

# Crawley Borough Council

## Minutes of General Purposes Committee

15 March 2010 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, D G Crow, R A Lanzer,  
J G Smith and L A Walker

### Also in Attendance:

Councillor L Gilroy

### Officers Present:

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

### Apologies for Absence:

Councillor A J E Quirk

### 17. Minutes

The minutes of the meeting of the Committee held on 1 February 2010 were approved as a correct record and signed by the Chair.

### 18. Members' Disclosure of Interests

No disclosures of interest were made.

### 19. Members' Allowances Scheme: Report of Independent Review Panel

The Committee considered report LDS/17 of the Head of Legal and 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 and was available on request from Legal and Democratic Services (Tel: 01293 549438549) or on the Council's website ([www.crawley.gov.uk](http://www.crawley.gov.uk)).

The Committee considered the report of the Panel which recommended that the allowances for 2010/11 and 2011/12 be as set out below and that adjustments to the level of basic and special responsibility allowances be determined according to an index with the Chief Officers' pay awards being used for that purpose.

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

Office Holder	Special Responsibility
	£
<b>Basic allowance (all councillors)</b>	5949
Leader of the Council	14281
Cabinet Portfolio Holders	7138
Overview and Scrutiny Commission Chair	6389
Vice Chair of Scrutiny Commission	1166
Payment to Chair of a Scrutiny Panel (Note: members would be entitled to only one £1133 allowance per year even if they chose to undertake a second review)	1133
Chair of Development Control Committee	5949
Vice Chair of Development Control Committee	2380
Chair of Licensing Committee	5949
Vice Chair of Licensing Committee	1166
Chair of Standards Committee	2380
Chair of General Purposes Committee	2380
Chair of Audit and Governance Committee	2380
Chair of Budget Advisory Group (payable provided the postholder is not a Cabinet Member)	2380
Leader(s) of minority group(s) ( <i>differential rates depending on number of members in that Group</i> );	
• basic allowance	2200
• additional payment per group member	274

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

Members noted that the Independent Review Panel recommended that the travelling allowances payable to Members and Co-opted Members should be based on those approved by the Inland Revenue, and that subsistence allowances should be the same as those paid to officers.

The Panel was of the opinion that, having conducted a very thorough review in 2008/09, no further changes were required to the current Scheme other than those above. The Panel therefore recommended that unless there was a change of membership of the Panel or the Panel received a request from its own Members or from elected Members to meet earlier due to changes in circumstances, the Scheme should also cover the period 2011/12.

**RESOLVED**

1. That the Full Council be recommended to approve the Members' Allowances Scheme for 2010/11 and 2011/12 as set out in report LDS/17 of the Head of Legal and Democratic Services.
2. That the Members of the Panel be thanked for the thorough and efficient way that they carried out the review.

**20. Review of Democratic Structures and Constitutional Changes**

The Committee considered report LDS/16 of the Head of Legal and Democratic Services which considered whether any changes were required in 2010/11 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.

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.

**RESOLVED**

To recommend to the Council:

1. That, subject to any comments received from the Cabinet with regard to its functions, the amendments to the Constitution proposed in Appendix 1 to these minutes be agreed.
2. That since the provisions relating to call in and urgency had only been used once during the past twelve months, no changes to the provisions were necessary at this stage.

**21. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 7.50pm.

R D BURRETT  
Chair

## CHANGES TO THE CONSTITUTION

Function	Proposed amendment	
Functions of the Development Control Committee – Page 80	<p>Amend function 18 to read as follows:</p> <p>“(18) Power to authorise entry under Sections 88(2) (a), (b), (c) and (d) of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p><u>The following function is delegated to the Head of Planning and Environmental Services</u> Power to authorise entry under Sections 88(2) (a), (b), (c) and (d) of the Planning (Listed Buildings and Conservation Areas) Act 1990.”</p>	
Functions of the Development Control Committee – Page 80	<p>Add the following delegation:</p> <p>“(18a) Power to authorise an application to a Court for a warrant to enter land under Section 88A of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p><u>The following function is delegated to the Head of Planning and Environmental Services</u> Power to authorise an application to a Court for a warrant to enter land under Section 88A of the Planning (Listed Buildings and Conservation Areas) Act 1990.”</p>	
Functions of the Development Control Committee – Page 82	<p>Amend the final bullet point of function 28 to read as follows:</p> <p>“Power to revoke or modify a <b>tree</b> preservation order”.</p>	

Function	Proposed amendment	
<p>* Environmental Matters Delegated to Cabinet Members and Officers – Page 158</p>	<p>Amend function A30 to read as follows:</p> <p><u>“The following function is delegated to the <b>Head of Strategic Housing and Planning in consultation with the Cabinet Member for Environmental Services and Ward Members</b></u> The approval for public consultation purposes of neighbourhood environmental improvement schemes.”</p>	
<p>* General Matters Delegated to Cabinet Members and Officers – Page 186</p>	<p>Add the following delegations:</p> <p>“(G11a) <u>The following function is delegated to the <b>Head of ICT in consultation with the Cabinet Member for Continuous Improvement and Development</b></u> Approval of applications for funding from the ICT Replacement Fund. Such approval is subject to adequate justification being made for the replacement of the item.”</p> <p>“(G44a) <u>The following function is delegated to the <b>Director of Community Services in consultation with the Cabinet Member for Leisure and Cultural Services</b></u> Approval of applications for funding from the Specialist Equipment (Hawth and K2) Renewals Fund. Such approval is subject to adequate justification being made for the replacement of the item.”</p>	

Function	Proposed amendment	
* General Matters Delegated to Cabinet Members and Officers – Page 186 (continued...)	“(G44b) <u>The following function is delegated to the Head of Amenity Services in consultation with the Leader</u> Approval of applications for funding from the Vehicles and Plant Fund. Such approval is subject to adequate justification being made for the replacement of the item.”	
* General Matters Delegated to Cabinet Members and Officers – Page 192	Delete delegation G45 which reads:  “ <u>The following function is delegated to the Head of Finance and Procurement in consultation with the Leader</u> Authorisation of expenditure from the renewals fund for the replacement of vehicles, equipment, computer facilities and other items for which a renewals fund exists. Such approval is subject to adequate justification being made for the replacement of the item for which the renewals fund has been set up.”	
* General Matters Delegated to Cabinet Members and Officers – Page 192	Delete delegation G47 which reads:  “ <u>The following function is delegated to the Chief Executive, in consultation with the Chair of the Cabinet</u> Approval of individual bids against the strategic initiatives fund for projects costing up to £50,000.”	
Protocol for Policy Development Forums – Page 425	Amend the first sentence of paragraph 1 to read as follows:  “Two Policy Development Forums have been established covering <b>Community and Value for Money; and Environment and Prosperity.</b> ”	

Function	Proposed amendment	
Protocol for Policy Development Forums – Page 427	Amend the names of the Policy Development Forums to read “Community and Value for Money” and “Environment and Prosperity”.	
* Where relevant	Replace each occurrence of ‘Portfolio Holder’ with ‘Cabinet Member’.	

\* These changes would also be considered by the Cabinet on 24 March 2010.