

<b>COUNCIL</b>	AGENDA ITEM No. 7 (iv) (b)
<b>15 JULY 2009</b>	PUBLIC REPORT

Contact Officer(s):	HELEN EDWARDS, SOLICITOR TO THE COUNCIL	Tel. 452533
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## NEIGHBOURHOOD COUNCILS

R E C O M M E N D A T I O N S	
<b>FROM : Councillor Yvonne Lowndes, Councillor Janet Goodwin, &amp; Councillor Pat Nash, Chairmen elect of the Neighbourhood Councils</b>	<b>Deadline date : n/a</b>
<ol style="list-style-type: none"> <li>1. To appoint the 7 Neighbourhood Councils as set out in the schedule attached at Appendix 1</li> <li>2. To confirm the appointment of Councillor Lowndes as the Chairman of the 2 Central &amp; East Neighbourhood Councils, Councillor Nash as the Chairman of the 3 North &amp; West Neighbourhood Councils, and Councillor Goodwin as the Chairman of the 2 South Neighbourhood Councils.</li> <li>3. To consider and comment upon the Leader's proposed scheme of delegation of Executive functions as set out in the attached Appendix 2, and approve the amendment of the Constitution to show the Scheme of Delegations at Part 3, sections 1 &amp; 3, and carry out consequential renumbering to the remainder of section 3.</li> <li>4. To consider and comment on the proposed terms of reference for Neighbourhood Councils as set out in Appendix 3 and to approve amendment of the Constitution by inserting a new part 3, section 4, to set out the terms of reference and renumber subsequent sections.</li> <li>5. To consider and comment on the proposed Rules of Procedure for Neighbourhood Councils as set out in Appendix 4 and to approve amendment of the Constitution by inserting a new part 4 section 8, to set out the procedure rules and renumber subsequent sections.</li> <li>6. Authorise the Monitoring Officer to make consequential changes to the remainder of the Constitution to include references to Neighbourhood Councils where appropriate.</li> <li>7. Approve the draft schedule of meetings for the remainder of the current municipal year, as set out Appendix 5.</li> </ol>	

## **ORIGIN OF REPORT**

- 1.1 This report is submitted to Council following preliminary work carried out by the Chairmen elect of the Neighbourhood Councils, at the request of the Leader.

## **PURPOSE AND REASON FOR REPORT**

- 2.1 The purpose of this report is to seek Council's approval to set up 7 Neighbourhood Councils, approve their Terms of Reference and make necessary changes to the Constitution relating to the operation of the Neighbourhood Councils.
- 2.2 This report is for Council to consider under its Terms of Reference nos. 1.1.4 and 1.3.4 .

### 3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>
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### 4. NEIGHBOURHOOD COUNCILS

#### Background.

- 4.1 At Annual Council on 18 May 2009 Council approved the Annual Appointments and Scheme of Delegations, including the appointments of 3 Chairmen elect of Neighbourhood Councils.
- 4.2 Since Annual Council, the Chairmen elect have been working with officers, and consulting with members of their committees, in preparation for commencing Neighbourhood Council meetings in the autumn. The proposed schedule of meetings for the remainder of this municipal year is set out at Appendix 5.

#### Neighbourhood Management

- 4.3 The Council has been developing a neighbourhood management framework against which a new approach to engaging with and empowering communities will be progressed. This in turn will help to ensure that we are tackling the issues that really matter to our communities in the most efficient and effective ways.
- 4.4 For the purposes of neighbourhood management three management areas have been created– the north and west, central and east, and the south – covering the whole of the council operational area. Neighbourhood managers are being recruited to each of these areas who will become key points of contact for elected Members, citizens and partners into public services, and who will be responsible for leading the delivery of change and improvement in their area. The three areas are coterminous with Police operational sectors.
- 4.5 Across the three neighbourhood management areas, it is proposed that 7 Neighbourhood Councils are formed (appendix 1 refers). The existing mechanisms for engaging with communities, including Neighbourhood Police Panels, will continue to be supported and developed, with outputs and issues being fed up to the new Neighbourhood Councils as appropriate for discussion and decision. In most cases the boundaries of the Neighbourhood Police Panels match the boundaries of the proposed Neighbourhood Councils.
- 4.6 Each Neighbourhood Council will meet 4 times a year, with meetings to be held in its locality. In addition, there will be an annual Area Forum to be held towards the end of the municipal year. This will include all the Neighbourhood Councils for each area, a total of 3 Area Forum meetings in each municipal year. The Area Forum meetings will be an opportunity for the Neighbourhood Councils in each area to come together and discuss their work, and also to look at issues of mutual interest and importance going forward.

#### Terms of Reference

- 4.7 The proposed terms of reference of the Neighbourhood Councils are set out at Appendix 3 and in particular the Executive decisions being given to the Neighbourhood Councils is set out at Appendix 2. The Executive decision making is subject to call in and scrutiny in the normal way.
- 4.8 Paragraph 3.13.4 of Appendix 2 sets out a key responsibility of the Neighbourhood Councils, which will be to create master plans for their area supported by action plans to deliver the outcomes in the master plan. The master plan will set the strategy and vision of the area covered and will be an initial piece of work to be undertaken by the Neighbourhood Councils. This work will be supported by the new neighbourhood management team created in the Operations Directorate.
- 4.9 Paragraphs 3.13.6 and 13.13.10 of Appendix 2 require the Neighbourhood Councils to work within allocated budgets for their areas, because any standard set (eg the frequency of street cleaning) will

have a cost (see financial implications section).

### Setting up of Neighbourhood Councils

- 4.10 Whilst the approval of the recommendations in this report will set the Neighbourhood Councils up constitutionally, there is still a considerable amount of work, to be led by the Neighbourhood Council Chairmen, to ensure these Councils work effectively from the start. Such work includes:
- Consultation and engagement with Parish Councils, residents' associations, community associations, to enable their effective input into the Councils
  - Identification of suitable premises in the Neighbourhood Council's area for meetings
  - Creation of work plans for each Neighbourhood Council and an agenda for its first meeting
  - Publicity and communication to the public about the role, remit of these committees, and how the public can speak at meetings
  - Naming the Neighbourhood Councils

Officers in the neighbourhood management teams and democratic services will support this work.

### Work programmes

- 4.11 Each Neighbourhood Council will determine its own work programme and agenda for each municipal year.
- 4.12 The agenda for the first meeting will be set by the Chairmen in consultation with officers, and is likely to include the following items:

1	Apologies for absence and declarations of interest
2	Appointment of Vice Chairman
3	Terms of reference to be considered and adopted
4	Consideration of appointment of Co-optees
5	Determination of which local groups should have a standing invitation to meetings
6	Consideration of any forthcoming Planning Applications & Licensing Applications
7	Briefing from Neighbourhood Management team followed by discussion
8	Consideration of work programmes set by Scrutiny Committees and Commissions to avoid duplication of work
9	Open session – at which any member of the committee, the public or co-opted member can raise anything that affects the area
10	Suggestion of topics for future meetings / items for annual work programme
11	Location, date, and timings of future meetings
12	Any matters to be referred to the Executive or Council as a result of discussions

## **5. CONSULTATION**

There has been an opportunity for all members to be consulted, through a series of meetings arranged for the Neighbourhood Councils during June / July 2009, with the option of individual briefings for any member unable to attend the meetings.

## **6. ANTICIPATED OUTCOMES**

The anticipated outcome is for the Neighbourhood Councils to be set up, and for the programme of meetings for the year to commence in the autumn, with further development work to be undertaken in the meantime.

## **7. REASONS FOR RECOMMENDATIONS**

To enhance the elected councillor community leadership role at an area level, by giving local councillors the opportunity to bring local stakeholders together to plan for the needs of their communities.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

There is no requirement for the Council to introduce Neighbourhood Councils. The Council could continue to operate without them, as it has done in recent years. This option was rejected because the new Administration firmly believes in encouraging local leadership, and in better engagement with communities, and believes that Neighbourhood Councils offer optimum scope to achieve both objectives.

It was initially intended to have 3 Neighbourhood Councils, for Central & East, South and North & West. This resulted in large groups, particularly in North & West, which would have had 27 members. As the North & West area would have been greater than 2/5<sup>th</sup> of Peterborough City Council's area and population, this Neighbourhood Council would have to be politically balanced, unless Full Council agreed to exempt it from that requirement. A requirement to be politically balanced would have prevented the desire to include all members elected to the wards in the area, regardless of their party membership. This option was therefore rejected, in favour of the 7 Neighbourhood Councils of a more manageable size.

## **9. IMPLICATIONS**

### **LEGAL**

The Local Government Act 2000 provides that a council operating Executive arrangements, may delegate non-Executive functions, and the Executive may delegate Executive functions, to Neighbourhood Councils, also known as Neighbourhood Councils.

S16 of the Local Government (Committees and Political Groups) Regulations 1990 provides that the composition of Neighbourhood Council need not reflect the political balance of the Council as a whole if all of the voting members on it represent the wards within its area and the area does not exceed 2/5<sup>th</sup> of the total for the Council, by reference to population or area.

### **FINANCIAL**

Holding meetings of Neighbourhood Councils will have cost implications, in terms of any costs incurred connected with venues. Attempts will be made to minimise such costs by using the Council's available resources in the community, but where no suitable facilities are available, costs may be incurred. There will also be additional costs incurred through provision of officer support.

The Neighbourhood Councils will have a budget which they control, but this will be transferred to them from the main council budget, and will not have any additional budget implications.

## **10. BACKGROUND DOCUMENTS**

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

None

N Council	Ward	Member	Party	NM Locality
C&E 1	Central	M Fazal	Con	C & E
C&E 1		Z Hussain	Lab	C & E
C&E 1		N Khan	Lab	C & E
C&E1	North	C Swift	PIF	C & E
C&E1		K Sharp	PIF	C & E
C&E2	Park	P Kreling	Con	C & E
C&E2		Y Lowndes	Con	C & E
C&E2		J Peach	Con	C & E
C&E2	Dogsthorpe	A Miners	PIF	C & E
C&E2		B Saltmarsh	PIF	C & E
C&E2		C Ash	PIF	C & E
C&E2	East	M Collins	Con	C & E
C&E2		M Todd	Con	C & E
C&E2		S Goldspink	Con	C & E
S1	Stanground Central	M Cereste	Con	S
		B Rush	Con	S
S1		I Walsh	Con	S
S1	Stanground East	J Wilkinson	Con	S
S1	Fletton	F Benton	Con	S
S1		P Croft	Con	S
S1		M Lee	Con	S
S2	Orton with Hampton	N North	Con	S
S2		S Scott	Con	S
S2		D Seaton	Con	S
S2	Orton Longueville	J Goodwin	Con	S
S2		G Murphy	Con	S
S2		P Winslade	Con	S
S2	Orton Waterville	S Allen	Con	S
S2		G Eley	Con	S
S2		W Trueman	LD	S
N&W1	Northborough	P Hiller	Con	N & W
N&W1	Barnack	D Over	Con	N & W
N&W1	Glington & Wittering	J Holdich	Con	N & W
N&W1	Glington & Wittering	D Lamb	Con	N&W
N&W1	Newborough	D Harrington	PIF	N & W
N&W1	Eye & Thorney	R Dobbs	Con	N & W
N&W1		D Sanders	Con	N & W
N&W2	Werrington North	John Fox	PIF	N & W
N&W2		Judith Fox	PIF	N & W
N&W2		S Lane	PIF	N & W
N&W2	Werrington South	C Burton	Con	
N&W 2		D Fower	LD	
N&W2		P Thacker	Con	
N&W2	Paston	D Day	Con	N & W
N&W2		S Day	Con	N & W
N&W2		L Gilbert	Con	N & W
N&W2	Walton	C Day	Con	N & W
N&W2		J Sandford	LD	N & W
N&W3	Bretton North	W Fitzgerald	Con	N & W
N&W3		D Morley	Con	N & W
N&W3		P Nash	Con	N & W
N&W3	Bretton South	M Fletcher	Con	N & W
N&W3	West	M Burton	Con	N & W
N&W3		M Dalton	Con	N & W
N&W3		S Dalton	Con	N & W
N&W3	Ravensthorpe	G Nawaz	Con	N & W
N&W3		H Newton	Con	N & W

**Part 3, Delegations section 1-Functions reserved to the Council**

**1.6 Delegations to Neighbourhood Councils**

1.6.1 There are currently no Council functions delegated to Neighbourhood Councils.

**Part 3, Delegations Section 3 – Executive functions**

**3.13 Delegations to Neighbourhood Councils**

- 3.13.1 The Leader retains responsibility for functions delegated and may exercise those functions in person regardless of further delegation
- 3.13.2 To promote the Council's role as a community leader in its area, giving a "voice" to the community and fostering good working relationships with the Council's partner organisations, Parish Councils the relevant authorities for Police, Fire, Probation and Magistrates' Court Services, Health and Social Care, Education and Youth services
- 3.13.3 To assist the Cabinet in taking a leading role in promoting the economic, environmental cultural and social wellbeing of the area
- 3.13.4 Setting area master plans, with action plans to support their delivery, within the community strategy
- 3.13.5 Agreeing and monitoring plans for community development and social inclusion
- 3.13.6 Setting the standards for street cleaning, abandoned vehicles and dog warden service
- 3.13.7 Agreeing the yearly programme of works under s42 Highways Act 1980
- 3.13.8 Giving permission for on-street activities or structures under the Highways Act 1980
- 3.13.9 Designating conservation areas
- 3.13.10 Setting the standards for strategic management and maintenance of parks, commons, sports grounds, playing fields, open spaces, burial grounds, allotments, public monuments, public toilets, ditches, streams and car parks (except central car parks) – this will include agreeing a yearly programme of works
- 3.13.11 Naming and numbering streets if there are unresolved objections following consultation
- 3.13.12 Approving projects if it holds the budget for the project or the project is in its area
- 3.13.13 Act as consultees on all Executive and Council proposals that affect the area, particularly capital schemes affecting the area, including modifications to schools.
- 3.13.14 Act as consultees on Planning and Licensing Applications in relation to the area, and report views to the relevant committee.

## Part 3, Section 4, Neighbourhood Councils Councils Terms of Reference

## NEIGHBOURHOOD COUNCILS TERMS OF REFERENCE

The Council has appointed Neighbourhood Councils, as set out below:

North & West : 3 Neighbourhood Councils

Central & East : 2 Neighbourhood Councils

South : 2 Neighbourhood Councils

The terms of reference apply to all Neighbourhood Councils. The Neighbourhood Councils will undertake the following in respect of the local area, subject to Council policy

1	Identify and, as far as it is able to do so within it's budget, meet the needs of the Community in the local area, via consultation with and involvement of the community and other appropriate bodies
2	Develop Community Master Plans, and Action Plans to support their delivery, and monitor their implementation
3	Be the primary focus for public involvement and consultation within the area, working closely with other public, private and voluntary agencies, and advising the Executive as appropriate on issues which affect the area
4	Carry out any non-Executive functions delegated by the council, and any Executive functions delegated by the Leader, in accordance with the Scheme of Delegations set out in Part 3 sections 1 and 3 of the Constitution
5	Set the standards for, and seek agreement for changes from the Executive to services to meet local needs which are outside the immediate responsibility / budget of the Neighbourhood Council. Includes seeking agreement to revenue and capital expenditure to meet any changes. (If such changes would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, then the matter would be referred to Council by the Executive)
6	Act as consultees in respect of Planning and Licensing applications relating to the area
7	Be consulted on all Executive and Council proposals that affect the area, particularly capital schemes affecting the area, including modifications to schools
8	Monitoring local service delivery, considering the outcome of such monitoring and advising the Executive, and the relevant Scrutiny Committee or Commission as appropriate
9	Work closely with Scrutiny Committees and Commissions including suggesting items for scrutiny, and if required to become involved in reviews carried out by Scrutiny Committees and Commissions at the request of the Chairs.
10	Recommend grants to local voluntary organisations and community groups, subject to the approved grant procedures
11	Make arrangements for the provision of information about local services and other information to people in the area
12	Act as a Community Forum where the Neighbourhood Council and members of the community can discuss areas of concern to them, such issues to include matters which are the direct responsibility of the council and other issues which are the responsibility of other organisations

Part 4, section 8, Neighbourhood Councils, Procedure Rules

Section 8 : NEIGHBOURHOOD COUNCILS : PROCEDURE RULES

1. TERMS OF REFERENCE

- 1.1 The terms of reference are as set out in Part 3, section 4 of this Constitution
- 1.2 Neighbourhood Councils may recommend to the Executive any proposal to create a Sub-Committee, Panel, Working Party, Board, or similar body to report to the Neighbourhood Council.

2. MEMBERSHIP

- 2.1 All members who are elected to the wards which form part of a Neighbourhood Council will be members of that Neighbourhood Council.
- 2.2 The Neighbourhood Councils are currently made up of the following wards:

- 2.2.1 Central & East : C&E1 Central & North  
C&E2 Park, Dogsthorpe, East
- 2.2.2 South: S1 Stanground East & Fletton  
S2 Orton with Hampton, Orton Longueville, Orton Waterville
- 2.2.3 North & West : N&W1 Northborough, Barnack. Glinton & Wittering, Werrington North, Werrington South  
N&W 2 Newborough, Eye & Thorney, Paston, Walton  
N&W 3 Bretton North, Bretton South, West, Ravensthorpe

3. CALL-IN

- 3.1 Decisions made by Neighbourhood Councils are subject to call-in, in accordance with section 13 of part 4, section 8 of the Constitution. Any decision may be called in by the most relevant Scrutiny Committee or Commission, with call-in powers.

4. CONFLICTS OF INTEREST

- 4.1 If a Scrutiny Committee/Commission is scrutinising specific decisions or proposals in relation to the business of an Neighbourhood Council of which the Councillor concerned is a member, then the Councillor may not speak or vote and must withdraw from the Scrutiny Committee / Commission meeting unless a dispensation is given by the Standards Committee.
- 4.2 Where a Scrutiny Committee / Commission is reviewing policy generally a member must declare his / her interest as a member of any relevant Neighbourhood Council, before the relevant agenda item is reached, but need not withdraw.

## 5. CO-OPTTEES

- 5.1 Neighbourhood Councils shall be entitled to co-opt, as non-voting members, external representatives, or otherwise invite participation from non-members where this is relevant to their work.
- 5.2 Each Neighbourhood Council will determine at its first meeting to which local partners it wishes to issue a standing invitation to its meetings, and this will be reviewed regularly (at least annually). This is likely to include Parish Councils, representatives of local schools, and other interested local groups to be determined by each Neighbourhood Council.

## 6. MEETINGS OF THE NEIGHBOURHOOD COUNCILS

- 6.1 Each Neighbourhood Council shall hold 4 Ordinary meetings in each Municipal year. In addition, extraordinary meetings may be called from time to time, either by the Chair, any 3 members of the Neighbourhood Council, or the proper officer, if considered appropriate.
- 6.2 Meetings will generally be held during the week, with a start time of 7.00 pm, but this is to be entirely at the discretion of the Chairman for each Neighbourhood Council.
- 6.3 Neighbourhood Councils will normally meet in their areas, wherever possible in places accessible to everyone. However they may meet in the Town Hall to deal with unfinished business from a previous meeting or to deal with business that is private because it is exempt or confidential.
- 6.4 After 2 hours, the Chairman will finish the item the Committee is on and decide whether to continue with the rest of the business or defer it to a future meeting.
- 6.5 Each agenda will include an open session during which any member of the public and any co-opted member can raise anything that affects the area.
- 6.6 Points raised in an address or in the open session can:
- Be replied to at the meeting
  - Be discussed at the meeting
  - Be referred elsewhere
- 6.7 The Chair can decide that a point raised will be discussed at a meeting. No action can be taken until a report has been sent to a future meeting, but the Neighbourhood Council can:
- Form an opinion
  - Express its opinion to another council body or outside organisation
  - Ask for a report to a future meeting

## 7. AREA FORUM

- 7.1 In addition to the 4 Ordinary meetings, each area shall hold an Area Forum once a year, the subject of which will be determined by the Chairman in consultation with the relevant Neighbourhood Councils.
- 7.2 Area Forum meetings will normally be held in the second half of the municipal year, in a venue suitable for public participation.

## 8. PUBLIC PARTICIPATION

- 8.1 Ordinary meetings shall generally take place in public, and will be well publicised in advance.
- 8.2 At Ordinary meetings members of the public have the right to speak at any time, with the

permission of the Chairman.

8.3 Neighbourhood Councils will comply with the Access to Information Rules set out in Part 4, section 5 of the Constitution.

## 9. QUORUM

9.1 The quorum for an Neighbourhood Council meeting shall be at least 25% of voting members, to be not less than 3.

## 10. VOTING

10.1 The City councillor members of a Neighbourhood Council can vote. If a vote is tied, the Chairman has a casting vote.

## 11. CHAIRMAN & VICE CHAIRMAN

11.1 The Chairman for each area will be appointed by Council each Municipal year. The Chairman will be responsible for all Neighbourhood Councils in the area, that is, there will be one Chairman for North & West, one Chairman for Central & East, and one Chairman for South.

11.2 The Vice Chairman will be appointed from the members appointed to the Neighbourhood Councils, and there will be one Vice Chairman appointed for each of the 7 Neighbourhood Councils.

## 12. WORK PROGRAMME

12.1 The Area Councils will be responsible for setting their own work programmes, in consultation with officers in neighbourhood management and democratic services teams.

## 13. AGENDA ITEMS

13.1 It must be made clear on the agenda for the meeting whether the decisions required relate to Executive functions or not.

13.2 Any member of the Neighbourhood Council may ask the Chair to add an item to the next agenda. The meeting will consider whether to take any further action in respect of the matter added.

13.3 Any resident or organisation that provides services to the area can put an item on the agenda if it is within the committee's terms of reference and they make the request in writing to Democratic Services at least 10 working days before the meeting.

## 14. MISCELLANEOUS

14.1 If there is any gap in procedures, the appropriate action shall be entirely within the discretion of the Chairman.