

Crawley Borough Council

Minutes of General Purposes Committee

29 June 2009 at 7.30pm

Present:

Councillor R D Burrett (Chair)
Councillor C R Eade (Vice-Chair)
Councillors M L Ayling, ALI Burke, A C W Crane, J G Smith and L A Walker

Also in Attendance:

Councillors R G Burgess (Chair of the Overview and Scrutiny Commission) and
L A M Burke (Chair of the Election Processes 2008 Scrutiny Panel)

Officers Present:

Ann-Maria Brown Head of Legal and Democratic Services
Mez Matthews Democratic Services Officer

Apologies for Absence:

Councillors D G Crow, R A Lanzer and A J E Quirk

1. Minutes

The minutes of the meeting of the Committee held on 16 March 2009 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 3 | The Final Report of the Election Processes 2008 Scrutiny Panel | Personal and Non-Prejudicial Interest in the item as her husband was the Chair of the Scrutiny Panel. |

3. The Final Report of the Election Processes 2008 Scrutiny Panel

The Committee considered report OSC/97 of the Chair of the Election Processes 2008 Scrutiny Panel which detailed the investigations and findings of the Scrutiny Panel. The report also included the Council's Returning Officer's response to the recommendations of the Scrutiny Panel.

The Overview and Scrutiny Commission's rationale for establishing the Panel was based on the recommendation made by the previous Election Processes Scrutiny Panel held in 2006, which recommended that "The Overview and Scrutiny Commission (or future equivalent) set up a Panel (or future equivalent) to reconsider the Council's election processes, approximately one year before the expected date of the next Parliamentary election".

The Chair of the Election Processes 2008 Scrutiny Panel guided the Committee through the report and its recommendations expanding upon the evidence within the report behind each of the proposals. Members were informed that due to the nature of the electoral process, it was the Council's Returning Officer's responsibility to consider the report and not the responsibility of the Committee. The report was therefore before the Committee to note and endorse the Returning Officer's response to the Panel's recommendations.

The Committee considered Recommendation 5: "The Returning Officer be asked to ensure when arranging the number of Counting Assistants for a Parliamentary Election, that an additional number of Assistants be used, compared to that used at other Counts, even if this may require supplementary funds beyond that funded by the Election Claims Unit". The view was expressed that the wording of the recommendation could be more pragmatic such as: "The Returning Officer be asked to ensure an expeditious process for all types of election counts and to feel able to request more funds if this is judged necessary". Members noted that the Returning Officer had stated that he, and the Electoral Services Manager, would take due consideration as to the number of Count Assistants required to ensure that the Count ran as smoothly as possible, but that he was not able to currently confirm whether that would mean additional Count Assistants. Members agreed that the number of Count Assistants should be flexible to take account of circumstances.

The Committee considered Recommendation 8: "The Returning Officer be asked to ensure that announcements are made during the Count on how it is progressing", and agreed that the increase in announcements had worked well when it had been put into practice during the 2009 election count.

The Committee noted that Recommendation 9: "The Returning Officer be asked to ensure that all Party Activists, including Candidates and Agents attending the Count, should be issued with and wear a badge for identification and capacity purposes" had been amended by the Overview and Scrutiny Commission at its meeting on 15 June 2009 to read: "The Returning Officer be asked to ensure that everyone attending the Count, should be issued with and wear a badge for identification and capacity purposes". The Committee supported the amendment.

The Committee considered Recommendation 10: "The Returning Officer be asked to ensure that included within the Presiding Officers' training, it be reemphasised how the electoral register should be marked, and that Presiding Officers be reminded that it was their responsibility to ensure that their Poll Clerks were marking the register correctly". The Committee were of the opinion that this would be advantageous and

agreed that the preferred method was to mark the register to the side of the elector's name.

The Committee discussed Recommendation 17: "That the Returning Officer be asked to include within the next statutory review into the Council's Polling Stations (in 2011 approximately) an examination into whether there are any more suitable locations (such as the Boxing Club on Three Bridges Road and the Free Church on the corner of Haslett Avenue and Three Bridges Road) to hold the Polling Stations that are currently held in the Montefiore Institute". The Committee agreed that there could be a more suitable location close to the Montefiore Institute which could be used to hold some Polling Stations.

The Committee considered Recommendation 18: "That the Returning Officer be asked to include within the next statutory review into the Council's Polling Stations (in 2011 approximately) that the rationale for the use of schools as Polling Stations and possible alternative venues be investigated". The Committee noted that some Head Teachers were happy for their school to be used as a Polling Station and that the school could arrange for an Inset day to coincide with the polling day so that a teaching day was not lost unnecessarily. It was commented that access to the school library at Milton Mount Primary School could be gained without having to go through the main school building, and that the library had been successfully used as a Polling Station at the 2009 European and County Council elections. It was suggested that the future use of the library as a Polling Station should be considered as it could possibly be used without the need to close the school.

The Committee thanked the Chair of the Election Processes 2008 Scrutiny Panel and members of the Scrutiny Panel for the thorough and efficient way in which they had carried out the review. The Committee also expressed thanks to the Returning Officer for the comments he had made in response to the Panel's recommendations.

RESOLVED

1. That the report, the response by the Returning Officer to the Panel's recommendations, and the change to Recommendation 9 be noted and endorsed.
2. That the Chair of the Election Processes 2008 Scrutiny Panel and the members of the Scrutiny Panel be thanked for the thorough and efficient way in which they had carried out the review.
3. That the Returning Officer be thanked for the comments he had made in response to the Panel's recommendations.

4. Changes to the Constitution

The Committee considered changes to the Constitution.

The Committee's attention was drawn to the proposed changes to Article 6 – Overview and Scrutiny Commission, and the Scrutiny Procedure Rules. Currently the Chair of each scrutiny panel was drawn from the Commission; the report proposed that this procedure be changed to allow scrutiny panels to be chaired by any non-Cabinet member and not just by members of the Commission. The Chair of the Overview and Scrutiny Commission addressed the meeting and informed the Committee that the matter had been discussed briefly at a previous meeting of the

Overview and Scrutiny Commission, but that a formal decision to change the procedure had not been reached. The Chair of the Commission notified the Committee that the Commission would discuss the matter at its Away Day on 1 July 2009 and that it would then be the subject of consideration at a formal meeting of the Commission. The Chair of the Commission requested that the proposed change be removed from the report until the Commission had considered the matter. If the Commission agreed that the procedure should be changed, it would be included on the agenda of the General Purposes Committee at a later date.

The Committee noted that the proposed change to insert the job titles of the Deputy Monitoring Officers within Article 12 – Employees should be amended to read “Principal Lawyer - Corporate Support / Principal Lawyer - Property”.

The Committee agreed that the proposed change to function F5 – property functions delegated to Cabinet Members and officers - should be amended to ensure that the Chair of the Cabinet (as Portfolio Holder) be consulted as well as Ward Members prior to the Head of Property taking delegated authority to dispose of the Council's interest in land where the consent of the relevant Head of Service has been obtained and the market value of the interest does not exceed £250,000.

The Committee's attention was drawn to paragraph 8 of the proposed changes to the Protocol for Policy Development Forums. It was commented that more emphasis should be given to the possibility of community representatives / experts speaking at a Policy Development Forum. It was acknowledged that additional officer time and cost had been incurred in the past when answering queries later when speaking rights had not been afforded or when the meeting had not been held in public session.

RESOLVED

That the full Council be recommended that subject to any comments received from the Cabinet with regard to its functions, the amendments to the Constitution proposed in Appendix A to these minutes be agreed.

5. Assessment of New Council Meeting Arrangements

The Committee considered report LDS/12 of the Head of Legal and Democratic Services which requested that the Committee review the new format for the Council agenda and the procedure for dealing with any business not concluded within two and a half hours. The new arrangements were being piloted at the February, April and July Council meetings.

The Committee was informed that the July meeting of the Council would follow the pilot procedure and that a decision regarding the assessment of the new Council meeting arrangements would be considered at the end of that meeting. It was noted that following the pilot procedure for the July meeting would enable members to take an informed decision as to whether to continue with the new arrangements.

The Committee agreed that Public Question Time should be for questions only and not be used by the public as an opportunity to make statements.

The Committee was of the view that a variation in the order of business should only take place at the discretion of the Mayor. It was agreed that bullet point 2 relating to a

variation in the order of business, ie that the order of business could be varied at the meeting "by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which will be moved and put without discussion", should be removed from the proposed Council Procedure Rule 2.

The Committee considered the 'majority vote to continue' procedure, and agreed to recommend to Council that the procedure be maintained.

RESOLVED

That the Council be asked to agree to amend the Constitution by revising Council Procedure Rule 2 to read as set out in Appendix B to these minutes.

6. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8.38pm.

R D BURRETT
Chair

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CHANGES TO THE CONSTITUTION

| Function | Proposed amendment | | | | | | | | | | | |
|--|---|-------------|--------------------|-----------------|----------------------|---------------------------------------|--------------------|--|--|---------------------------------|--|--|
| Folder Index – Page ii | Remove the folder index page from the constitution. | | | | | | | | | | | |
| Contents – Page iii | Include the folder index number alongside the page number. | | | | | | | | | | | |
| Article 12 – Employees – Page 36 | <p>Amend paragraph 12.1 (3) to read as follows:</p> <p><u>Head of Paid Service, Monitoring Officer and Chief Finance Officer</u></p> <p>The Council will designate the following posts as shown:-</p> <table><thead><tr><th><u>Post</u></th><th><u>Designation</u></th></tr></thead><tbody><tr><td>Chief Executive</td><td>Head of Paid Service</td></tr><tr><td>Head of Legal and Democratic Services</td><td>Monitoring Officer</td></tr><tr><td>Principal Lawyer - Corporate Support / Principal Lawyer -Property</td><td>Deputy Monitoring Officer (It should be noted that it is the function of the Monitoring Officer to appoint a Deputy & not that of the Council).</td></tr><tr><td>Head of Finance and Procurement</td><td>Chief Finance Officer (Sections 114 and 151)</td></tr></tbody></table> | <u>Post</u> | <u>Designation</u> | Chief Executive | Head of Paid Service | Head of Legal and Democratic Services | Monitoring Officer | Principal Lawyer - Corporate Support / Principal Lawyer -Property | Deputy Monitoring Officer (It should be noted that it is the function of the Monitoring Officer to appoint a Deputy & not that of the Council). | Head of Finance and Procurement | Chief Finance Officer (Sections 114 and 151) | |
| <u>Post</u> | <u>Designation</u> | | | | | | | | | | | |
| Chief Executive | Head of Paid Service | | | | | | | | | | | |
| Head of Legal and Democratic Services | Monitoring Officer | | | | | | | | | | | |
| Principal Lawyer - Corporate Support / Principal Lawyer -Property | Deputy Monitoring Officer (It should be noted that it is the function of the Monitoring Officer to appoint a Deputy & not that of the Council). | | | | | | | | | | | |
| Head of Finance and Procurement | Chief Finance Officer (Sections 114 and 151) | | | | | | | | | | | |

| Function | Proposed amendment | |
|--|---|--|
| Terms of Reference – Scheme of Delegation – Page 51 | <p>Amend paragraphs 4 and 6 to read as follows:</p> <p>“4. In lieu of exercising his/her delegated powers, an emp may refer the matter to a Director, to the Cabinet or to appropriate committee in writing which shall then hav delegated power to determine the issue on behalf of th Council.”</p> <p>“6. Reference in the scheme to the exercise of powers by Head of Service includes reference to an employee ac in accordance with arrangements made by that Head i Service in writing for the organisation and managem his/her service area.”</p> | |
| Local Choice Functions – Page 54 | <p>Amend the wording in brackets under membership for para 1(e) to read as follows:</p> <p>“(The Cabinet Member for Community Engagement to a in an advisory and non-voting capacity for grants appeals.)”</p> | |

| Function | Proposed amendment | |
|---|--|--|
| Local Choice Functions – Page 69 | <p>* Amend local choice function 9 as follows:</p> <p><u>Local Choice Function</u> 9. The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interest in land or premises.</p> <p><u>Decision Making Body</u> Development Control Committee, except to the extent that it is necessary for the Cabinet to exercise these powers in respect of actions which are preliminary to the exercise of powers to make compulsory purchase orders.</p> <p><u>Membership</u> L Gilroy (Chair), K Brockwell (Vice-Chair), S A Blake, Dr H S Bloom, N Boxall, ALI Burke, L A M Burke, A C W Crisp, C L Denman, J I Denman, R J Hull, B McCrow, L A Seeking, D J Shreeves and L Taylor</p> <p><u>Delegation of Functions</u> This function is delegated to the Head of Regulatory Services</p> | |
| Responsibilities of the Development Control Committee – Page 72 | <p>* Replace each occurrence of “Head of Planning Services” with “Head of Regulatory Services”.</p> | |

| Function | Proposed amendment | |
|---|---|--|
| Responsibilities of the Development Control Committee – Page 83 | <p>* Amend function 31 to read as follows:</p> <p><u>"The following functions are delegated to the Head of Regulatory Services or Head of Strategic Housing and Planning</u></p> <p>The designation of employees as authorised officers for the purposes of the Town and Country Planning Acts</p> | |
| Responsibilities of the Licensing Committee – Page 99 | <p>* Insert the following delegation under function 48 of the Licensing Committee:</p> <p><u>"The following function is delegated to the Head of Regulatory Services in consultation with the Chair of the Licensing Committee</u></p> <p>The power to review and set fees for hackney carriage and private hire driver, vehicle and operator licences, unless an objection is received concerning the advertised fees and charges."</p> | |

| Function | Proposed amendment | |
|--|---|--|
| Responsibilities of the Grants Appeals Panel – Page 147 | <p>Amend the wording in brackets under membership to read : follows:</p> <p>“(The Cabinet Member for Community Engagement to a in an advisory and non-voting capacity for grants appeals.)’</p> | |
| Environmental matters delegated to Cabinet Members and Officers – Page 157 | <p>* Amend delegations A27 and A29 to read as follows:</p> <p>“A27 <u>The following function is delegated to the Head of Strategic Housing and Planning</u> To agree detailed Community Safety Improvement Schemes for the purposes of public consultation.</p> <p>A29 <u>The following function is delegated to the Head of Strategic Housing and Planning in consultation wi <u>Cabinet Members for Environmental Services, Community Engagement and the appropriate Ward Members</u> The approval of Community Safety Improvement Schemes.</u></p> | |

| Function | Proposed amendment | |
|---|---|--|
| Leisure matters delegated to Cabinet Members and Officers – Page 176 | <p>Amend delegation C9 to read as follows:</p> <p><u>“The following function is delegated to the Head of Commu (in respect of the Leisure Centre) and the Head of Arts (in respect of the Hawth) in consultation with the Cabinet Men for Leisure and Cultural Services</u> Granting of consent, in exceptional circumstances, for a collection box for charitable causes to be placed in the foye K2 Leisure Centre and The Hawth.”</p> | |
| Planning matters delegated to Cabinet Members and Officers – Page 178 | <p>* Amend the functions below to read as follows:</p> <p>“E1 <u>The following function is delegated to the Head of Regulatory Services (However, the Chief Executive delegated the power to make such alterations to the delegation of the building control function as are necessary to enable a partnership with Horsham Dis Council to operate satisfactorily)</u></p> <ul style="list-style-type: none"> (a) Determination of applications submitted under Building Acts and the Building Regulations, excluding applications for the relaxation of or dispensation from regulations (b) Agreement or rejection of amendment to plans approved under the Building Regulations (c) Agreement or rejection of works carried out in pursuance of a building notice or building regul approval | |

| Function | Proposed amendment | |
|--|---|--|
| Planning matters delegated to Cabinet Members and Officers – Page 178 (continued...) | <p>(d) Service of notices under Section 36 of the Building Act, 1984 requiring the removal or alteration of works which contravene the Building Regulations and to undertake works in default following non-compliance with such notices with particular reference to Section 59 of the Act</p> <p>(e) The rescission of plans approved under the Building Regulations when at least three years have passed and work has not commenced</p> <p>(f) Acceptance or rejection of initial notices from approved inspectors submitted in accordance with Section 47 of the Building Act 1984</p> <p>(g) Action taken in accordance with Sections 77 and 78 of the Building Act 1984 in order to make dangerous structures or buildings safe</p> <p>E2 <u>The following function is delegated to the Head of Regulatory Services (However, the Chief Executive delegated the power to make such alterations to the delegation of the building control function as are necessary to enable a partnership with Horsham District Council to operate satisfactorily)</u></p> <p>The designation of employees as authorised officers for the purposes of the Building Acts.</p> | |

| Function | Proposed amendment | |
|--|---|--|
| Planning matters delegated to Cabinet Members and Officers – Page 178 (continued...) | <p>E3 <u>The following function is delegated to the Head of Regulatory Services in consultation with the Head of Finance and Procurement</u></p> <p>The establishment of a scheme for the setting of built control charges and the amendment of the scheme : necessary in accordance with the provisions of the Regulations.</p> <p>E4 <u>The following function is delegated to the Head of Regulatory Services, in consultation with the Head of Legal and Democratic Services and, if appropriate, the Head of Crawley Homes</u></p> <p>Power to serve remedial notices and initiate prosecution proceedings under Part 8 of the Anti Social Behaviour Act 2003.</p> <p>E5 <u>The following function is delegated to the Head of Regulatory Services in consultation with the Head of Legal and Democratic Services</u></p> <p>The power to issue and serve directions under Article 10 of the General Permitted Development Order.</p> | |

| Function | Proposed amendment | |
|--|---|--|
| Planning matters delegated to Cabinet Members and Officers – Page 178 (continued...) | <p>E6 <u>The following function is delegated to the Head of Strategic Housing and Planning in conjunction with Head of Finance and Procurement</u></p> <p>Use of monies up to £100,000 from Section 106 Agreements in accordance with the Council's agreed policy.</p> <p>E9 <u>The following function is delegated to the Head of Strategic Housing and Planning</u></p> <p>The formulation of responses to plans and proposals from other Authorities or Agencies (including central government) on which the Council's views as Local Planning Authority have been requested and when the response is in accordance with established Council policy.</p> <p>E10 <u>The following function is delegated to the Head of Strategic Housing and Planning in consultation with Cabinet Member for Planning and Economic Development</u></p> <p>The issue of supplementary planning guidance documents for the purpose of consultation.</p> | |

| Function | Proposed amendment | |
|---|--|--|
| Planning matters delegated to Cabinet Members and Officers – Page 178 (continued...) | E11 <u>The following function is delegated to the Head of Strategic Housing and Planning in consultation with Cabinet Member for Planning and Economic Development</u> The approval of documents for pre-submission consultation under Regulation 25 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008." | |
| Property functions delegated to Cabinet Members and Officers – Page 182 | Amend function F5 to read as follows: <u>"The following function is delegated to the Head of Property (after consulting local ward members and the Chair of the Cabinet)</u> Disposal of the Council's interest in land where the consent the relevant Head of Service has been obtained and the market value of the interest does not exceed £250,000. " | |
| Proper Officers – Page 201 | * Amend the responsibility for the statutes below as follows "Statute: Section 54 Town and Country Planning Act 1971 Duty / Responsibility: Deposit of list of buildings of special architectural or historic interest. Designation: Proper Officer Responsible Employee: Head of Regulatory Service: | |

| Function | Proposed amendment | |
|---|--|--|
| Proper Officers – Page 201 (continued...) | <p>Statute: Section 191 Local Government 1972</p> <p>Duty / Responsibility: Function under the Ordnance Survey Act 1841</p> <p>Designation: Proper Officer</p> <p>Responsible Employee: Head of Regulatory Service:</p> <p>Statute: Section 78 Building Act 1984</p> <p>Duty / Responsibility: Exercise the powers of the local authority in relation to emergency measures to dangerous buildings</p> <p>Designation: Proper Officer</p> <p>Responsible Employee: Head of Regulatory Services</p> | |
| The Procurement Code – Page 329 | Replace each occurrence of “EC” with “EU”. | |
| The Procurement Code – Page 339 | Delete paragraphs 3.1 to 3.5 and replace with the paragraph attached as Appendix A1. | |

| Function | Proposed amendment | |
|---|--|--|
| Code of Conduct on Planning Matters – Page 394 | <p>* Amend the last section to read as follows:</p> <p><u>“Development by the Council, Council Members, and Empl</u></p> <p>Developments in which the Council, Council Members or members of staff are involved are particularly sensitive in te of the propriety with which they are handled.</p> <ul style="list-style-type: none"> • applications made by the Council, Council Members or Employees should only be dealt with by a report and recommendation to Committee; Members or Employees making applications should notify the Head of Regulator Services in writing...” | |
| Employees' Code of Conduct – Page 399 | <p>* Amend the last paragraph of section (i) to read as follows</p> <p>“In particular, so far as planning applications are concerned employee intends to submit, or has submitted on his/her be applications for planning permission, approval of matters reserved as a condition of planning permission, or for const display advertisements, then they must notify the Head of Regulatory Services in writing. This is because applicatio from employees have to be considered by the Developmen Control Committee, rather than being determined by the He Regulatory Services.”</p> | |
| Protocol for Policy Development Forums – Page 425 | Replace the protocol with that attached as Appendix A2. | |

| Function | Proposed amendment | |
|---|---|--|
| Protocol on Responding to Consultation Documents – Page 435 | <p>* Amend paragraphs 5 and 6 to read as follows:</p> <p>"5. Additionally, there is specific authority given to the Head of Strategic Housing and Planning who may formulate responses to plans and proposals of other Authorities Agencies where the Council's views as local planning authority are sought and when the response is in accordance with established Council policy. A copy of response shall also be included in the weekly Member Information Bulletin.</p> <p>6. Specific authority is given to the Head of Strategic Housing and Planning, in consultation with the appropriate Cabinet Member and the appropriate Ward Members, to respond on behalf of the Council to consultations from West Sussex County Council on proposed traffic regulation orders. A copy of the response shall once again be included in the Members' Information Bulletin."</p> | |
| Part 7 - Management Structures – Page 548 | <p>* Replace the management structure for Environment and Housing Directorate with the structure attached as Appendix</p> | |

| Function | Proposed amendment | |
|----------------|--|--|
| Where relevant | * Replace each occurrence of "Head of Environmental Services" with "Head of Regulatory Services". | |
| Where relevant | * Replace each occurrence of "Head of Housing Strategic Services" with "Head of Strategic Housing and Planning". | |

* These amendments will come into effect from 27 July 2009

PROCUREMENT CODE AMENDMENTS

3. EXEMPTIONS

- 3.1. The requirements for obtaining tenders or quotations can be waived under the following arrangements. No exemption can be used if the EU Procedure applies. No exemptions may be made retrospectively. If an exemption is agreed it will still be necessary to complete the contract administration procedures such as contract formation and the checking of insurances.
- 3.2. An exemption can be applied for when one or more of the following criteria specifically applies to the proposed contract.
 - 3.2.1. There are reasons why there would not be a genuine competition and no reasonable and satisfactory alternative is available or
 - 3.2.2. A contract is required as a matter of genuine urgency or
 - 3.2.3. It is not reasonably practicable to invite tenders or
 - 3.2.4. It is not in the best interests of the Council or
 - 3.2.5. The specification for goods and services is of a specialised nature which only a limited number of suppliers can meet and that tenders will be invited from all suitable suppliers.
- 3.3. All exemptions, and the reasons for them, must be recorded using the exemption form on the intranet and in the Procurement Toolkit. The officer seeking the exemption must provide clear evidence why the contract matches one or more of the criteria set out above. Approval must be sought from the relevant Head of Service as well as the Head of Finance and Procurement. Once approved by the Head of Finance and Procurement, all exemptions must be sent to Legal and Democratic Services who will provide a copy for the Corporate Management Team and to the relevant Cabinet Member for information.

APPENDIX A2

PROTOCOL FOR POLICY DEVELOPMENT FORUMS

1. **Two** Policy Development Forums **have been** established covering **Community and Council; and Environment and Economy**. These groupings will enable members to build up a body of expertise and knowledge. Each Group will report to the Cabinet.
2. Each Policy Development Forum will consist of
 - Chair
The chair will be taken by the appropriate cabinet member – this will vary depending on the subject that is being discussed by the Policy Development Forum. Therefore the person chairing the meeting may change during the course of the same meeting, depending on the subject under discussion.
 - Up to nine non-Cabinet councillors (on the nomination of political groups)
 - the Lead Officer, who will be a Director or a Head of Service (or his/her nominee) nominated on the basis of the subject that is being discussed by the Policy Development Forum. He/she will be responsible for ensuring that all relevant information is available to the Forum.
3. Policy Development Forums are intended to operate as informal groups, partly for consultation purposes, and for the development and exploration of new policy ideas. It shall be the responsibility of the member chairing the meeting to ensure that there is the opportunity for contribution from both Members and directorates represented at the meeting.
4. The Forums will be multi-party but they need not be established having regard to the strict rules of political balance. Cabinet Members and non-Cabinet Members may both participate in Policy Development Forums. Substitute Members for the majority and minority political groups represented on the Policy Development Forums will normally be appointed.
5. Members of the public or partner organisations may be co-opted onto a Forum.
6. All Directorates shall be entitled to be represented at meetings of a Policy Development Forum and it shall be for each Director to determine the level of representation.
7. Policy Development Forums shall decide how they wish to review an issue brought before them in order **to** effectively determine a policy recommendation to the Cabinet. They may wish to arrange visits (within budgetary constraints) which would facilitate that work. They shall also be authorised to agree arrangements for presentations to be made to Members generally. If a Forum is minded to carry out any wider consultations, all members of the Council shall be included in the circulation of the consultation papers.

8. Meetings will be called by the Head of Legal and Democratic Services as and when required at the request of the appropriate Cabinet Member. Records of meetings will be maintained. As the meetings are informal, they do not have any Cabinet powers and are not required to be open to the public and press. Nevertheless, Policy Development Forums may invite the public, appropriate community representatives and/or experts to meetings where appropriate.
9. The reports produced for them to consider and the minutes of the meetings are to be background papers when a report is eventually produced for the Cabinet.
10. The contribution of the Forums, including any 'minority reports' where a consensual view has not been reached will be presented to the Cabinet either as a separate report or included in an agenda item in the name of the appropriate Cabinet Member and the Lead Officer, and shall be drafted by the Lead Officer, in consultation with the Cabinet Member and the Head of Legal and Democratic Services.
11. Any policy changes proposed by a Forum shall not be implemented until a report has been considered and the recommendations agreed by the Cabinet.
12. The membership of each Policy Development Forum is set out in the Appendix to this Protocol.

Policy Development Forum Membership

Community and Council

Councillors:

B J Burgess

ALI Burke

C A Cheshire

B McCrow

D J Shreeves

J A Singh

Substitute – J G Smith

Lead Officer: Appropriate Director

Environment and Economy

Councillors:

M L Ayling

S A Blake

Dr H S Bloom

K Brockwell

A G Brown

R G Burgess

A C W Crane

S Kaur

G K Seekings

Substitute – L A Seekings

Substitute – B A Smith

Lead Officer: Appropriate Director

**CRAWLEY BOROUGH COUNCIL
MANAGEMENT STRUCTURE**

Deleted: <sp>

**DIRECTOR OF
ENVIRONMENT AND
HOUSING**

**HEAD OF
STRATEGIC
HOUSING &
PLANNING**

Housing Needs and Property
Store,
Homelessness and Housing
Advice,
Housing Strategy,
Forward Planning,
Economic Development

**HEAD OF
REGULATORY
SERVICES**

Pollution and Public Health,
Food, Licensing, Port Health
and Occupational Health,
Enforcement and Technical
Services,
Development Control,
Town Centre Management,
Building Control

**HEAD OF
CRAWLEY
HOMES**

Housing Landlord Function,
Tenancy Management,
Stock Maintenance,
Shared Ownership,
Hostel Service, etc.

**BUSINESS
SUPPORT
MANAGER**

**STRATEGIC
PLANNING
COORDINATOR**

Regional / Sub Regional
Planning,
Local Development Framework
Town Centre North

APPENDIX B

Revised Council Procedure Rule 2

2. Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting.

Ordinary meetings will

(i) elect a person other than a Member of the Cabinet to preside if the Mayor and Deputy Mayor are not present;

(ii) receive notification of apologies for absence;

(iii) receive any declarations of interest from members;

(iv) receive communications brought forward by the Mayor, Leader or the Chief Executive, including any urgent petitions.

(v) provide an opportunity for the Mayor to make presentations of awards as appropriate.

(vi) receive questions (not statements) from, and provide answers to, the public in accordance with Rule 9 in relation to matters which in the opinion of the person presiding at the meeting are relevant to the functions of the Council;

(vii) make appointments or fill vacancies on committees, joint boards, joint committees or other bodies.

(viii) approve the minutes of the last meeting;

(ix) prior to receiving the reports of the Cabinet, Overview and Scrutiny Commission and the regulatory committees, provide councillors with the opportunity to indicate which resolved items and recommendations they wish to reserve for debate.

(There shall be no debate on any item included in a report to the Cabinet, Overview and Scrutiny Commission, or of a regulatory committee, where the item in that report has been previously debated at an Extraordinary Meeting of the Council held earlier in the same committee cycle and where a decision has been made on that matter at the Extraordinary Meeting).

(x) receive the reports of the Cabinet, Overview and Scrutiny Commission and of the regulatory committees. The receipt of the reports will be moved by the Deputy Mayor (or the Mayor's nominee in the absence of the Deputy Mayor) and a seconder shall not be required for this motion.

(xi) approve 'en bloc' any unreserved items including any specific recommendations contained therein. Items requiring individual consideration as required by law shall not be dealt with in this manner. The unreserved items shall be proposed for approval by the Deputy Mayor (or the Mayor's nominee in the absence of the Deputy Mayor) and a seconder shall not be required for this motion.

(xii) Deal with

(a) any decision called in accordance with Scrutiny Procedure Rule 13

(b) the reserved matters in the order set out in the Minute Book (subject to any ruling from the person presiding to the contrary).

The reserved items which include a recommendation will be voted upon as each debate ends

In the case of a **previously resolved** item which has been reserved for debate, a speech by the Member of the Council who has reserved the right to speak on the matter must not exceed five minutes.

Normal debating rules will then apply.

In the case of a **recommendation to the Council** which has been reserved for debate, the appropriate Portfolio Holder or Chair will speak first in the debate. They will be followed by the councillor who has reserved the item, who shall be entitled to speak for five minutes. Normal debating rules will apply and the Portfolio Holder/Chair will then sum up at the end. All Cabinet recommendations shall be moved by the Leader (unless the Leader did not chair the Cabinet meeting).

(The minutes of any meeting of the Cabinet, Overview and Scrutiny Commission or regulatory committee held more than nine clear working days before the meeting will be submitted, except in the case of recommendations to Council or call-in arising from meetings held within the nine day period. In all other circumstances, the reports of such meetings will be discussed at the next following meeting of the Council)

(xiii) consider motions of which notice has been given under Council Procedure Rule Number 11.

(xiv) deal with Members' written questions under Council Procedure Rule No. 10.3;

(xv) receive any announcements from Members of the Cabinet, if necessary, on issues relating to their Portfolio not covered elsewhere on the agenda;

(xvi) deal with questions to Cabinet Members on general matters relating to their Portfolio,

(xvii) deal with questions to committee chairs on general matters relating to their Committees,

The order of business will be agreed by the Leader, the Mayor and the Vice Chair of the Cabinet prior to the issue of the summons for the meeting and may be varied at the meeting at the discretion of the Mayor.

2A MAJORITY VOTE TO CONTINUE

Interruption of the meeting

If the business of the meeting has not been concluded within two and a half hours, unless the majority of Members present vote for the meeting to continue, the following procedure will be implemented

Motions and Recommendations not dealt with

If there are any other motions or recommendations on the agenda that have not been dealt with within the two and half hours, they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.

Recorded Vote

If a recorded vote is called for during this process, it will be taken immediately.

Motions which may be moved

During the process set out above, the only other motions which may be moved are that a matter be withdrawn or referred to an appropriate body or individual for decision or report.

Close of the meeting

When all motions and recommendations have been dealt with, the Mayor may declare the meeting closed.