



CONSTITUTION ADVISORY GROUP
MEETING 3

Date:	MONDAY, 9 NOVEMBER 2009	
Time:	2.00pm	
Venue:	ROOM fw2, PRIORY HOUSE, CHICKSANDS	
Members:	Cllrs Mrs C F Chapman MBE D Jones M Jones	Cllrs D Lawrence S F Male A J Shadbolt

REVISED AGENDA

Please note Item 6, 'The Role of the Leader Member for Children's Services' has been withdrawn and replaced by 'Analysis of Executive Agendas'

1. APOLOGIES FOR ABSENCE
2. NOTES OF PREVIOUS MEETING

(To receive the notes of the meeting of the Constitution Advisory Group held on 25 August 2009)

3. **REVIEW OF CAPITAL PROGRAMME PROCESSES**

(To review the current provisions relating to approval and amendment of the Capital Programme

Report of the Director of Corporate Resources enclosed)

Also see further revisions to Part I2, paragraph 4.9 attached.

4. **KEY DECISIONS**

(a) Clarification of Definition of a Key Decision

The key decision definition currently provides that savings or expenditure are significant if they exceed **£200,000 per annum** or 10% of the budget concerned, whichever is the smaller (this figure would need to be reviewed if the proposals in the preceding report are approved in relation to capital projects).

There is also some uncertainty as to whether, in relation to other delegated functions such as land acquisitions and disposals (Part H3, para 4.6.71) and procurement Part I3, para 5.1) where a limit of £200,000 is set, this should be interpreted as meaning the **annual** cost of the expenditure or the **whole life** cost.

(b) Key Decisions Threshold

(Cllr Maurice Jones has asked for this item to be included on the agenda)

5. **FEES AND CHARGES**

(Cllr Steve Male has asked for this item to be included on the agenda)

(To discuss whether the current provision in B2, paragraph 1.1.3.2 to include the Fees and Charges Policy in the Budget and Policy Framework is sufficient or whether the individual fees and charges should also be included).

6. **ANALYSIS OF EXECUTIVE AGENDAS**

(To consider the attached analysis showing the reasons why reports submitted to the 13 October and 10 November Executive meetings required approval by the full Executive.

Report of the Assistant Director Legal and Democratic enclosed)

7. **JOINT CONSULTATIVE AND NEGOTIATING COMMITTEE FOR PRIMARY AND SECONDARY EDUCATION**

(This report will now be submitted to a later meeting)

8. ANTI-FRAUD AND CORRUPTION STRATEGY AND CONFIDENTIAL REPORTING POLICY

(To agree recommendations from the Audit and Standards Committees that (a) the Anti Fraud and Corruption Policy and (b) changes to the Confidential Reporting Policy, both approved by those committees in July 2009, be included in the constitution.

Report of the Assistant Director Legal and Democratic enclosed)

9. VARIATION OF SCHEME OF DELEGATION – MEMBER DEVELOPMENT

(To advise the Group of changes approved by the Leader to the Scheme of Delegation to Officers in respect of Member development following a recent meeting of the Member Development Champions.

Report of the Assistant Director Legal and Democratic enclosed)

10. LEADER'S DELEGATION – NHS CAMPUS CLOSURE PROGRAMME

(To note an additional delegation to the Portfolio Holder for Social Care and Health, in consultation with the Portfolio Holder for Corporate Resources

Report of the Assistant Director Legal and Democratic enclosed)

11. LICENSING COMMITTEE – PREMISES LICENCES

(To note additional delegations to the Director of Sustainable Communities in respect of minor variations in premises licences, in response to new government guidance.

Report of the Assistant Director Legal and Democratic enclosed)

12. PETITIONS

(To discuss possible alternatives to reporting petitions to full Executive meetings. In view of short notice of this item (requested following Executive Chairman's briefing on 3 November), officers will need time to conduct research.

Members may meanwhile wish to review the arrangements recently put in place for petitions relating to Traffic Regulation Orders and other highways-related matters to continue to be submitted to the Executive for public receipt for onward referral to public meetings of the Portfolio Holder for Safer and Stronger Communities.

The current petitions procedure (Part A4, Appendix A, Annex 2) is attached for members' reference).

13. DATE OF NEXT MEETING

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12 CODE OF FINANCIAL GOVERNANCE

4.9 Capital Programme:

- 4.9.1 Investment in capital assets shapes future service delivery and creates future financial commitments. The Capital Programme is a three-year programme of estimated capital expenditure and associated funding. The Full Council will approve a Capital Programme each year, recognising that approving initial estimates is the first stage in the process of progressing a proposed scheme to implementation. Estimates produced at this stage will be liable to change.
- 4.9.2 The Executive will receive budgetary proposals for inclusion in the Council's Capital Programme and will submit a proposed programme to the Full Council for approval. The programme will include all capital schemes including those proposed to be financed from revenue resources or external funding sources.
- 4.9.3 Capital Schemes will be grouped into three main categories:
- Rolling Programmes;
 - Large Capital Schemes (over £500,000 Gross Expenditure); and
 - Smaller Capital Schemes (under £500,000 Gross Expenditure).
- 4.9.4 **Outline Business Case**
All categories of capital projects will require an Outline Business Case in order to be considered for inclusion in the proposed Capital Programme. An Outline Business Case will normally have best estimates of costs, timescales, and deliverables. Outline Business Cases will be approved by the relevant Director in consultation with the relevant Portfolio Holder, the Portfolio Holder (Corporate Resources) and the Chief Finance Officer.
- 4.9.5 **Detailed Business Case**
A Detailed Business Case will have fully validated costs (including ongoing revenue costs), timescales, deliverables and where necessary an exit strategy. The process for approving capital schemes for subsequent implementation will be different according to their category and is explained in paragraphs 4.9.6 to 4.9.9 below.

4.9.6 Rolling Programmes

Rolling programmes in the Council's Capital Programme are largely concentrated on infrastructure and asset improvement and maintenance.

After a Rolling Programme has been approved by the Council for inclusion in the Capital Programme, a single Detailed Business Case will be produced for the whole programme before it proceeds.

The Detailed Business Case and release of capital expenditure will be approved by the relevant Director in consultation with the relevant Portfolio Holder, the Portfolio Holder (Corporate Resources) and the Chief Finance Officer.

4.9.7 Larger Capital Schemes (over £500,000 Gross Expenditure)

After a Larger Capital Scheme has been approved by the Council for inclusion in the Capital Programme, a Detailed Business Case will be produced for the scheme. Executive Approval will be required for these schemes before proceeding to implementation.

For Larger Capital Schemes, some further costs may need to be incurred to take a project up to Detailed Business Case stage. Directors can authorise expenditure up to a level of 5% of the total scheme cost at this stage to enable a Detailed Business Case to be produced. The revenue budget of the applicable directorate will meet these costs if ultimately the scheme does not proceed for any reason.

4.9.8 Smaller Capital Schemes (between £60,000 and £500,000 Gross Expenditure)

Small Capital Schemes in this range will require a Detailed Business Case to be produced before it proceeds.

The Detailed Business Case and release of capital expenditure will be approved by the relevant Director in consultation with the relevant Portfolio Holder, the Portfolio Holder (Corporate Resources) and the Chief Finance Officer.

4.9.9 Smaller Capital Schemes (under £59,999 Gross Expenditure)

A Detailed Business Case is not required for these schemes and Smaller Capital Schemes in this range can proceed with the approval of the relevant Director in consultation with the relevant Portfolio Holder the Portfolio Holder (Corporate Resources) and the Chief Finance Officer.

4.9.10 In year, the Executive may approve new Capital Schemes estimated to cost less than £500,000 that have not previously been included in the Capital Programme, subject to the production of Outline and Detailed Business Cases as required by paragraphs 4.9.6 and 4.9.8 to 4.9.9. New Larger Capital Schemes estimated to cost more than £500,000 must be approved by Full Council.

4.9.11 Capital Programme Virements

In consultation with the Chief Finance Officer, relevant Directors and relevant Portfolio Holders are jointly permitted to approve virements between schemes up to a cumulative value of 10% of the Gross Expenditure of the Capital Programme for that Portfolio. Virements over this cumulative value or between Portfolios will require the approval of the Executive.

4.9.12 Capital Programme Variations

Where there are variations in contract costs on existing schemes compared with the provision in the Capital Programme, additional costs will be approved in accordance with the following conditions:-

Existing Scheme Additional Costs	Approval Powers
Up to £25,000	Corporate Management Team and Portfolio Holder Corporate Resources
Over 5% of the original budget and above £25,000	Executive
Over 10% of the original budget and above £100,000	Council

4.9.13 The Chief Finance Officer will report to the Executive on the monitoring of the approved Capital Programme, including: expenditure and income to date; projected expenditure and income; approved virements and approved variations.

Central
Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



CONSTITUTION ADVISORY GROUP

DATE: 9 November 2009

TITLE	ANALYSIS OF EXECUTIVE AGENDAS	ITEM NO.
		6 (revised agenda)
REPORT OF	Assistant Director Legal and Democratic	

PURPOSE	To review the impact of constitutional requirements on the volume of work presented to the Executive for decision and hence the efficiency of the decision-making process.
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ORIGIN OF PROPOSAL	This report originates from growing concerns among Executive Members about the number and length of items submitted to the full Executive, resulting in a request to revisit the constitution to establish the scope, if any, to address this by amendments to the constitution.
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RECOMMENDATION:

For discussion.

SUPPORTING INFORMATION

1. Part C3 of the constitution defines the role and functions of the Executive, which is essentially to exercise all of the council's functions that are not defined by law as 'non-executive functions', including the formulation of plans and strategies (some of which require full Council approval). It also defines those functions which are delegated either to individual Portfolio Holders or to officers, sometimes in consultation with the relevant Portfolio Holder (with the detailed officer delegations listed in Part H3).
2. Part C2 defines the meaning of a 'key decision', which is essentially a decision regarded as so significant that, under the Access to Information Procedure Rules (Part G2) up to four months' notice must be published in the Forward Plan, reports (unless exempt) and decisions must be published even if delegated, and any decision may be called-in to an overview and scrutiny committee. A key decision does not necessarily have to be taken by the full Executive, although the council's present constitution and levels of delegation in effect mean that this is mostly the case. Traffic Regulation Orders and other highways-related matters are one exception, where the Leader has recently delegated decision-making powers to the Portfolio Holder for Safer Communities, public meetings are held and the constitutional provisions on public participation procedures apply.
3. Appendix A seeks to analyse the reasons for the submission of reports to the Executive at its 13 October 2009 and 10 November 2009 meetings and the constitutional provisions behind them. Out of 33 decisions listed, 27 are regarded as 'key decisions' as a result either the financial threshold (over £200,000 per annum or 10% of the cost centre budget, whichever is less) or the 'significant effect on communities in one or more wards' criterion. Many of those relate to new policy-making and clearly require Member approval or direction. The 6 remaining 'non-key' decisions are either matters with clear strategic implications (sometimes requiring Member approval to comply with government standards), or routine budget or performance monitoring reports.
4. In some cases submission to Executive is also required by other constitutional provisions such as:
 - (a) the present requirement in the Code of Financial Governance for a Project Initiation Document or other form of project appraisal to be submitted before a capital project can proceed (Part I2, paragraph 4.9.4); this is addressed by the new proposals in agenda item 3;
 - (b) the requirement in the Code of Procurement Governance for Executive approval to any expenditure above £200,000 (Part I3, paragraph 5.1, top page 4);
 - (c) and the limit of 15 years in the officer delegation scheme to letting council land and premises; there is also a limit of £200,000 to acquisitions and disposals of land and buildings (Part H3, paragraphs 4.6.79 and 4.6.71).

5. Overall, the analysis shows little scope at present to reduce the number of agenda items requiring Executive decision unless Members wished to consider a change in the key decisions threshold (and probably other related thresholds); or in the event of a wider scheme of executive delegation to Portfolio Holders and/or officers, which would be a matter for the Leader to consider.
6. There is a separate item on the agenda to review the key decisions threshold. Out of 8 recommendations on the October/November Executive agendas for expenditure over £200,000 per annum (the key decision threshold), 3 are between £200,000 and £500,000 and 5 are over £500,000.
7. There are no instances where a report was submitted to Executive in October or November just because of the effect on a single ward.

Appendix – Analysis of Executive Reports Submitted October-November 2009

Contact Officer Details:
Rob Mills

Key Background Papers:
None

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ANALYSIS OF EXECUTIVE REPORTS SUBMITTED OCTOBER-NOVEMBER 2009

Item No.	Title	Function of	Reason for Submission to Executive	Constitution Provision
Meeting 10 November 2009				
7	Town Centre Management	Exec	Key decision – significant effect on communities in one or more wards. No expenditure/savings in this report. Delegation scheme does not allow officers to adopt new policy or vary existing policy.	Part C2, para 1.1.2 Part H3, para 2.5.4
8	Job Growth Investment Programme	Exec	Key decision - £490,000 capital expenditure (externally funded or to be recouped). Capital projects appraisal (PIDs)	Part C2, para 1.1.1 Part I2, para 4..9.4
9	Economic Participation Programme	Exec	Key decision - £595,000 capital expenditure (externally funded). Capital projects appraisal (PIDs)	Part C2, para 1.1.1 Part I2, para 4..9.4
10	Winter Maintenance within Central Bedfordshire	Exec	Key decision – significant effect on communities in one or more wards. No expenditure/savings in this report but some potential for additional, as yet unquantified costs.	Part C2, para 1.1.2

11	Planning Enforcement Policy	Exec	<p>Key decision – significant effect on communities in one or more wards. No expenditure/savings in this report.</p> <p>Delegation scheme does not allow officers to adopt new policy or vary existing policy (Executive is responsible for the policy, DM Cttee for its implementation)</p>	<p>Part C2, para 1.1.2</p> <p>Part H3, para 2.5.4</p>
12	East of England Plan Review – Consultation	Exec	<p>Key decision (strategic implications) – significant effect on communities in one or more wards. No expenditure/savings in this report.</p>	<p>Part C2, para 1.1.2</p>
13	LDF (North): Core Strategy and Development Management Policies Development Plan Document	Council	<p>Part of budget and policy framework (statutory plan) and therefore a key decision.</p> <p>Budget & Policy Framework Procedure Rules require Executive to make proposals to the Council & include in Forward Plan.</p>	<p>Part B2, para 1.1.2.5</p> <p>Part B3, para 2.1</p>
14	The Planning Obligations Strategy Supplementary Planning Document for Central Bedfordshire North	Exec	<p>Key decision (strategic implications) – significant effect on communities in one or more wards. No expenditure/savings in this report.</p>	<p>Part C2, para 1.1.2</p>
15	LDF (North): Site Allocations Development Plan Document	Council	<p>Part of budget and policy framework (statutory plan) and therefore a key decision.</p> <p>Budget & Policy Framework Procedure Rules require Executive to make proposals to the Council & include in Forward Plan.</p>	<p>Part B2, para 1.1.2.5 &</p> <p>Part B3, para 2.1</p>

16	Wingfield Court, Ampthill	Exec	Capital project appraisal (PID). Listed as a key decision - £175,000 expenditure is below key decision threshold, but may exceed 10% of the cost centre budget (not confirmed).	Part 12, para 4.9.4
17	Safeguarding of Vulnerable Adults Annual Report for 2008/09	Exec	Not a key decision, but a strategic matter and Councils are required to receive the annual report at a public meeting of the Executive.	n/a
18	The Central Bedfordshire Response to the Green Paper "Shaping the Future of Care Together"	Exec	Key decision (strategic implications) – significant effect on communities in one or more wards. No expenditure/savings in this report.	Part C2, para 1.1.2
19	Corporate Commissioning and Procurement Strategy	Exec	Key decision (strategic implications) – likely to result in significant future savings (none specific in this report) and essential for meeting efficiency/budget targets. Delegation scheme does not allow officers to adopt new policy or vary existing policy.	Part C2, para 1.1.1 Part H3, para 2.5.4
20	Budget Management Report	Exec	Regular Budget Monitoring Report, including virements of over £200,000 cumulative.	Part 12, para 4.6.2 (virement thresholds)
21	Review of Fees and Charges 2010/11	Exec	Requires Executive approval as part of the Council's 2010/11 revenue budget consideration. Full Council approves the Fees and Charges Policy as part of the Budget & Policy Framework.	Part B2, para 1.1.3.2 (fees and charges policy)

22	Review of Capital Programme	Council	Part of budget and policy framework and therefore a key decision. Budget & Policy Framework Procedure Rules require Executive to make proposals to the Council & include in Forward Plan.	Part B2, para 1.1.3.1 Part B3, para 2.1
23	Central Bedfordshire Response to the recommendations arising from the Laming Report	Exec	Not a key decision but recommends Executive to endorse an action plan relating to a strategic issue with high public profile. Delegation scheme provides for Executive to exercise functions which might otherwise be delegated to officers.	Part H3, paras 2.6 & 2.7 (discretion to refer to Executive etc.)
24	Roecroft Lower School – Approval of Capital Project	Exec	Key decision - £5.8m capital expenditure and significant effect on communities in one or more wards. Capital projects appraisal (PID).	Part C2, para 1.1.1 Part C2, para 1.1.2 Part I2, para 4.9.4
25	Countryside Access Service 2009/10 Capital Programme	Exec	Key decision – 3 schemes totalling £749,000. Capital projects appraisal (PIDs).	Part C2, para 1.1.1 Part I2, para 4.9.4
Meeting 13 October 2009				
8	CBC and NHS Bedfordshire Joint Delivery & Spending Plan for Carers	Exec	Key decision - £837,000 revenue expenditure + joint delivery & spending plan with NHS.	Part C2, para 1.1.1
9	Quarter 1 Performance Report	Exec	Routine monitoring report.	n/a

10	Community Engagement Strategy	Exec	Key decision (strategic implications) – significant effect on communities in one or more wards. Draft strategy for discussion prior to public consultation. Final strategy will form part of Budget and Policy Framework. No expenditure/savings in this report.	Part C2, para 1.1.2
11	Customer Services Strategy	Council	Part of budget and policy framework and therefore a key decision. Budget & Policy Framework Procedure Rules require Executive to make proposals to the Council & include in Forward Plan.	Part B2, para 1.1.3.8 Part B3, para 2.1
12	Award of Building Cleaning Contract to Housing General Needs and Sheltered Housing Properties	Exec	Key decision – expenditure £290,000 per annum. Executive approval of expenditure above £200,000 is also required under Code of Procurement Governance.	Part C2, para 1.1.1 Part I3, para 5.1
13	Budget Monitoring Report as at 31/8/09	Exec	Routine monitoring report (including recommendation to transfer £2.74m from reserves to General Fund).	Part I2, para 4.6.2 (virement thresholds)
14	CBC Members' Acceptable Use Policy	Exec	Not strictly a key decision but the policy is required policy to meet government compliance standards. No expenditure/savings in this report. Delegation scheme does not allow officers to adopt new policy or vary existing policy.	n/a Part H3, para 2.5.4

15	Potton Community Centre	Exec	<p>Key decision – significant effect on communities in one or more wards.</p> <p>Recommends Executive to execute a 30-year lease of council property. Under the delegation scheme the Director of Corporate Resources may let land and premises for not more than 15 years in accordance with the council's Asset Management Plan; and may authorise acquisition and disposal of land and building subject to a maximum value of £200,000 (although not applicable in this case as the recommendation was for a peppercorn rent).</p>	<p>Part C2, para 1.1.2</p> <p>Part H3, para 4.6.79 (para 4.6.71 for £200k financial limit)</p>
16	Review of Fees and Charges Policy	Council	<p>Part of budget and policy framework and therefore a key decision.</p> <p>Budget & Policy Framework Procedure Rules require Executive to make proposals to the Council & include in Forward Plan.</p>	<p>Part B2, para 1.1.3.2</p> <p>Part B3, para 2.1</p>
17	Strategic Commissioning Framework for Children in Central Bedfordshire	Exec	<p>Key decision – no immediate financial impact in this report but future partnership working via Children's Trust will have significant financial implications.</p>	<p>Part C2, para 1.1.1</p>
18	Creasey Park Community Football Development Centre	Exec	<p>Key decision - £210,000 capital expenditure and significant effect on communities in one or more wards.</p> <p>Capital project appraisal (PID)</p>	<p>Part C2, para 1.1.1</p> <p>Part C2, para 1.1.2</p> <p>Part I2, para 4..9.4</p>

19	Extension to Sandy Sport and Leisure Centre	Exec	<p>Key decision - £690,000 capital expenditure and significant effect on communities in one or more wards.</p> <p>Capital project appraisal (PID)</p>	<p>Part C2, para 1.1.1 Part C2, para 1.1.2</p> <p>Part I2, para 4..9.4</p>
20	Improvements to Tiddenfoot and Dunstable Leisure Centres	Exec	<p>Key decision – significant effect on communities in one or more wards (£52,000 capital expenditure is below financial threshold).</p> <p>Capital project appraisal (PID)</p>	<p>Part C2, para 1.1.2</p> <p>Part I2, para 4..9.4</p>
21	Local Transport Plan	Exec	<p>Key decision – no immediate financial implications, but a recommendation to decide between two strategic options on preferred approach to the LTP, which is a statutory plan within the Budget and Policy Framework.</p> <p>Delegation scheme provides for Executive to exercise functions which might otherwise be delegated to officers.</p>	<p>Part H3, paras 2.6 & 2.7 (discretion to refer to Executive etc.)</p>

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Annex 2

PETITIONS PROCEDURE

1. Submission and Content of Petitions

- 1.1 Members of the public may present the council, or the Executive, or a committee with petitions, upon giving at least 7 clear working days notice in writing of the petition to the Monitoring Officer. If, following consideration of the petition as provided in paragraphs 4 or 5 below, the petition organiser is not satisfied with the response, he/she may request that the response be reviewed by the relevant overview and scrutiny committee in accordance with the procedure in paragraph 6.
- 1.2 The petition shall:-
 - 1.2.1 be addressed to the Monitoring Officer of the Council;
 - 1.2.2 request the Council to take or cease action described in the petition;
 - 1.2.3 be validly signed by at least 10 persons who live, work or study in the Authority's area (a petition shall be deemed to be "validly signed" if the person has signed it and the petition states the person's name and address and the date of signature)
 - 1.2.4 Designate one of the persons who has validly signed it as the person with whom the Council may deal in relation to the petition.
- 1.3 Petitions should be relevant to the forum to which they are addressed and:-
 - 1.3.1 concern a matter which relates to a function of the Authority; or
 - 1.3.2 whilst not relating to a function of the Authority, relate to an improvement in the economic, social or environmental well-being of the Authority's area to which any of its partner authorities could contribute.

2. Rejection of Petitions

- 2.1 The Monitoring Officer may reject any petition which :-
 - 2.1.1 does not meet the criteria set out in 1.2 and 1.3 above; and/or
 - 2.1.2 is, in his/her reasonable opinion, vexatious, abusive or otherwise inappropriate to be dealt with under the Council's Petitions Scheme; and/or

- 2.1.3 is the same as, or has a substantially similar effect to a petition which has been made to the Council within a period of six months ending with the date on which the petition was made to the Council.

3. Acknowledgement of Petitions

- 3.1 The Monitoring Officer will send a written acknowledgment to the petition organiser within 3 clear working days of the date of receipt. The acknowledgement will give information about what the Council proposes to do in response to the petition, including the date and time at which the petition will be considered by the Council, executive or relevant committee and will advise the petitioners of their rights to speak under the provisions of this procedure.

4. Petitions presented at full Council

- 4.1 At meetings of full Council (other than annual or extraordinary meetings, except at the discretion of the chairman), a period of up to 30 minutes per meeting shall be allowed for the receipt and discussion of petitions.
- 4.2 Petitions will be considered in the order that they are received on the basis of the following procedure:-
 - 4.2.1 Petitions should be presented by either:-
 - 4.2.1.1 The lead petitioner; or
 - 4.2.1.2 An individual nominated by the lead petitioner; or
 - 4.2.1.3 A member of the Council on behalf of the lead petitioner.
 - 4.2.2 who shall be entitled to speak for no more than 5 minutes to summarise the contents of the petition.
- 4.3 Petitions shall normally be discussed by the Council for up to 10 minutes and the Council will take one of the following steps in relation to the petition:-
 - 4.3.1 Giving effect to the request in the petition; or
 - 4.3.2 Holding an inquiry; or
 - 4.3.3 Commissioning research; or
 - 4.3.4 Giving a written response to the petition organiser setting out the Council's views about the request in the petition; or

- 4.3.5 Referring the petition to the Executive or relevant committee or to an overview and scrutiny committee.
- 4.3.6 Referring a petition which relates to a traffic regulation order to a meeting of the Portfolio holder for Safer and Stronger Communities convened to deal with traffic regulation orders and highways related matters.
- 4.4 The chairman shall have discretion to extend the period allowed for the receipt and discussion of petitions, in the event that any petitions of which notice has been given remain to be received.
- 4.5 The Monitoring Officer shall within 5 clear working days of the date of the Council agreeing its response to the petition:-
 - 4.5.1 Notify the petition organiser in writing of the steps the Council has taken or proposes to take in response to the petition and the reason for doing so; and
 - 4.5.2 Publish that notification on the Council's website, unless in his/her reasonable opinion, in all circumstances, it would be inappropriate to do so.
- 4.6 Where a petition has been referred to the Executive, the relevant committee, an overview and scrutiny committee or the Portfolio holder for Safer and Stronger Communities, the notification shall include the date and time of the meeting at which the petition will be considered and details of the petitioners' rights to speak under the provisions of this procedure.

5. Petitions presented at or referred to the Executive or Committees

- 5.1 Where the petition has been presented directly to the Executive or a committee, or referred to the Executive or a committee from the Council, that body shall take one of the following steps in relation to the petition:-
 - 5.1.1 Giving effect to the request in the petition; or
 - 5.1.2 Holding an inquiry; or
 - 5.1.3 Commissioning research; or
 - 5.1.4 Giving a written response to the petition organiser setting out the Executive's or committee's views about the request in the petition; or
 - 5.1.5 Referring the petition to an overview and scrutiny committee; or

- 5.1.6 Referring the petition to the full Council.
 - 5.1.7 Referring a petition which relates to a traffic regulation order to a meeting of the Portfolio holder for Safer and Stronger Communities convened to deal with traffic regulation orders and highways related matters.
 - 5.2 The Monitoring Officer shall within 5 clear working days of the date of the Executive or relevant committee agreeing its response to the petition:-
 - 5.2.1 Notify the petition organiser in writing of the steps the Executive or committee has taken or proposes to take in response to the petition and the reason for doing so; and
 - 5.2.2 Publish that notification on the Council's website, unless in his/her reasonable opinion, in all circumstances, it would be inappropriate to do so.
 - 5.3 Where a petition has been referred to the Council, an overview and scrutiny committee or the Portfolio holder for Safer and Stronger Communities, the notification shall include the date and time of the meeting at which the petition will be considered and details of the petitioners' rights to speak under the provisions of this procedure.
6. **Petitions referred to meetings of the Portfolio holder for Safer and Stronger Communities**
- 6.1 Where the petition has been referred to a meeting of the Portfolio holder for Safer and Stronger Communities, the Portfolio holder shall take one of the following steps in relation to the petition:-
 - 6.1.1 Giving effect to the request in the petition; or
 - 6.1.2 Holding an inquiry; or
 - 6.1.3 Commissioning research; or
 - 6.1.4 Giving a written response to the petition organiser setting out the Portfolio holder's views about the request in the petition; or
 - 6.1.5 Referring the petition to an overview and scrutiny committee; or
 - 6.1.6 Referring the petition back to the Executive where the Portfolio holder considers it appropriate having regard to the circumstances relating to the petition in question.
 - 6.2 The Monitoring Officer shall within 5 clear working days of the date of the Portfolio holder agreeing his response to the petition:-

- 6.2.1 Notify the petition organiser in writing of the steps the Portfolio holder has taken or proposes to take in response to the petition and the reason for doing so; and
- 6.2.2 Publish that notification on the Council's website, unless in his/her reasonable opinion, in all circumstances, it would be inappropriate to do so.
- 6.3 Where a petition has been referred to the Executive or an overview and scrutiny committee, the notification shall include the date and time of the meeting at which the petition will be considered and details of the petitioners' rights to speak under the provisions of this procedure.

7. Review by Overview and Scrutiny of Adequacy of Response to Petition

- 7.1 The petition organiser may, by giving notice in writing to the Monitoring Officer, request that the relevant overview and scrutiny committee review the adequacy of the response to the petition.
- 7.2 Where such a request is received, the Monitoring Officer shall arrange for the request, together with the response to the petition to be included on the agenda for the next scheduled meeting of the relevant overview and scrutiny committee.
- 7.3 The overview and scrutiny committee has four options having reviewed the adequacy of the response to the petition:-
 - 7.3.1 To agree with the steps taken or proposed to be taken in response to the petition;
 - 7.3.2 To call upon the Executive, relevant committee or the Council to reconsider the matter; or
 - 7.3.3 To make recommendations to the Executive, committee or the Council to pursue a particular course of action; or
 - 7.3.4 To refer the matter for consideration by the full Council.
- 7.4 The Monitoring Officer shall within 5 clear working days of the date of the overview and scrutiny committee completing its review of the response to the petition:-
 - 7.4.1 Notify the petition organiser in writing of the results of the review; and
 - 7.4.2 Publish that notification on the Council's website, unless in his/her reasonable opinion, in all circumstances, it would be inappropriate to do so.

- 7.5 The presentation of petitions will also be subject to the general principles governing public participation set out at paragraph 2 of Appendix A.