, and to take part in the discussions and decision making processes of the Local Area Agreement insofar as they accord with the principles and outcomes identified and align with the furtherance of the Council's corporate plan, policies and objectives. Decisions relating to matters outside of these parameters can be made where constitutionally they are delegated to the Leader, whilst all others will be deferred to the Cabinet or Council as appropriate. ▪ <u>The following function is delegated to the Leader:-</u> <p>Authority to approve the granting of a licence for advertising units in the town centre and on the neighbourhood shopping parades, subject to planning permission, and to agree the terms of the contract.</p> 	<p>Additional delegations</p>

Function	Proposed amendment	Reason for amendment
<p>General matters delegated to Cabinet Members and officers – Page 180 (continued...)</p>	<ul style="list-style-type: none"> ▪ <u>The following function is delegated to the Leader (except where the complaint relates to the Leader’s Portfolio, in which case the following function will be delegated to the Portfolio Holder for Continuous Improvement and Development):-</u> <p>Local settlements, where appropriate, of over £500 (but not in excess of £2,000) in the case of complaints to the Ombudsman or under the Council’s own complaints procedure.“</p>	<p>Additional delegations</p>
<p>Council Procedure Rules – Page 211</p>	<p>Amend paragraph 14.16 to read as follows:</p> <p>“Each recommendation of the Cabinet will be moved in turn by the Leader. After the recommendation has been moved and seconded the Council may debate this recommendation provided that the item has been identified as an item for debate under Council Procedure Rule 2.1 (xiv)”</p>	<p>Amended wording highlighted in bold.</p> <p>To reflect Council Procedure Rule 2.1 (xiv).</p>
<p>Policy Framework Procedure Rules – Page 245</p>	<p>Delete the “Community Strategy” from the list of Policy Framework Documents and replace with “Sustainable Community Strategy”</p>	<p>To reflect the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>

Function	Proposed amendment	Reason for amendment
Policy Framework Procedure Rules – Page 246	<p>Amend the first sentence of paragraph 2 to read:</p> <p>“The function of amending, modifying, revising, varying, withdrawing or revoking a plan or strategy relating to the policy framework, to the control of the authority’s borrowing, investments or capital expenditure, or for determining the authority’s minimum revenue provision, or to housing land transfer shall be the responsibility of the Cabinet where such action:-</p>	<p>Amended wording highlighted in bold.</p> <p>To reflect the requirements of the Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2008</p>
Cabinet Procedure Rules – Page 263	<p>Add the following to the responsibilities of the Cabinet Member for Planning and Economic Development:</p> <p>“Heritage Strategy (the Strategy will fall within the responsibilities of several Portfolio Holders, however the Cabinet Member for Planning and Economic Development will provide a co-ordinating role)”</p>	Additional responsibility
Financial Procedure Rules - Page 286	<p>Add the following wording to Rule 3.2 (after the paragraph relating to Heads of Service):-</p> <p>Head of Finance Approval of one-off redundancy and early retirement costs arising from a staffing restructure up to a limit of £500,000 in any one case subject to payback within three years. These costs will be met by a transfer from the Restructuring Impact Reserve.</p>	Additional delegation
Codes and Protocols – Page 467 (before the Corporate Governance Statement)	Include the Council's Corporate Equality Scheme in the Constitution	To reflect Government guidelines