

COUNCIL MEETING – 22 APRIL 2010

Recommendations to Council from Constitution Advisory Group held on 1 April 2010.

REVISED POLICY FRAMEWORK

The Advisory Group considered a report proposing an updated set of policies and strategies to comprise the Council's Policy Framework.

It was noted that legislation required the Council's Constitution to set out a Policy Framework comprising those plans and strategies to be approved or adopted by Council. The inclusion of certain specified plans and strategies was mandatory, some were recommended for inclusion by the Secretary of State and others could be added at the Council's discretion.

Members were aware that the existing Budget and Policy Framework had been created by the Shadow Authority in 2008 and considered whether it was appropriate to review it now that Central Bedfordshire Council had been in place for a year. Comments were made that it was important that Members should have full involvement particularly while the Council was still a relatively new body. Members concurred that this proposal came a year too early.

A suggestion was made that when the Advisory Group reviewed the Council's policy framework it would be beneficial if those policy and strategy matters dealt with elsewhere, other than at Council, were specifically listed. It was noted that this list was currently being compiled. Members asked that consideration be given by the officers as to when the most appropriate time might be, having regard to the work which needed to be carried out.

Members were advised that some of the policies or strategies could be amalgamated together, for example all the budget strategy matters could be in one place under paragraph 2.1 Part B2 and the reference to the Sustainability Suite could now be updated to be Climate Change Strategy, reflecting current terminology. Members welcomed this suggestion.

Members indicated support for re-titling the appropriate sections in part B from "statutory" to "required" and "other" to "recommended/discretionary".

A comment was made that at the point of a policy or strategy being brought before Members, particularly when it related to external organisations, they were sometimes advised that there was no further opportunity for changes. A request was made that policies and strategies be brought before Members well enough in advance to enable changes to be made if required.

A suggestion was made that a separate stand-alone Consultation Strategy was needed. It was noted that there were times that consultation was a legal requirement and that this would fall outside of any consultation strategy agreed by the Council.

In response to a question it was noted that where consultation was a legal requirement this would be reported under the Legal Implications section of the reports template. A discussion ensued and Members commented that a specific section on Consultation should be included in the reports template to report on any consultation carried out with external bodies.

Comments were made identifying policies and strategies which Members felt strongly should remain in the Policy Framework, and also about various other items currently within the Framework, as set out below.

Policies /Strategies identified as those which should remain

- Regional Spatial Strategies including the MKSM sub-regional strategy
- Customer Service Strategy
- Communication Strategy
- Community Engagement Strategy
- Local Area Agreement

Policies/Strategies where other considerations applied

- Older People's Strategy – the Advisory Group noted that this was one of many social care and health items and indicated a willingness to consider that the Healthier Communities and Older People framework would in future provide the higher level strategic overview.
- Cultural Strategy (including Leisure Strategy) – a comment was made that this should remain unchanged for the moment but in the future this could be replaced by a Leisure Strategy only.
- Housing Investment Strategy – it was noted that there was no longer a requirement to produce a Housing Investment Strategy.

The Advisory Group discussed paragraph 5 of the report which set out a paragraph included in the Constitution indicating the role of the overview and scrutiny committees in developing plans and strategies. A suggestion that the chairmen of the overview and scrutiny committees be invited to the next meeting of the Advisory Group to discuss this was welcomed. A request was made that a short paper be brought to the meeting indicating that the development of policy should be carried out through team working between the overview and scrutiny committees, the Executive and senior officers.

AGREED TO RECOMMEND TO COUNCIL:-

That the Policy Framework in Part B2 of the Constitution be amended by:-

- (a) **Inclusion of the budgetary plans listed in paragraph 1.1.3.2 under the Budget definition in paragraph 2.1, in order that all elements relating to the budget are listed in one place;**
- (b) **Deletion of “Housing Investment Strategy” in paragraph 1.1.3.6, given that authorities are no longer required to produce Housing Investment Strategies;**
- (c) **Amendment of “Sustainability Policy Suite” in paragraph 1.1.3.7 to “Climate Change Strategy” to reflect the correct title for the Strategy;**
- (d) **Amendment of the headings of “Statutory” in paragraph 1.1.2 to “Required and “Other” in paragraph 1.1.3 to “Recommended/Discretionary” to reflect that the Government specifies certain plans and strategies which authorities are required to include in their Policy Frameworks, others which are recommended for inclusion and that the Council may also add plans at its discretion. (The deletion of “statutory” will also avoid confusion with other “statutory” plans which the Council is required to produce but which are not required by the Government to be included in the Policy Framework).**

(Note: a revised version of the Policy Framework is attached at Appendix A at page 81.)

AGREED:-

1. that a report be brought back to the Constitution Advisory Group in approximately 6 months (18 October 2010 meeting) proposing which specific policies and strategies should be included in the Policy Framework and additionally listing those which need not be included, with a detailed rationale to support the proposals;
2. that policies and strategies be brought before Members for consideration at a timely point such that changes could be made if Members required any;
3. that the Assistant Director Communications develop proposals for a stand-alone Consultation Strategy, possibly advised by an Overview and Scrutiny Task Group;
4. that a specific section be included in the reports template headed “Consultation” where consultation with external organisations should be reported;
5. that an item be placed on the agenda for the next meeting to consider the development of plans, strategies and budgets in the Budget and Policy Framework and that the Chairmen of the overview and scrutiny committees be invited to attend to participate in the discussion.

LEADER'S ANNOUNCEMENTS AT COUNCIL

The Advisory Group recalled that at its last meeting, the Monitoring Officer had been asked to make the amendments to the Constitution to reflect the new overview and scrutiny structure in consultation with the Group.

The report set out the consequential amendments in relation to:-

Overview and Scrutiny Committees

- Part A1 – paragraph 3
- Part D1 Overview and Scrutiny Arrangements and Terms of Reference

The report also set out previously agreed amendments in relation to:-

Officer Employment

- Part E2 – paragraph 8.1.1 (Terms of Reference of Appointments Sub-Committee)
- Part F4 – paragraph 5.1.4 (Protocol on Member/Officer Relations)
- Part H3 – paragraph 3.2.1.3 (Scheme of Delegation...to Directors and other Officers)
- Part H4 – Officer Employment Procedure Rules

An additional proposal was made to provide for the introduction of Leader's Announcements at Council meetings.

It was also proposed that the amendments to the Constitution arising from the Senior Management Review would be the subject of consultation with Members by e-mail prior to the Monitoring Officer effecting the changes through exercising her delegated power from the Council.

AGREED TO RECOMMEND TO COUNCIL:-

To approve the variation to Part B5 of the Council Procedure Rules to provide for Leader's Announcements and Communications to be an item at meetings of Council.

AGREED:-

1. that the revisions made to the relevant parts of the Constitution in respect of the amended overview and scrutiny structure and changed procedure for officer appointments at Assistant Director level, as set out in the attachments to the submitted report, be endorsed;
2. to note that the amendments to the Constitution consequential to the Senior Management Review would be the subject of consultation with Advisory Group members by e-mail prior to the Monitoring Officer effecting the changes through exercising the power delegated to her by Council.

The papers for this meeting can be found at:-

<http://mod-gov:9071/ieListDocuments.aspx?CId=651&MId=3295&Ver=4>