

# Public Document Pack



## **PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING**

You are hereby summonsed to attend a meeting of the Peterborough City Council, which will be held in the Council Chamber, Town Hall, Peterborough on

**MONDAY 18 MAY 2009 at 6.30 pm**

### **AGENDA**

**Page No.**

- 1. Apologies for Absence**
- 2. Election of the Mayor for 2009 / 2010**
- 3. Election of the Deputy Mayor for 2009 / 2010**
- 4. Investiture of Badges of Office and Vote of Thanks to the Retiring Mayor**

*Refreshments*

*The meeting will adjourn for refreshments and reconvene at 7.45 p.m.*

- 5. Declarations of Interest**
- 6. Minutes of the Council Meeting held 8 April 2009** **1 - 14**  
To approve the minutes of the meeting held 8 April 2009.
- 7. Announcements from the Mayor and Chief Executive**
- 8. Receive the Annual Report of the Standards Committee** **15 - 16**
- 9. Political Groups and Group Officers 2009 / 2010** **17 - 18**  
To receive and note membership of Political Groups and Leaders

**ELECTION OF LEADER:**

- (i) **Elect the Leader of the Council**

**DELEGATIONS AND ALLOCATION OF SEATS TO POLITICAL GROUPS:**

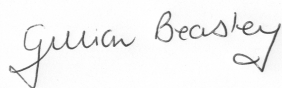
- (ii) **Note the Leader's Scheme of Delegations to Cabinet Members (to be tabled at the meeting)**
- (iii) **Agree new arrangements for Scrutiny as set out in paragraph 3 and delegate related consequential updating of the Constitution to the Solicitor to the Council**
- (iv) **Agree its Committee structure set out in paragraph 4.3**
- (v) **Approve changes to the Terms of Reference of the Scrutiny Management Board and Scrutiny Panels as set out in Appendix 1**
- (vi) **Agree the allocation of seats to political groups as set out in this report at paragraph 6 of this report.**

**APPOINTMENT OF CHAIRMEN, VICE CHAIRMEN AND COMMITTEE MEMBERSHIPS:**

- (vii) **Appoint Chairmen and Vice Chairmen of Committees and Committee Memberships for 2009 / 2010 (to be tabled at the meeting) and co-opted members as set out in the report.**

11. **Constitutional Changes**

To approve changes to the Constitution to reflect necessary factual and legislative changes and changes recommended following consultation with the Constitution Review Group.



Chief Executive

8 May 2009  
Town Hall  
Bridge Street  
Peterborough



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## **PETERBOROUGH CITY COUNCIL**

### **MINUTES OF COUNCIL MEETING HELD 8 APRIL 2009**

#### **The Mayor – Councillor Pat Nash**

#### **Present:**

Councillors, Ash, Benton, C Burton, Cereste, Collins, Croft, M Dalton, S Dalton, C Day, S Day, Dobbs, Eley, Fazal, Fitzgerald, Fletcher, Fower, JA Fox, JR Fox, Goldspink, Goodwin, Harrington, Hiller, Holdich, Hussain, Khan, Kreling, Lamb, Lane, Lee, Lowndes, Miners, Morley, Murphy, Nawaz, North, Over, Peach, Rush, Saltmarsh, Sanders, Sandford, Scott, Seaton, Sharp, Swift, Thacker, Todd, Trueman, Walsh, Wilkinson and Winslade.

#### **MAYOR'S ANNOUNCEMENT**

Following prayers a minutes' silence was observed to remember those who had lost their lives in the Italian earthquake. The Mayor announced that an appeal had been launched by members of the local Italian community in order to help those who had been affected by the disaster and urged those present to give generously.

Councillor Cereste added that this matter was close to the hearts of the Italian community in Peterborough, and that it was doing all it could to provide support and assistance to people affected.

Councillor Swift proposed that the Council show its support by making a donation to the fund of £25,000.

The Solicitor to the Council advised Members that legal powers would need to be considered, and the Finance department consulted, before Cabinet could consider the matter. An informal show of hands reflected that the majority of members wished to look into pursuing Councillor Swift's suggestion (47 in favour, 4 abstentions).

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Allen, M Burton, D Day Gilbert, and Newton.

#### **2. DECLARATIONS OF INTERESTS**

- (i) Councillor Cereste declared a prejudicial interest in agenda item 5 (b) as Deputy Chairman of EEDA;
- (ii) Councillor Collins declared an interest in agenda item 5 (c) as an employee of Cambridgeshire Constabulary;
- (iii) Councillor Lane declared an interest in agenda item 7 (a) as a member of the board of Cross Keys Homes.

#### **3. MINUTES OF COUNCIL MEETING HELD 25 FEBRUARY 2009**

The Minutes of the meeting held 25 February 2009 were agreed and signed by the Mayor as an accurate record.

#### 4. COMMUNICATIONS TIME

##### 4 (a) Mayor's Announcements

The Mayor's engagements for the period 16 February 2009 to 29 March 2009 were noted.

##### 4 (b) Leader's Announcements

**Tour of Wards** – The Leader announced his intention to meet with representatives of all City Council wards prior to next year's budget setting process to discuss priorities for action within wards during the coming year;

**LGC Awards** - The Finance Department, having been highly commended in the national LGC awards had been sharing best practice with Thurrock Council in areas such as revenues and benefits services and asset management. The Leader expressed his thanks to the team for their excellent performance;

**Corn Exchange** – The Leader confirmed that negotiations were continuing with the final tenant of the Corn Exchange building. Officers were hopeful that an amicable agreement would be reached in order to enable the Council to meet its programme for demolition within timescale;

**Tour Series Cycle Race** – This event, due to be held in the city on 4 June 2009 would feature Olympic and World Championship cyclists and attract up to 10,000 spectators;

**Ofsted Inspection** – The Leader advised that a recent Ofsted inspection had resulted in four of Peterborough's primary schools receiving top grade ratings. Two secondary schools had been rated as 'outstanding'.

The following questions were raised by Group Leaders:

- (i) Councillor Swift raised concern with regard to the monies being spent on the redevelopment of Cathedral Square.
- (ii) Councillor Sandford asked whether the proposals for the redevelopment of the Cathedral Square area, particularly the water fountains, were finalised. He further enquired if monies spent within wards as a result of the Leader's tour would be in addition to Community Leadership Funding (CLF);
- (iii) Councillor Khan welcomed the Leader's intention to visit the Central Ward which he believed to have been neglected in past years.

In response, the Leader advised that the installation of water features in Cathedral Square were one element of the overall regeneration project and that consultation exercises had proven they would be a welcome addition. With regard to the query relating to ward visits, any extra funding would be in addition to CLF, however the exercise was intended to identify areas where savings could be made or where spending could be more effective.

##### 4 (c) Chief Executive's Announcements

The Chief Executive informed those present that the position of Executive Director – Operations would be advertised shortly and an appointment was expected to be made during June. She added that she would be seeking

Members' views and input with regard to the content of her announcements for future meetings.

## **5. COMMUNITY INVOLVEMENT TIME**

### **5 (a) Questions with Notice by Members of the Public**

A question was asked with regard to the closure of the Post Office/Shop in the village of Helpston.

### **5 (b) Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen**

A question was asked in respect of the following:

- The current status in respect of retention of community facilities on the former John Mansfield School site.

### **5 (c) Questions with Notice by Members of the Council to representatives of the Police and Fire Authorities**

A question was raised in respect of the following:

- Arrangements for insurance for members of the public participating in the speed-watch programme.

A summary of all questions and answers raised within agenda item 5 (a), (b) and (c) is attached at **Appendix A**.

### **5 (d) Petitions submitted by Members or Residents**

The following petition was received:

- Petition against the proposed installation of a youth shelter at Fulbridge Road Recreation Ground.

## **6. EXECUTIVE BUSINESS TIME**

### **6 (a) Questions with Notice to the Leader and Members of the Executive**

Questions were asked of the Leader of the Council and Cabinet Members in respect of the following:

- Progress with regard to the yearly 'spring clean' initiative and the volume of waste collected;
- The decision to cancel the contract providing electronic access to minutes, agendas, and reports and the alternative arrangements for provision of the same;
- Installation of retro-fitting identity chips in domestic refuse vehicles;
- Projects financed by funds from the Local Authority Business Growth Incentive scheme.

A summary of all questions and answers raised within agenda item 6 (a) is attached at **Appendix B**.

## **6 (b) Questions without Notice on the Record of Executive Decisions**

Members received and noted a report summarising:

- The Council's call-in mechanism, which had not been invoked since the last meeting;
- Special Urgency and waive of call-in provisions in relation to the proposed acquisition of the Great Northern Hotel;
- Cabinet Member decisions taken during the period 16 February to 25 March 2009.

### **Questions were asked about the following decisions:**

- **Proposed Acquisition of Great Northern Hotel**

Councillor Sandford queried the rationale behind the proposal to purchase the Great Northern Hotel at a time when reductions were being made to staffing levels and expressed concern with regard to the decision to invoke urgency procedures.

In response, the Leader advised that the hotel occupied a strategic site within the City and for sound business reasons, urgent action had been necessary. Budget restraints on allocation of funding meant that the purchase (had it gone ahead) would have had no impact on other areas such as staff resources.

## **7. COUNCIL BUSINESS TIME**

### **7 (a) Executive Recommendations**

- **Peterborough Housing Register and Allocations Policy**

Cabinet, at its meeting of 15 December 2008 had received a report on the proposed additions to the Peterborough Housing Register and Allocations Policy. Councillor Murphy moved the recommendation for adoption of the policy and this was seconded by Councillor Dalton.

Councillor Cereste drew Members' attention to paragraph 5.2 of the policy and queried whether the length of time an applicant had been on the waiting list had any relevance with regard to their priority. He expressed the view that this did not appear to be the case and raised concern in this regard.

Councillor Murphy advised that officers would be made aware of these concerns. He would clarify the current position and advise Councillor Cereste accordingly.

It was **RESOLVED**:

- (i) to adopt the Peterborough Housing Register and Allocations Policy.

- **Cultural Strategy**

On the 19 February 2009, the Cabinet Member for Community Services had proposed the principles of a Cultural Strategy for Peterborough which incorporated a Cultural Vision, Heritage Strategy, Sports Strategy and Library Strategy. Councillor Lee moved the recommendation that the Cultural Strategy be adopted by Council and this was seconded by Councillor Over.

During discussion, the following points were noted:

- The absence within the Strategy of an 'open spaces' strategy
- Measures in place to protect lone workers in particular at libraries;
- The possibility of encouraging schools to open their outdoor facilities (i.e. football pitches) to the public;

A vote was taken (48 in favour, 3 against and 1 abstention) and it was **RESOLVED:**

- (i) To approve the Cultural Strategy for Peterborough.

- **Peterborough Children and Young People's Plan 2009**

Cabinet, at its meeting of 30 March 2009, considered the Peterborough Children and Young People's Plan 2009. Members noted that due to forthcoming changes in legislation, a 'light touch' review had been undertaken for 2009 pending new arrangements from 2011.

Councillor Goldspink moved the recommendation for adoption and this was seconded by Councillor Holdich.

It was **RESOLVED:**

- (i) to adopt the Peterborough Children and Young People's Plan 2009.

- **Safer Peterborough Partnership Plan**

Cabinet had considered the Safer Peterborough Partnership Plan at its meeting of 30 March 2009. Councillor Murphy moved the recommendation that Council adopt the Plan and this was seconded by Councillor Holdich.

Councillor Miners drew Members' attention to paragraph 2.4 of the Plan which related to Regeneration of existing neighbourhoods. He requested assurance that the Cabinet Member for Housing, Regeneration and Economic Development would seek to ensure that progress was made with regard to the John Mansfield Centre.

Councillor Murphy referred to the response he had given to the question raised at agenda item 5 (b) in this regard.

It was **RESOLVED:**

- (i) to adopt the Safer Peterborough Partnership Plan.

## 7 (b) Committee Recommendations

There were no recommendations from Committees.

## 7 (c) Notices of Motion

- **Councillor Dalton moved the following Motion:**

That this Council:

1. Welcomes the proposals set out in the recent Conservative Party Green Paper on localism entitled 'Control Shift – Returning Power to Local Communities', including:
  - (i) Abolishing all regional planning and housing powers in the hands of regional government, returning powers and discretion to local authorities;
  - (ii) Creating 'bottom-up' incentives for house building by allowing Peterborough City Council to benefit from the increase in Council Tax revenues from new homes;
  - (iii) Allowing councils to establish their own local enterprise partnerships to take over the economic development functions and funding of the East of England Development Agency;
  - (iv) Giving a real incentive for councils to promote local economic growth, by allowing them to keep the uplift in business rate revenues from businesses growing in size;
  - (v) Granting Peterborough City Council a new discretionary power to give discounts on business rates, allowing the Council to help local shops and services, or even create new local enterprise zones, and

Further, that this Council:

- vi) Mandates the Leader of the Council to write to the Leader of Her Majesty's Official Opposition urging him to instigate the changes to national policy represented above as soon as practicable within the first term of a new Conservative Government.

The Motion was seconded by Councillor Collins.

Following debate, a vote was taken and the Motion was **CARRIED** by 39 votes in favour, 8 against and 5 abstentions.

- **Councillor Fox moved the following Motion:**

That this Council:

1. Supports the upgrading of the disabled toilets in St. Peter's Arcade to a suitable standard that complies with the objectives of the Changing Places Consortium (which works to support the rights of people with profound learning disabilities to access their communities);
2. Requests the appropriate Cabinet Member to investigate the availability of funding to implement the above works to save parents with severely



disabled children or young adults the humiliating task of changing their sons or daughters on the floor of a toilet.

Councillor Fox addressed the meeting and advised that he wished to withdraw this Motion as he had subsequently been advised that the matter was to be resolved. He thanked Councillor Lamb and Councillor Thacker for their support and assistance in this regard.

- **Councillor Fower moved the following Motion:**

That this Council:

1. Requests that the Leader of the Council write to both the Government and all councils across the country, demanding action for legislation to make St. George's Day a bank holiday, thus enabling people the opportunity to take pride in the country's heritage and history.

This was seconded by Councillor Trueman.

Councillor Peach moved an amendment to the Motion as follows:

Delete the wording of the Motion and replace with the following:

*That this Council:*

1. *Requests that the Leader of the Council write to the Government requesting action for legislation to make St. George's Day a bank holiday, in place of the May Day Bank Holiday, thus enabling people the opportunity to take pride in the country's heritage and history.*

This proposal was seconded by Councillor Lamb.

A debate on the proposals followed. A vote was taken on the amendment which was **CARRIED** by 35 votes for, 11 against, 6 abstentions.

- **Councillor Sandford moved the following Motion:**

That this Council:

1. Notes that on Monday 30 March 2009 the Department of Communities and Local Government announced a consultation on proposals to amend the Accounts and Audit Regulations (2003) so as to require all local authorities to disclose full details of the remuneration paid to senior members of staff, including temporary senior appointments and covering salary, bonuses, pensions, perks and compensation pay-offs;
2. Fully supports this Government initiative and acknowledges that there is now no longer any legitimate excuse for the Cabinet to refuse to disclose the remuneration paid to any senior officer of this Council on whatever contractual basis they are engaged; and
3. Demands that the Cabinet disclose in full, the remuneration paid to the Deputy Chief Executive and calls upon the Leader of the Council to make an immediate statement supplying the required information.

Councillor Sandford informed Members that, subject to a satisfactory response from the Leader with regard to a previous request to release details of the remuneration paid to the Deputy Chief Executive, he would withdraw the Motion.

The Deputy Leader of the Council addressed the meeting and advised that the Deputy Chief Executive had authorised him to reveal details of his remuneration, which fell between the remuneration levels of the Chief Executive and other Directors at a figure of £145,000.

The Motion was duly withdrawn.

#### **7 (d) Reports and Recommendations**

##### **Proposed Calendar of Meetings for 2009/10 and Draft Calendar for 2010/11**

Members considered a report outlining proposals to combine Mayor Making and the Annual Council Meeting for 2009 and 2010 and noted the proposed calendar of meetings for the forthcoming municipal year and proposed dates for the following year. Councillor Peach moved the recommendations, which were seconded by Councillor Lee.

It was **RESOLVED**:

- (i) To agree that Mayor Making and the Annual Meeting of Council be combined for the municipal years 2009/10 and 2010/11. Both meetings, which would be held on Monday 18 May 2009 and Monday 17 May 2010 respectively; would commence at 6.30 p.m.; and
- (ii) To adopt the calendar of meetings for the municipal year 2009/10 and approve, in principle, the draft calendar for the municipal year 2010/11.

Meeting closed at 9.50 p.m.

**SUMMARY OF QUESTIONS AND ANSWERS RAISED UNDER AGENDA ITEM 5 – COMMUNITY INVOLVEMENT TIME**

**1. Questions with Notice by Members of the Public**

**(i) Mrs Claire Spooner, a resident of Helpston, asked the Cabinet Member for Housing, Regeneration and Economic Development:**

The local shop and post office in Helpston has recently closed and is awaiting resale. This has left families isolated and elderly residents vulnerable. The Council's Rural Vision and Strategy states the Council's priorities in supporting services for rural communities and local businesses. Would the City Council consider purchasing the business as a potential asset and community-run service as has happened in other forward focussing and proactive Councils like Essex County Council?

**The Cabinet Member for Housing, Regeneration and Economic Development responded:**

We remain interested in the approach taken by Essex County Council, but the model has not yet been fully tested. Of the 15 post office closures in Essex, only 2 have been purchased by the County Council with resources far greater than those available to Peterborough. There also remains in Essex a series of complex and difficult issues relating to, for example, State Aid, location issues, and costings.

We also need to determine whether or not the full Post Office closure programme is concluded before making any decisions of this kind. It is therefore not viable for the Council to purchase buildings such as this at this time. Instead we are carefully and rapidly reviewing our approach to supporting economic development in Peterborough in these challenging times to ensure the risks and impacts of the economic downturn are mitigated.

On a more general note, the Council is indeed committed to supporting all of our citizens and communities, and we are in the process of implementing a Neighbourhood Management model which will ensure appropriate service delivery for all parts of Peterborough.

**A supplementary question was asked as follows:**

What financial support will the Council offer to residents who, if left with no other option, try to buy the shop and post office as a village asset?

**The Cabinet Member for Housing, Regeneration and Economic Development responded:**

The Council does not have the resources to provide assistance, but will consider ways in which it might support the community should other suggestions come forward.

**2. Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen**

**(i) Councillor Miners asked the Cabinet Member for Housing, Regeneration and Economic Development:**

In light of the recent decision by EEDA not to release the £1.3m it had earlier approved to support the John Mansfield Centre:

- Why, almost two years after Cabinet resolved to support the retention of community facilities on the former school site, are we still unable to confirm that the facilities will be retained?
- Would the Cabinet Member agree that the only viable solution, based on the high level of community and political support for this project, is for the Council to underwrite the costs needed to see this project through to completion?
- What will the Council do in future to ensure that projects such as this are delivered effectively in order to benefit residents who are most in need?

**The Cabinet Member for Housing, Regeneration and Economic Development responded:**

The Council remains supportive, subject to receiving appropriate funding, of this important development. The Council has already identified a significant sum of money for reinvestment in this project following closure of the John Mansfield School, and we have sought to match that commitment with funding from the East of England Development Agency. If the funding application to EEDA is ultimately unsuccessful, the Council will be unable to invest any other funding into this project.

**Councillor Miners raised the following supplementary question:**

Given the importance of the John Mansfield Centre, both locally and city-wide, what support can the Council give to 'Innova' and campaigns to prevent bodies such as EEDA having the power to take local decisions that could potentially destroy local communities and community well-being. Could the Cabinet Member explain how it is possible for the Council to bid for projects such as the acquisition of the Great Northern Hotel, yet state that it is not possible to rescue the John Mansfield Centre?

**The Cabinet Member for Housing, Regeneration and Economic Development responded:**

Funding for initiatives such as the proposed acquisition of the Great Northern Hotel comes from a completely different funding stream. The Council has match funded the John Mansfield Centre project and there is no funding to further resource this. However, I would be happy to work with anyone who could help to raise funds from other sources.

3. **Questions from Members to Representatives of the Police / Fire Authorities**

*Having previously declared an interest in this item, Councillor Collins left the Chamber.*

(i) **Councillor Fox asked the Council's Representative on the Police Authority:**

Could the Council's representative of the Police Authority please inform the Council if those members of the public who participate in the 'speed-watch' programme are fully insured for public liability when carrying out their duties on behalf of Cambridgeshire Constabulary? If these individuals are expected to have their own insurance, is this explained to them before they commence their duties and if so, what checks are carried out to ensure that they have the relevant insurance to cover public liability?

**Councillor Sanders responded:**

During the pilot of the Speedwatch scheme all liabilities and equipment were insured under the Constabulary's policies. However, since the completion of the pilot stage and now the scheme is run by volunteers without a Police presence, this is no longer the case.

Speedwatch is a multi-agency partnership operation, not a police operation, although the police are the lead agency, own the equipment and have carried out relevant risk assessment and training of the volunteers.

In terms of legal liabilities incurred in the running of the scheme, if a claim is made against the Chief Constable in respect of property damage or injury (caused by or sustained by the volunteers), the Constabulary's public liability policy would respond. This would cover the cost of defending such a claim, or paying the claim if it is considered the Police are liable.

The cars used by the volunteers are their own, they are not Police fleet vehicle or vehicles hired by the Police. Therefore the Police will not insure these vehicles and each volunteer will need to speak to their own private insurer to confirm that this activity is acceptable to them and noted. All volunteers are made aware of and are required to sign the Operational plan which clearly states;

Cambridgeshire Constabulary, and the other Agencies which comprise the Neighbourhood Panel, take no responsibility or carry any insurance for Speedwatch Team members or their property (including vehicles). It may be advisable for Team members to verify that their participation in Speedwatch Operations does not contravene their personal, property or vehicle insurance. The signing of the Operational plan acts as confirmation from the volunteer that they have the necessary insurance cover.

The advice from the Force Insurance Manager is that it would be prudent for each individual to approach their own private insurer to confirm the activity is acceptable to them, and that the personal liability section of the policy will cover them for this. They are not required to purchase any additional insurance, just to check that their existing policies cover them.

**SUMMARY OF QUESTIONS AND ANSWERS RAISED UNDER AGENDA ITEM  
6 (a) - COMMUNITY INVOLVEMENT TIME****1. Questions with Notice from Members to the Leader and Members of the Executive****(i) Councillor Sue Day asked the Leader of the Council:**

'Now that the regular yearly spring clean is well underway, could the Leader tell me how it is progressing and what volume of waste has been collected so far in comparison with previous years? Has the extra money invested by the Council over the past few years for improved frequency of street cleaning made a difference to the public perception of how tidy Peterborough is?'

**The Leader responded:**

The Spring Clean is now in its third year and has been integrated into the 'My Street' campaign which increased the frequency of street cleansing across the city. This improved cleansing regime has significantly reduced the litter and fly-tipped waste across the city. This is exemplified by the fact that in the first week of the Spring Clean last year Street Cleansing crews removed 16.6 tonnes of waste material whereas this year the figure was 8.4 tonnes, almost half of the previous levels of rubbish. I had the pleasure of working with the Street Cleansing crews in the Paston area during the first week of the clean-up and was both pleased by the general improvements I noticed in levels of litter, but also surprised by a number of items that were found that had been dumped and left for the Council to clear away. As Members will know, the Council offers a free bulky waste collection to each household every year and has its Household Waste Recycling Centre at Dogsthorpe to assist residents in disposing of any unwanted items. Surveys undertaken by the Council and in particular those on the bulky waste collection forms which allow residents to comment on a range of environmental services do show that Council tax payers recognise the improvements to the cleansing of their neighbourhoods. We cannot rest on these improvements and will continue to raise the environmental standards of our city and also continue to reinforce the message that litter is not a naturally occurring phenomenon and that residents can help play their part by taking their waste home and disposing of it or recycling it properly.

**(ii) Councillor Fower asked the Cabinet Member for Customer Focus and Communications:**

A Freedom of Information disclosure shows that this Council was invoiced £4,320 (excluding VAT) per annum for the services of [www.minutes.org.uk](http://www.minutes.org.uk) each year, a contract that was introduced in 2002. A decision has now been sanctioned to cancel this contract. Could the Cabinet Member tell me why this money was spent on a service that was not used by all Council departments and was not overly well publicised? What alternative service can we look forward to being introduced in order to ensure that members of the public have on-line access to minutes, agendas, motions and reports?

**The Cabinet Member for Customer Focus and Communications responded:**

We entered into a contract for the minute retrieval service 7 years ago when web technology was still in its infancy. Since then, there have been significant improvements made regarding the evolution of software systems and in that context, it is only right that we seek to review the performance of our current system.

Councillor Fower can be assured that a sound business decision has been taken which achieves a more cost effective solution for the Council. We are replacing the minutes system and replacing Members' web pages. We are also improving the technology that is used to support our governance arrangements whilst at the same time we have managed to introduce a smaller staffing structure within the Governance Team. If Councillor Fower would care to talk to the staff in that team, he will appreciate the benefits that the new system will bring in helping team members perform their day to day duties whilst also providing better access to Council decision-making via the internet. On this final point, I would emphasise that I am currently looking at ways in which we can better publicise information about elected Members and the democratic process via our website so that we achieve the best possible return from the investment that we have made.

**Councillor Fower asked the following supplementary question:**

What arrangements are in place to ensure people without access to the internet are able to obtain copies of these documents?

**The Cabinet Member for Customer Focus and Communications responded:**

The Council would not wish to preclude people without access to the internet from obtaining copies of its agendas, reports and minutes. The Customer Services department and indeed other officers will provide copies of such documents upon request and copies are available in libraries.

**(iii) Councillor Fower asked the Cabinet Member for Environment:**

In 2003, the Council received some 40,000 residential bins which had RFID chips fitted. Can the Cabinet Member advise me whether or not the Council now has any domestic collection vehicles fitted with RFID readers and if so, what information is generated and how is this information used by the authority? If not, what was the cost to local taxpayers of this scheme and is it likely to be introduced?

**The Cabinet Member for the Environment responded:**

In 2002 the City Council received grant funding from the Department for Food and Rural Affairs (DEFRA) to extend and improve the Council's recycling collection services and move to wheelie bins from the previously used open green boxes. The DEFRA paid for 44,000 240 litre green wheelie bins and the Council purchased a further 16,000. At that time DEFRA were considering introducing charges for waste collection to separate it from the Council tax regime and they supported the view that some type of recording system be

fitted to bins. Accordingly chips were fitted to all bins that were acquired at a cost of approximately £1 each. The Council therefore paid £16,000 in the purchase cost of the bins it funded. This decision was made on the basis that if a scheme was to be introduced, retro-fitting identity chips would cost approximately £4-£5 per bin. DEFRA and the Government Department subsequently responsible for waste have currently moved away from their previous thinking on waste charging and at this time no domestic refuse collection vehicles are fitted with readers to take information from these bins. The chips themselves store no information other than an identity which is similar to having an individual bar code and have been applied to trade and business waste which is paid for separately from the business rates. At this time there are no plans to record waste outputs from individual properties. However, if in the future there is a change of national policy which requires local authorities to measure individual property outputs, then the Council is able to do this on its green bins.

**(iv) Councillor Lane asked the Cabinet Member for Housing, Regeneration and Economic Development:**

The Local Authority Business Growth Incentive Scheme (LABGI) was introduced in 2005 and payments made to Peterborough City Council since that time amount to over £6 million. The scheme was intended to make a real difference to local communities through business growth. That growth is needed in today's times as it would provide help for people to stay in the homes and their jobs. Can the Cabinet Member inform the Chamber of any specific projects that have been financed by the LABGI scheme to help this aim?

**The Cabinet Member for Housing, Regeneration and Economic Development responded:**

None. This funding is used to support the Council's expenditure across all services.

**Councillor Lane asked the following supplementary question:**

The Local Government Minister has stated that this scheme is intended to help meet the needs of communities. Other Councils publish details of how they have spent the LABGI allocation: why can this Council not do the same?

**The Cabinet Member for Housing, Regeneration and Economic Development responded:**

I refer to my previous response and have nothing further to add.



<b>COUNCIL REPORT</b>	<b>AGENDA ITEM 8</b>
	<b>PUBLIC REPORT</b>

Contact Officer(s):	Helen Edwards, Solicitor to the Council	Tel. 452539
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## **ANNUAL REPORT OF STANDARDS COMMITTEE**

R E C O M M E N D A T I O N S	
<b>FROM : STANDARDS COMMITTEE</b>	
That Council:	
<ol style="list-style-type: none"> <li>1. notes the work carried out by the Standards Committee, and endorses and supports the priorities for the coming year.</li> <li>2. supports regular short training sessions immediately prior to the commencement of meetings of Full Council, as set out at paragraph 4.4 below.</li> </ol>	

### **1. ORIGIN OF REPORT**

- 1.1 This report is submitted to Council following a referral from the Standards Committee.

### **2. PURPOSE AND REASON FOR REPORT**

- 2.1 The purpose of this report is to brief Council on the work carried out during the year by the Standards Committee, and also to obtain the support of Council for the work to be carried out in the year ahead.
- 2.2 The Standards Committee has a responsibility to remind Members of their obligations under the Code of Conduct for Members, a copy of which is included at Part 5, Section 1, of the Council's Constitution.

### **3. THE STANDARDS COMMITTEE: YEAR TO APRIL 2009.**

- 3.1 The main role of the Standards Committee is to promote and maintain high standards of conduct throughout its authority. One of its aims is to create a sense of "ethical wellbeing" in the authority. The Standards Committee agrees with the Standards Board view that there needs to be a culture of high standards in every authority, and that each authority has the opportunity to reinforce its position as a leader in standards of conduct, setting an example to other bodies it works with, and to the community at large.
- 3.2 For the year to April 2009, the main focus of the Standards Committee has been on the implementation of the new regime for handling complaints against elected members. The committee underwent an intensive training programme, with 3 separate training sessions being arranged for members of the Standards Committee. The new regime requires the Standards Committee to handle complaints rather than them being referred to the Standards Board, in the first instance. During the first year, a total of 11 complaints was received, of which 8 have been referred for investigation. Of the remaining 3, in one case there was found to be no breach, in another there was insufficient information to investigate, and as the complainant was anonymous it was impossible to follow this up, and in the remaining case, the Committee decided that it would be appropriate for the member concerned to receive individual training from the Monitoring Officer.

- 3.3 An additional item of work for the year to date has related to the implementation of Criminal Records Bureau (CRB) checks for elected members. This has been an extensive piece of work, which has resulted in the recommendation to the Executive that a policy be adopted that requires checks to be carried out following a risk assessments of all roles to which members might be appointed within the authority.

#### **4. STANDARDS COMMITTEE: THE YEAR AHEAD**

- 4.1 The focus for the year ahead is on promoting a wider understanding of the need to encourage high standards of ethical behaviour throughout the Council. It is the responsibility of the Standards Committee to ensure that all members are trained in relation to matters of ethical conduct. All members are required to sign an undertaking to comply with the Code of Conduct, and it is therefore crucial that there is an understanding of the workings and implications of it. Several attempts have been made to organise training sessions in relation to matters of conduct, during the year to date, but the response has been disappointing.
- 4.2 To enable the Standards Committee to fulfil its obligation to ensure all members are appropriately trained in matters of ethical conduct, it is proposed to hold short sessions of up to 20 minutes each, at the start of some Council meetings during the year. It is hoped that all members will endorse this approach, which should limit the need for lengthy additional training sessions, and yet meet the need to promote high standards of ethical behaviour.
- 4.3 A further focus will be on promoting the work of the standards committee more widely, both within the authority and externally. This will be in conjunction with attempts to promote democracy more widely, and to work more closely with the audit committee, and scrutiny committees, as the work of these committees should complement each other.

#### **5. CONSULTATION**

Consultation has taken place within the Standards Committee, but no wider consultation is necessary.

#### **6. REASONS FOR RECOMMENDATIONS**

The Standards Committee believes that Council's endorsement of the contents of this report will enable it to fulfil the function of promoting high standards of ethical behaviour within the authority.

#### **7. ALTERNATIVE OPTIONS CONSIDERED**

The Council is required to set up a Standards Committee by the Local Government Act 2000. The Council could maintain a Standards Committee which has a more limited vision and work programme. This option was rejected because it is important that the Council has a strong Standards Committee to encourage and maintain a high standard of ethical behaviour. To do otherwise would restrict the Council's ability to operate effectively.

#### **8. IMPLICATIONS**

There are no financial or legal implications, other than those contained within the body of the report.

#### **9. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

None

<b>COUNCIL</b>	AGENDA ITEM 9
<b>18 MAY 2009</b>	<b>PUBLIC REPORT</b>

Contact Officer(s):	Helen Edwards, Solicitor to the Council	Tel. 01733 452539
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## **POLITICAL GROUPS & GROUP OFFICERS 2009 - 2010**

R E C O M M E N D A T I O N S
<b>FROM :Solicitor to the Council</b>
That Council:  1. notes the Political Group membership and Group Officers for 2009 - 2010.

### **1. BACKGROUND**

- 1.1 Details of the political group membership are attached at **Appendix 1**. Details of Group Officers will be tabled at the meeting.

## POLITICAL GROUP MEMBERSHIP 2009 – 2010

<b>CONSERVATIVE</b>		
ALLEN Sue	FITZGERALD Wayne	NEWTON Harry
BENTON Frances	FLETCHER Michael	NORTH Nigel
BURTON Colin	GILBERT Lee	OVER David
BURTON Michael	GOLDSPINK Stephen	PEACH John
CERESTE Marco	GOODWIN Janet	RUSH Brian
COLLINS Mark	HILLER Peter	SANDERS David
CROFT Piers	HOLDICH John	SCOTT Sheila
DALTON Matthew	KRELING Pam	SEATON David
DALTON Samantha	LAMB Diane	THACKER Paula
DAY Charles	LEE Matthew	TODD Marion
DAY David	LOWNDES Yvonne	WALSH Irene
DAY Sue	MORLEY Darren	WILKINSON Janet
DOBBS Ray	MURPHY Graham	WINSLADE Pam
ELSEY Gavin	NASH Pat	
FAZAL Mahmood	NAWAZ Gul	

<b>PETERBOROUGH INDEPENDENT FORUM</b>	<b>LIBERAL DEMOCRAT</b>	<b>LABOUR</b>
ASH Chris	FOWER Darren	HUSSAIN Zahid
FOX John	SANDFORD Nick	KHAN Nazim
FOX Judy	TRUEMAN William	
HARRINGTON David		
LANE Stephen		
MINERS Adrian		
SALTMARSH Bella		
SHARP Keith		
SWIFT Charles		

<b>COUNCIL</b>	<b>AGENDA ITEM 10</b>
<b>18 MAY 2009</b>	<b>PUBLIC REPORT</b>

Contact Officer(s):	Helen Edwards, Solicitor to the Council	Tel: 01733 452539
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## **ANNUAL APPOINTMENTS AND SCHEME OF DELEGATIONS**

R E C O M M E N D A T I O N S
<b>FROM : SOLICITOR TO THE COUNCIL</b>
That Council considers and agrees the following recommendations :
<u>Election of Leader:</u>
10.1 Elect the Leader of the Council;
<u>Delegations and Allocation of Seats to Political Groups:</u>
10.2 Note the Leader's Scheme of Delegations to Cabinet Members (to be tabled at the meeting);
10.3 Agree new arrangements for Scrutiny Committee as set out in paragraph 3 of this report and delegate related consequential updating of the Constitution to the Solicitor to the Council;
10.4 Agrees its Committee structure as set out at paragraph 4.3 of this report;
10.5 Approve the Terms of Reference of the Scrutiny Management Board and Scrutiny Panels as set out in Appendix 1;
10.6 Agree the allocation of seats to political groups as set out at paragraph 6 of this report;
<u>Appointment of Chairmen, Vice Chairmen and Committee Memberships:</u>
10.7 Appoint Chairmen and Vice Chairmen of Committees and Committee Memberships for 2009 / 2010 (to be tabled at the meeting) and co-opted members as set out in the report.

### **1. ELECTION OF LEADER**

The Leader must be elected by the Council. The Council is required to appoint an Executive in accordance with the Local Government Act 2000 (LGA 2000). The Executive must consist of the Leader of the Council and up to nine other Cabinet members. Peterborough City Council uses the term Cabinet to describe its Executive.

The LGA 2000 allows either the Council or the Leader to appoint Cabinet Members. The Council has agreed that the Leader may appoint his/her Cabinet, and its Constitution provides that all executive functions are delegated to the Leader who may then further delegate to the Cabinet.

## **2. DELEGATION TO CABINET MEMBERS**

The Leader, once elected, will confirm the appointment of the Cabinet and will confirm delegations to those Cabinet Members. Council is recommended to note those delegations.

## **3. NEW ARRANGEMENTS FOR SCRUTINY COMMITTEE**

- 3.1 The Council has adopted the Sustainable Community Strategy (SCS) which sets out the overall vision and priorities for the future of Peterborough and has been developed with all of the partners of the Greater Peterborough Partnership (GPP).
- 3.2 Scrutiny will play a key role by scrutinising the delivery of the Strategy and challenging performance and decision making of all partners and the scrutiny structure needs to reflect this. The Scrutiny Committees need to be aligned to ensure all of the priorities are scrutinised effectively.
- 3.3 The remits of the proposed committees are similar to the existing ones, however there will be a greater emphasis on scrutiny of the priorities and delivery of the SCS. A number of new powers and responsibilities for scrutiny will also be introduced over the next year and the scrutiny function needs to be in a position to respond to those changes.
- 3.4 It is recommended that the Council agree the following Scrutiny Committees:
  - Scrutiny Management Board
  - Business Efficiency and Value for Money Scrutiny Panel
  - Children, Education and Skills Scrutiny Panel
  - Environment Capital Scrutiny Panel
  - Health and Adult Social Care Scrutiny Panel
  - Stronger Communities and Sustainable Growth Scrutiny Panel

The proposed terms of reference for the above are referred to at paragraph 5.3 later in this report.

## **4. COMMITTEE STRUCTURE**

- 4.1 The Council is permitted by statute and its Constitution to appoint committees to carry out functions of the Council on its behalf and this must be done annually.
- 4.2 The Council must by law appoint at least one Scrutiny Committee including a Health Scrutiny Committee, a Standards Committee and a Committee to fulfil its functions under the Licensing Act 2003.
- 4.3 It is recommended that the Council appoint the following committees comprising the number of Councillors to carry out functions as detailed elsewhere in this report as follows:

**Table 1 – Committee Structure**

Committee	No of Councillors
<u>Ordinary Committees</u>	
Scrutiny Management Board	10
Business Efficiency and Value for Money Scrutiny Panel	7
Children, Education and Skills Scrutiny Panel	7
Stronger Communities and Sustainable Growth Scrutiny Panel	7
Environment Capital Scrutiny Panel	7
Health and Adult Social Care Scrutiny Panel	7
Audit Committee	7
Employment Committee	7
Licensing Committee	10
Planning and Environmental Protection Committee	10
Appeals Committee (Service Issues)*	3
<u>Other bodies to which S.15 LGHA applies</u>	
Selection Panel (Independent Members Standards Committee)*	9
Employment Appeals Sub Committee*	3
<u>Committees to which S.15 does not apply</u>	
Standards Committee	5 + 5 independent members and 2 parish reps
Licensing Act 2003 Committee	10
* NB. In accordance with decisions already taken by Council, it is proposed that the seats on these committees are not subject to political balance arrangements.	

## 5. TERMS OF REFERENCE OF COMMITTEES AND DELEGATIONS

- 5.1 The Council must set terms of reference for its committees and ensure that it has in place a scheme of delegation to committees that makes it clear what functions they are authorised to carry out on behalf of the Council.
- 5.2 The Committees may delegate, in turn, to Sub-Committees or officers. The Council and the Cabinet may also delegate to officers. The Council's complete scheme of delegations is set out in Part 3 of its Constitution.
- 5.3 The Council's scheme of delegation to committees remains unchanged with the exception of the Terms of Reference for the Scrutiny Management Board and the Scrutiny Panels as detailed in Appendix 1 to this report. A minor modification proposing an additional delegation to officers has been recommended to the Terms of Reference of the Planning and Environmental Protection Committee, details of which are outlined in the Constitutional Changes report (agenda item 11).
- 5.4 These terms of reference and delegations will be included within the Scheme of Delegations at Part 3 of the Council's Constitution.

## 6. ALLOCATION OF SEATS TO POLITICAL GROUPS

- 6.1 Seats on Council committees and other bodies to which S.15 of the Local Government and Housing Act 1989 apply should be allocated proportionally according to the proportion of seats held by each political group on the Council as a whole. Some bodies fall outside these requirements. S.17 of the Local Government and Housing Act 1989 allows a Council to 'exempt' bodies otherwise subject to the political balance requirement if it agrees without any objections to do so. Table 1 in paragraph 5 above sets out the classification of committees and other bodies within the Council's proposed committee structure.
- 6.2 Put simply, the law provides that the party having a majority of seats on the Council as a whole must have a majority on all committees to which the political balance requirement applies. The number of seats allocated across all the Council's 'ordinary' committees must reflect as near as possible the proportions on the Council overall. The number of seats (subject to the majority group retaining a majority) on each committee to which S.15 applies must reflect the political balance on the Council overall. This means that only 'ordinary' committees are included in the calculation to determine the number of seats to be allocated to political groups over all those committees. The remaining committees to which S.15 applies must be allocated seats according to the political balance on the Council as a whole. Seats on committees that are either 'exempt' or to which S.15 does not apply as a matter of law can be allocated as decided by Council.
- 6.3 The allocation of seats inevitably involves some rounding up and rounding down of seats allocated to each Group because seats are allocated to individuals and cannot be shared. It also involves an element of choice about on which committees to allocate seats to the minority groups who are not entitled to seats on every committee. The Council must determine where seats should be allocated to give effect to these requirements.
- 6.4 Applying the political balance rules to calculate the number of seats on ordinary committees to be allocated on ordinary committees produces the following calculation. The political balance calculation applies to the total number of seats on ordinary committees, namely 79. Applying the political balance rules to the total number of seats produces the following calculation:

<b>PARTY</b>	<b>Cons.</b>	<b>P. I. F.</b>	<b>Lib Dem</b>	<b>Labour</b>	<b>TOTAL</b>	
No. elected:	43	9	3	2	<b>57</b>	
<b>Proportionality %</b>	75.44	15.79	5.26	3.51	<b>100.00</b>	
<b>No. of Seats</b>	79	60	12	4	3	<b>79</b>

The seats must be allocated across all ordinary committees to give effect to that calculation. The proposed allocation of seats on each committee will be presented to Council in the order paper.

- 6.5 In accordance with decisions already taken by Council it is proposed that the seats on the following committees continue to be exempt from political balance rules and that seats are allocated as shown.
- Licensing Act 2003 Committee (7 from the majority group plus 1 from each remaining group)
  - Standards Committee (5 members – 2 from the majority group plus 1 from each remaining group, plus 5 independents and 2 Parish representatives appointed by Council from time to time).
- 6.6 The Council is required under the Parent Governor Representative (England) Regulations 2001 to appoint parent governor representatives to any scrutiny committee / panel which considers education issues. Schedule 1 (para 7) of the Local Government Act 2000 similarly requires that the Church of England and Roman Catholic churches may each nominate a co-opted member with voting rights and the Council may appoint other faith representatives without voting rights.



(The voting rights of the faith and parent governor representatives only apply when the scrutiny committee / panel is considering educational matters; for other issues the co-opted members may participate in the debate but not vote).

6.7 An additional 4 members of the majority group are required to be appointed to these 2 committees to comply with statutory guidance that the political group with the majority should appoint other members as necessary in order to retain its majority after counting the 4 Education co-optees into the membership. However, as these co-optees may only vote on education matters, it is recommended that, as previously, Council agrees to the allocation of the additional places, but that they only be used should the need arise in order to retain the political balance.

6.8 Police Authority and Fire Authority

Appointments to the Police and Fire Authorities remain unchanged pending the outcome of the elections for Cambridgeshire County Council which are being held in June 2009, following which the seat allocations for the respective political parties will be recalculated.

6.9 Council has established a Selection Panel for the Appointment of Independent Members of the Standards Committee. This is an advisory panel and is covered by the political balance arrangements. However it is intended that this should retain cross party representation as in previous years. The members are appointed as and when required on nomination from the political groups.

	Con Grp (43)	P. I. F. (9)	Lib Dm (3)	Lab Grp (2)
9 seats:	6	1	1	1

6.10 The Appeals Panel (Service Issues) and the Employment Appeals (Sub-Committee) are not permanent committees, but they are subject to the political proportionality rules. However, it is intended that they should retain cross party representation as agreed by Council previously. This is to enable the panel selection arrangements to be implemented effectively and means that the seats are allocated as follows: 2 to the Conservative Group and 1 to one of the other minority groups.

**7. APPOINTMENT OF CHAIRMEN AND VICE CHAIRMEN AND TO COMMITTEES**

7.1 The Council must decide which Councillors to appoint as Chairmen and Vice Chairmen of its Committees at its annual meeting.

7.2 It is recommended that the Council appoints those members nominated as Chairman and Vice Chairman of each Committee as shown in the order paper.

7.3 The Council must decide which Councillors should be appointed to which of its Committees at its annual meeting. Nominations from each of the political groups will be set out in the order paper.

7.4 Within the current structure there is the potential for education matters to be discussed at the Scrutiny Management Board and the Children, Education and Skills Scrutiny Panel, so all of the co-opted members need to be formal members of these Committees, with voting rights for education matters.

The education co-opted members are currently:

Voting members:

Dr Frank Smith, Peterborough Diocesan Board of Education;

Julie O'Connor, Director of Diocesan Schools Service (Roman Catholic Church, Diocese of East Anglia);

Margaret Anne Kirkbride (Parent Governor Representative);

The Revd Canon Tim Elbourne, Director of Education & Training (Diocese of Ely Diocesan Office);

Parent Governor Representative - Vacant;

Non-voting member: Vacancy (other faith representative).

It is RECOMMENDED that Council appoints these education co-opted members to the Scrutiny Management Board and the Children, Education and Skills Scrutiny Panel.

## **8. CONSULTATION**

The proposals in this report are the same as have been submitted and approved by Council in previous years other than the nominations for 2009 / 2010 which have been made by the respective political groups.

## **9. REASONS FOR RECOMMENDATIONS**

The recommendations are made so that the Council considers and makes the necessary decisions to ensure that its business can be conducted effectively and efficiently according to the legal and constitutional requirements for the municipal year 2009 / 2010.

## **10. ALTERNATIVE OPTIONS CONSIDERED**

There are no alternatives to appointing a Leader and applying the political balance rules in the way that is indicated in this report. There are alternatives to the appointment of the committees as proposed. The Council could determine all decisions and carry out all functions of the Council. It is advised that this would be unworkable, ineffective and inefficient. Alternatively, the Council could determine a different committee structure but this is not proposed at this time.

## **11. IMPLICATIONS**

### **11.1 Legal**

The proposals in this report comply with all legal requirements.

### **11.2 Financial**

There are no new financial implications.

## **12. BACKGROUND DOCUMENTS**

None

## Scrutiny Management Board

## TERMS OF REFERENCE

Managing the Scrutiny Function

1.	To oversee and co-ordinate the overview and scrutiny function, including: <ul style="list-style-type: none"> <li>periodically reviewing the function to ensure that it is operating effectively and where necessary, make recommendations to the Executive or Council</li> <li>identifying training, development and support for members carrying out the scrutiny function</li> <li>dealing with any cross-cutting issues or issues which are not allocated to any of the scrutiny panels</li> <li>monitoring the work of the scrutiny panels by receiving regular reports on delivery of their work programmes</li> <li>providing an annual report to full Council on the work of the function</li> </ul>
2.	To ensure effective communication and on-going dialogue with the Executive to ensure that scrutiny is linked to the work of the Council as a whole.
3.	To oversee the Council's involvement in external overview and scrutiny initiatives, such as the Centre for Public Scrutiny.
4.	To oversee and promote public involvement in the overview and scrutiny process, including considering the role and function of scrutiny in relation to the partnerships within the GPP structure.
5.	To consider any general overview and scrutiny issues.

Holding to Account

6.	Hold the Executive to account for the discharge of functions in the following ways: <ul style="list-style-type: none"> <li>by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer. This will include any decisions which fall within the remit of more than one scrutiny committee.</li> <li>by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
7.	To receive a report from the Leader of the Council after each Annual Council, to include the Executive's priorities for the coming year and its performance in the previous year.
8.	To review and scrutinise the Council's performance in relation to budgetary management.
9.	To review and scrutinise the planning, decisions, policy development, service provision and performance relating to : <ul style="list-style-type: none"> <li>Corporate Communications</li> <li>Equalities</li> <li>Legal and Democratic Services</li> <li>Strategic Improvement and Partnerships</li> </ul>

10.	To oversee the scrutiny of the delivery of the Sustainable Community Strategy and Local Area Agreement, including the consideration of any cross-cutting issues and consideration of any issues referred to it by a scrutiny panel.
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Policy Development and Review

11.	To exercise the powers of overview and scrutiny with regard to over-arching policy framework documents, seeking the views of the scrutiny panels where appropriate. This will include the annual budget proposals, incorporating the Corporate Plan; Sustainable Community Strategy and Local Area Agreement.
12.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues and to undertake the development and scrutiny of any cross-cutting issues which fall within the remit of more than one scrutiny committee.
13.	To make recommendations to the Executive and/or Council arising from the outcome of the scrutiny activity.
14.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Board on a time-limited basis.

## Business Efficiency and Value for Money Scrutiny Panel

1.	To review and scrutinise the delivery of the underpinning Sustainable Community Strategy theme of value for money. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer. Any decisions which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to :</p> <ul style="list-style-type: none"> <li>• Building Maintenance</li> <li>• Human Resources</li> <li>• Property Design and Maintenance</li> <li>• Resilience</li> <li>• Strategic Resources</li> </ul>
4.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues. Any cross-cutting issues which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.
5.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
6.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.

## Children, Education and Skills Scrutiny Panel

1.	To review and scrutinise the delivery of the Sustainable Community Strategy priority of creating opportunities, tackling inequalities. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets. The Panel will also contribute to the delivery of the priority creating strong and supportive communities.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer. Any decisions which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to :</p> <ul style="list-style-type: none"> <li>• Children’s Services</li> <li>• Safeguarding Children</li> <li>• Adult Learning and Skills</li> </ul>
4.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues. Any cross-cutting issues which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.
5.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
6.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.

## Environment Capital Scrutiny Panel

1.	To review and scrutinise the delivery of the Sustainable Community Strategy priority of creating the UK's environment capital. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer. Any decisions which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to :</p> <ul style="list-style-type: none"> <li>• City Centre Operations</li> <li>• Environment, Transport and Engineering</li> <li>• Environmental and Public Protection</li> <li>• Planning and Development</li> <li>• Street Scene and Facilities</li> <li>• Waste Strategy and Management</li> </ul>
4.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues. Any cross-cutting issues which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.
5.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
6.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.

## Health and Adult Social Care Scrutiny Panel

1.	To review and scrutinise the delivery of the Sustainable Community Strategy priority of creating opportunities, tackling inequalities. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer. Any decisions which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to :</p> <ul style="list-style-type: none"> <li>• Adult Social Care</li> <li>• Public Health</li> <li>• Safeguarding Adults</li> <li>• Scrutiny of the NHS</li> </ul>
4.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues. Any cross-cutting issues which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.
5.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
6.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.
7.	Undertake all of the Council's statutory functions in accordance with section 244 of the National Health Service Act 2006, to review and scrutinise matters relating to the health service within the Council's area and to make reports and recommendations to local NHS bodies. This will include appointing members, from within the membership of the Panel, to any joint health overview and scrutiny committees with other local authorities.



## Stronger Communities and Sustainable Growth Scrutiny Panel

1.	To review and scrutinise the delivery of the Sustainable Community Strategy priorities of creating strong and supportive communities; and substantial and truly sustainable growth. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets. The Panel will also contribute to the delivery of the priority creating opportunities, tackling inequalities.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer. Any decisions which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to :</p> <ul style="list-style-type: none"> <li>• Cohesion</li> <li>• Community Safety and Drug Prevention</li> <li>• Cultural Services</li> <li>• Delivery</li> <li>• Neighbourhood Services</li> <li>• Regeneration</li> <li>• Recreation</li> <li>• Strategic Planning and Enabling</li> </ul>
4.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues. Any cross-cutting issues which fall within the remit of more than one scrutiny committee will be considered by the Scrutiny Management Board.
5.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
6.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.
7.	To undertake all of the Council's statutory functions in accordance with Sections 19 & 20 and associated regulations of the Police and Justice Act 2006, relating to scrutiny of crime and disorder matters, including acting as the Council's crime and disorder committee.

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<b>COUNCIL</b>	AGENDA ITEM 11
<b>18 MAY 2009</b>	PUBLIC REPORT

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**CHANGES TO THE CONSTITUTION**

<b>R E C O M M E N D A T I O N S</b>
<b>FROM : SOLICITOR TO THE COUNCIL</b>
<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the changes to the Constitution which are necessary to reflect factual changes since the Constitution was last published. <b>(Appendix 1)</b></li> <li>2. Notes the changes to the Constitution which are necessary as a result of legislative changes. <b>(Appendix 2)</b></li> <li>3. Approves the changes to the Constitution arising from consideration by the Constitution Review Group <b>(Appendix 3)</b>.</li> </ol>

**1. ORIGIN OF REPORT**

1.1 This report is submitted to Council as part of the Monitoring Officer's responsibility under Article 14 of the Constitution to monitor and review the Constitution. It sets out recommended changes to the Constitution for consideration and approval by Council.

**2. PURPOSE AND REASON FOR REPORT**

2.1 There are a number of changes necessary to the Constitution in order to bring it up to date, including those required following changes in legislation.

**3. UPDATING THE CONSTITUTION**

- 3.1 Changes to the Constitution which are necessary in order to reflect changes in factual circumstances are set out in Appendix 1 to this report.
- 3.2 Changes to the Constitution which are necessary in order to reflect changes in legislation are set out in Appendix 2 to this report.
- 3.3 Changes to the Constitution which are recommended following consultation with the Constitution Review Group, including proposals submitted by the Monitoring Officer and matters raised by individual members of the group, are set out in Appendix 3 to this report.

#### **4. ANTICIPATED OUTCOMES**

Implementation of the recommendations in this report will ensure that the Council's governance arrangements remain robust. Implementation will also reduce the risk of successful challenge to any decisions taken by making sure that the Constitution is up to date and is in accordance with the law.

#### **5. REASONS FOR RECOMMENDATIONS**

It is good practice to review the Constitution on a regular basis to ensure that it supports good decision making, transparency and openness.

#### **6. ALTERNATIVE OPTIONS CONSIDERED**

It is important that the Constitution is up to date and accurate. The alternative to making the changes is to continue with an out of date Constitution, which would not be in accordance with good practice. There is no alternative to ensuring that the Constitution reflects changes in legislation as the Council must operate in accordance with the law.

#### **7. IMPLICATIONS**

##### **7.1 Legal**

The proposals in this report comply with all legal requirements.

##### **7.2 Financial**

There are no financial implications.

#### **8. BACKGROUND DOCUMENTS**

None.

## AMENDMENTS TO REFLECT CHANGED FACTUAL CIRCUMSTANCES

Current provision	Proposed provision	Reason for change
<p><b>Part 3, Delegations Section 3, Executive Functions, paragraph 3.4.7</b></p> <p>Current provision authorises the Cabinet Member for Education and Children’s Services to appoint representatives of the Council to school governing bodies, in accordance with agreed democratic arrangements and in consultation with the three political Group Secretaries, and provides for any appointments which do not have consensus to be referred to Council for determination.</p>	<p>To amend the delegation as follows:</p> <p>To appoint representatives of the Council to school governing bodies, in accordance with agreed democratic arrangements and in consultation with the three political Group Secretaries, where the number of nominations exceed the number of vacancies.</p>	<p>To provide a simpler and more streamlined process for making appointments to school governing bodies.</p>
<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 30.20.1 (a – g)</b></p> <p>Property Matters – Current provision authorises the Solicitor to the Council and the Executive Director to act jointly.</p>	<p>To authorise the Executive Director – Strategic Resources to act in <b>consultation</b> with the Solicitor to the Council</p>	<p>To clarify the delegation so that it may be exercised by the Executive Director – Strategic Resources as it relates to land and property matters which fall within that directorate.</p>
<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 30.20.1 (g)</b></p> <p>Property Matters – Current provision authorises the Solicitor to the Council and the Executive Director – Strategic Resources to act jointly,</p>	<p>New provision gives authorisation solely to the Solicitor to the Council to:</p> <p>‘Allow subsidised or free use of the Council’s meeting rooms contrary to the usual conditions on occasions where this is in the Council’s best interests, in accordance with the Council’s Room Hire policy’.</p>	<p>To reflect senior management arrangements.</p>
<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 3.25.5</b></p> <p>Relates to managing partnerships and programmes in pursuance of the Community Safety Strategy agreed as part of the Council’s responsibilities under the Crime and Disorder Act 1998.</p>	<p>To transfer delegation to the Executive Director – Operations.</p>	<p>To reflect senior management arrangements.</p>

<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 3.18.1</b></p> <p>Relates to delegations to the Solicitor to the Council</p>	<p>To ensure the Solicitor to the Council has same powers as directors.</p>	<p>To reflect senior management arrangements and ensure consistency.</p>
<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 3.27.3</b></p> <p>Current delegation authorises the Executive Director – Operations to manage the Council’s Trees and Woodlands Service and to determine issues relating to trees within the context of landscape management.</p>	<p>To transfer delegation to the Commercial Services Director.</p>	<p>To reflect senior management arrangements.</p>
<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 3.21</b></p> <p>No current provision</p>	<p>To authorise the Executive Director – Children’s Services to appoint representatives of the Council to school governing bodies in accordance with agreed democratic arrangements and in consultation with the three political Group Secretaries, in cases where the number of nominations do not exceed the number of vacancies.</p>	<p>To provide a simpler and more streamlined process for making appointments to school governing bodies.</p>
<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 3.27.5 (f)</b></p> <p>Currently no provision</p>	<p>Include provision for the Executive Director – Operations to take appropriate action and issue all notices (including notices of entry) under the Environmental Protection Act 1990.</p>	<p>To authorise action to be taken in accordance with legislation.</p>
<p><b>Part 4, Section 1 Council Rules of Procedure, paragraph 11.4</b></p> <p>Relates to the number of questions allowed at Council meetings</p>	<p>To clarify that Members may submit a maximum of two questions at Ordinary Council Meetings in respect of Executive Business.</p>	<p>To correct an omission in the recent re-drafting of the Council Procedure Rules.</p>
<p><b>Part 4, Section 8 Overview and Scrutiny Procedure Rules, paragraph 13.5</b></p> <p>Relates to the process for Scrutiny Committee to discuss requests for call-in.</p>	<p>Includes provision for individual Scrutiny Panels to consider requests for call-in which relate to their particular area of responsibility.</p>	<p>To reflect new arrangements following the Scrutiny Review.</p>

<p><b>Part 4, Section 8 Overview and Scrutiny Procedure Rules</b></p> <p>No current provision</p>	<p>Include provision:</p> <ul style="list-style-type: none"> <li>To hold joint meetings of Scrutiny Panels, where a matter for consideration falls within the remit of more than one Scrutiny Panel;</li> <li>To enable Members of joint meeting to appoint a joint chairman for each meeting.</li> </ul>	<p>To reflect new arrangements following the Scrutiny Review.</p>
<p><b>Article 11 – Management Structure</b> <b>Updating of responsibilities for various service areas:</b></p> <p>No current reference.</p> <p>Reference to ‘environmental management’ currently listed as responsibility of Executive Director – Operations.</p> <p>Current responsibility of Executive Director – Strategic Resources includes Investigations Team, Strategic Human Resources, and the Performance Improvement Team.</p>	<p>Include Business Support, Revenue and Benefits, and the Human Resources Shared Service Team functions within the responsibilities of the Executive Director – Strategic Resources.</p> <p>To include environmental management within joint areas of responsibility for:</p> <ul style="list-style-type: none"> <li>Executive Director of Strategic Resources;</li> <li>Commercial Services Director;</li> <li>Executive Director of Operations.</li> </ul> <p>To transfer responsibility as follows:</p> <ul style="list-style-type: none"> <li>Investigations Team to the Solicitor to the Council</li> <li>Strategic Human Resources to the Deputy Chief Executive;</li> <li>Performance Improvement Team to the Deputy Chief Executive.</li> </ul>	<p>To reflect senior management arrangements.</p> <p>To reflect senior management arrangements.</p> <p>To reflect senior management arrangements.</p>
<p><b>Currently no provision</b></p>	<p>To authorise the Corporate Property Officer to approve all licences for works by the Council on non-Council owned property.</p>	<p>To ensure that all works to non-council owned properties are in support of the objectives of the Council and align with the Corporate Asset Management Plan and Corporate Property Strategy.</p>

<b>Currently no provision</b>	To authorise the Solicitor to the Council to make changes to the Local Land Charge fees, including making changes to existing charges and the introduction of new charges and fee arrangements for new land charge services.	Clarification of delegation arrangements in respect of fee setting.
<b>Currently no provision</b>	To enable political groups to nominate a fixed percentage of their representation on a committee as substitutes (with a minimum of one) providing relevant training has been undertaken.	Clarification and operational advantages. This will remove the need for members giving apologies at a meeting to resign and subsequently needing to withdraw that resignation in order to be reinstated for the next meeting.



## AMENDMENTS TO REFLECT CHANGES IN LEGISLATION

Current provision	Proposed provision	Reason for change
<p><b>Part 3, Delegations Section 1, Functions Reserved to Full Council, paragraphs 1.1.4 (g) and 1.1.4 (h)</b></p> <p>Refers to plans included under Statutory Guidance and Plans included by Local Choice</p>	<p>To remove the Food Law Enforcement Plan (currently included under Statutory Guidance) and the Health and Safety Law Enforcement Plan (currently included by Local Choice) and transfer to the delegated authority of the Cabinet Member for Environment.</p>	<p>There is no longer a requirement under Statutory Guidance to include as a function of full Council.</p>
<p><b>Part 3, Delegations Section 3, Executive Delegations to Officers, paragraph 3.27.16 (a-ggg)</b></p> <p>Refers to the authority of the Executive Director – Operations to exercise powers conferred by Acts, Orders and Regulations:</p> <p>(f) Business Names Act 1985 (requirement to identify the proprietor of a business name);</p> <p>(h) Companies Act 1985 (control of the formation and conduct of limited companies)</p> <p>(dd) Insurance Brokers (Registration) Act 1977 (restriction of the name Insurance Broker to those appropriately authorised and registered);</p> <p>(ii) Mock Auctions Act 1961 (definition of competitive bidding and penalties for conducting or promoting a mock auction);</p> <p>(nn) Protection of Animals Act 1911 and 1982 (mistreatment of animals)</p> <p>(uu) Solicitors Act 1974 (an unqualified person not to prepare certain instruments in connection with conveyancing);</p>	<p>Delete</p> <p>Delete</p> <p>Delete</p> <p>Delete</p> <p>Delete</p> <p>Delete</p> <p>Delete</p>	<p>To reflect changes in legislation.</p>

<p>(xx) Telecommunications Terminal Equipment Regulations 1992 (regulations for marking approved and non approved equipment);</p> <p>(yy) The Tourism (Sleeping Accommodation, Price Display) Order 1977 (price display provisions);</p> <p>(zz) Theft Act 1968 (offences for obtaining goods, services or money by theft or deception);</p> <p>(ddd) Trading Representations (Disabled Persons) Act 1968 and 1972 (making false representations of disability when selling goods).</p>	<p>Delete and replace with the 'Radio Equipment and Telecommunications Terminal Equipment Regulations 2000'.</p> <p>Delete</p> <p>Delete</p> <p>Delete</p>	
<p>Currently no provision</p>	<p>To authorise the Executive Director – Operations to exercise powers and duties, in respect of the following:</p> <ul style="list-style-type: none"> <li>• Consumer Protection from Unfair Trading Regulations 2008;</li> <li>• Business Protection from Misleading Marketing Regulations 2008;</li> <li>• Housing Act 1004, Part V (requirements for Home Improvement Packs and Energy Performance Certificates);</li> <li>• Water Industry Act 1991</li> <li>• Fireworks Act 2003</li> <li>• Products of Animal Origin (Third Country Imports) (England) Regulations 2006</li> </ul>	<p>To reflect new legislation.</p>

**CHANGES RECOMMENDED FOLLOWING CONSULTATION WITH THE CONSTITUTION REVIEW GROUP AND PROPOSALS SUBMITTED BY THE MONITORING OFFICER**

Current provision	Proposed provision	Reason for change
<p><b>Part 3, Delegations Section 2 – Regulatory Committee Functions, paragraph 2.6.2</b></p> <p>Planning and Environmental Protection Committee</p> <p>No current provision</p>	<p>To include provision for the Executive Director – Operations to set up and establish any Joint Planning and Environmental Protection Committee and to negotiate and determine the Terms of Reference of such Joint Planning and Environmental Protection Committees with neighbouring councils and local planning authorities, following consultation with the Solicitor to the Council and Chairman of the Planning and Environmental Protection Committee.</p>	<p>To allow for the preparation of the future growth agenda in Peterborough and the surrounding area and to enable the Council, along with its neighbouring local planning authorities, to make the necessary arrangements for the consideration of future major cross boundary planning applications.</p>
<p><b>Part 4, Section 1 Council Rules of Procedure, paragraph 11.5</b></p> <p>Scope of Questions -</p>	<p>To include provision for the Chief Executive, should he/she feel that a question under paragraph 11 is about a matter that does not have a significant impact upon the wider community of Peterborough, to refer to the Mayor in accordance with the existing procedure (except for questions relating to ward matters).</p>	<p>To provide clarity on the scope of questions.</p>
<p><b>Part 4, Section 1 Council Rules of Procedure, paragraph 13.2</b></p> <p>Petitions – Current provision states that: ‘Every petition must be polite and must be relevant to the Council or a matter which affects Peterborough’.</p>	<p>To amend to read as follows:  ‘Every petition must be polite and must be relevant to the Council <b>or relate to a matter which has a significant affect on the wider community of Peterborough</b>’.</p>	<p>To provide clarity on the scope of petitions.</p>
<p><b>Part 4, Section 1 Council Rules of Procedure, paragraph 15.2</b></p> <p>Motions on Notice –</p>	<p>To include provision for the Chief Executive, should he/she feel that a Motion does not have a significant impact upon the wider community of Peterborough, to refer to the Mayor in accordance with the existing procedure.</p>	<p>To provide clarity on the scope of Motions on Notice.</p>

<p><b>Part 4, Section 3 Standing Orders which apply to the Council and Committees, paragraph 9</b></p> <p>Planning Applications, paragraph 9.1 (a) -</p> <p>Members of the public who wish to speak at meetings of the Planning and Environmental Protection Committee must advise the Chief Executive by 4 p.m. the day before the meeting.</p> <p>Procedure, paragraph 9.1 (b)</p> <ul style="list-style-type: none"> <li>(i) Officers will introduce the item</li> <li>(ii) Representations by the ward Members and/or the Parish Council representative</li> <li>(iii) Members' questions to the Parish Council representative</li> <li>(iv) Objectors' representations</li> <li>(v) Members' questions to objectors</li> <li>(vi) Representations by the applicant, agent and any supporters</li> <li>(vii) Members' questions to the applicant, agent and any supporters;</li> <li>(viii) Officers' comments</li> <li>(ix) Members will debate the application and obtain advice from officers where appropriate;</li> <li>(x) Members will reach a decision.</li> </ul>	<p>Amend to read as follows</p> <p>Any ward Councillor, Parish Council (or other groups defined in local planning policy as operating in a manner similar to a Parish Council) representative, or member of the public who wishes to address the committee must register with the Chief Executive by 12 noon two working days before the meeting.</p> <p>To amend procedure to read as follows:</p> <ul style="list-style-type: none"> <li>(i) Officers will introduce the item;</li> <li>(ii) Representations by ward Members</li> <li>(iii) Members' questions to ward Councillors;</li> <li>(iv) Representations to Parish Council Representative;</li> <li>(v) Members' questions to Parish Council representative;</li> <li>(vi) Objectors' representations;</li> <li>(vii) Members' questions to objectors;</li> <li>(viii) Representations by the applicant, agent and any supporters;</li> <li>(ix) Members questions to the applicant, agent and any supporters;</li> <li>(x) Officers' comments;</li> <li>(xi) Members will debate the application and obtain advice from officers where appropriate;</li> <li>(xii) Members will reach a decision.</li> </ul>	<p>To enable more efficient administration.</p> <p>Clarification of the speaking scheme to separate the role of Parish and Ward Councillors, and to avoid confusion regarding speaking rights.</p>
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<p>Paragraph 9.2</p> <p>‘The total time allowed for speeches from each of the following groups of speakers will not be more than five minutes except that the committee may decide to extend the time allowed for the following people making representations in cases where the applications involve unusual or exceptional circumstances:</p> <ul style="list-style-type: none"> <li>a) parish council representative</li> <li>b) objectors</li> <li>c) applicant or agent and their supporters’</li> </ul> <p>No current provision</p>	<p>Amend to read as follows:</p> <p>The total time allowed for speeches from each of the following groups of speakers will not be more than five minutes unless the committee decides to extend the time allowed due to unusual or exceptional circumstances:</p> <ul style="list-style-type: none"> <li>a) parish council representative</li> <li>b) objectors</li> <li>c) applicant or agent and their supporters.</li> </ul> <p>To include additional paragraph as follows:</p> <p>In lieu of speaking, ward Councillors, Parish Council representatives and members of the public may submit representations in writing for consideration by the committee. Written representations will be reported to the committee in an update report and circulated on the day of the meeting. Ward Councillors, Parish Councillors, members of the public, agents or applicants may request, in lieu of attending the meeting, that there response is read by the Clerk in committee. The same time limits apply as per para 9.2.</p>	<p>To simplify the existing provision.</p> <p>To clarify the status of written submissions.</p>
<p><b>Part 5, Section 3, Member/Officer Protocol, paragraph 12.3</b></p> <p>Current provision requires committee meetings to commence at 5.00 p.m. in the event of any disagreement between Chairman and Group Representatives.</p>	<p>To provide that committee meetings will commence at their normal start time as approved in the Annual Calendar of Meetings in the event of any disagreement between Chairman and Group Representatives</p>	<p>To provide greater flexibility so that in circumstances where a consensus cannot be reached, the start time defaults to the normal committee meeting start time.</p>

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