

Lewes District Council



Council Agenda

Wednesday, 09 May 2012

Southover House, Lewes

Robert Cottrill
Chief Executive

Lewes District Council



Council Meeting

Councillors are kindly requested to switch off their mobile 'phones and other mobile devices prior to the commencement of the meeting.

Note: At the commencement of the meeting the Chair will ask for a period of silence to enable councillors to focus their thoughts on the meeting or to pray silently.

To all Members of the Council

A meeting of the **Council** will be held in the **Venue deleted 17** on **Wednesday, 09 May 2012** at **14:30** which you are requested to attend. Please note the start time and that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired.

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Agenda

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**Local Standards Framework and Code of Conduct for Councillors -
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**Updates to Constitution: Key Decisions, Chair of the Council and
Financial Procedure Rules - Report**

Agenda



Robert Cottrill
Chief Executive

For further information about items appearing on this Agenda, please contact Catherine Knight at Southover House, Southover Road, Lewes, East Sussex BN7 1AB. Telephone (01273) 471600.



Annual Meeting of the Council

Minutes of the Annual Meeting of the Council held in The Chamber, Pelham House, St Andrew's Lane, Lewes on Wednesday, 9 May 2012 at 2.30pm

Present:

Councillor I A Nicholson (Chair)

Councillors S Adeniji, R E Allen, G R Amy, R Blackman, C A Bowers, C J Butler, J L Carr, M P Chartier, M A Cutress, S B Davy, A Dean, D R Edmunds, I Eiloart, P L Franklin, P Gander; P F Gardiner, S J Gauntlett, D M Gray, B W Groves, J V Harris, J M Harrison-Hicks, P A Howson, A T Jones, C S Lambert, J N MacCleary, R Main, R K Maskell, E C Merry, C R O'Keeffe, S J Osborne, J V S Page, R Robertson, E E J Russell, S Saunders, H J F Sheppard, A X Smith, J Stockdale, C Sugarman, B M Warren and I J White.

Minutes

Action

1 Election of the Chair of the Council

The Chair of the Council invited the Corporate Head of Legal and Democratic Services to inform the Council of the nomination which had been received for the office of Chair of the Council.

The Corporate Head of Legal and Democratic Services reported that Councillor Tony Nicholson had been nominated by Councillor Maskell.

Councillor Maskell moved, and Councillor Sheppard seconded, the motion:

“That Councillor Tony Nicholson be elected Chair of the District Council of Lewes until the next Annual Meeting of the Council and his successor is entitled to act as Chair.”

The motion was put to the meeting and it was

Resolved:

- 1.1** That Councillor Tony Nicholson be elected Chair of the District Council of Lewes until the next Annual Meeting of the Council and his successor is entitled to act as Chair.

CMT

The Chair of the Council (Councillor Nicholson) then made and subscribed the Declaration required by law.

Councillor Nicholson in the Chair

Councillor Gardiner moved a vote of thanks for Councillor Russell's work on behalf of the Council during her year of office. Councillor Russell then gave a brief speech in response during which she thanked the officers, especially the Civic Officer, for the level of support that she had received during her year of office.

The motion was put to the meeting, Declared Carried, and it was

Resolved:

- 1.2** Accordingly.

2 Appointment of the Vice-Chair of the Council

The new Chair of the Council (Councillor Nicholson) invited the Corporate Head of Legal and Democratic Services to inform the Council of the nominations which had been received for the office of Vice-Chair of the Council.

The Corporate Head of Legal and Democratic Services reported that Councillors Ruth O'Keeffe and John Stockdale had been nominated by Councillors Robertson and MacCleary respectively.

Councillor Robertson moved, and Councillor Page seconded, the motion:

"That Councillor Ruth O'Keeffe be appointed Vice-Chair of the District Council of Lewes until immediately after the election of a Chair at the next Annual Meeting of the Council."

Councillor MacCleary moved, and Councillor Bowers seconded, the motion:

"That Councillor John Stockdale be appointed Vice-Chair of the District Council of Lewes until immediately after the election of a Chair at the next Annual Meeting of the Council."

The motions were then put to the meeting and it was

Resolved:

- 2.1** That Councillor Ruth O’Keeffe be appointed Vice-Chair of the District Council of Lewes until immediately after the election of a Chair at the next Annual Meeting of the Council.

CMT

The Vice-Chair of the Council (Councillor O’Keeffe) then made and subscribed the Declaration required by law.

3 Minutes

The Minutes of the Meeting of the Council held on 20 February 2012 were approved as a correct record and signed by the Chair.

4 To Receive any Announcements From the Chair of the Council, Leader of the Council, Members of the Cabinet or the Chief Executive

(i) Urgent Items

The Chair advised that he had agreed, in accordance with Section 100B(4)(b) of the Local Government Act 1972, that:

(i) Report No 78/12 of the Leader of the Council entitled “Appointments 2012/13”;

(ii) Report No 79/12 of the Leader of the Council entitled “Appointments of Representatives to Serve on Outside and Joint Bodies 2012/13”; and

(iii) Report No 80/12 of the Corporate Head – Legal and Democratic Services entitled “Local Standards Framework and Code of Conduct for Councillors”,

which had been circulated to all members of the Council on 3 May 2012 under cover of Council Document B, be considered as matters of urgency at the meeting in order that decisions thereon could be taken based on the most up to date information which was available.

(ii) Chair of the Council's Engagements

The Council received the list of the Chair of the Council's engagements carried out since the Meeting of the Council held on 20 February 2012.

(iii) Councillor Chartier

The Chair, on behalf of the Council, congratulated Councillor Chartier on being the longest serving Councillor on the Council, having been elected thereto 25 years ago on 7 May 1987.

(iv) Long Service Award

The Chair, on behalf of the Council, made a Long Service Award presentation to Trevor Henshaw, Caretaker, De Montfort Estate, Lewes, who had begun working for the Council in 1987 as an Assistant Caretaker, in recognition of him having completed 25 years service.

5 Recommendations from Cabinet**Unreserved Item**

The Chair of the Council moved, and Councillor Robertson seconded, the motion that the recommendations of the Cabinet held on 14 March 2012 contained in Minute 145 entitled "Agile Working Project Initiation Document", be received and adopted.

The motion was put to the meeting, Declared Carried, and it was

Resolved:

5.1 Accordingly.

DF

6 Appointments

The Leader of the Council reported that he had appointed the following Councillors to be members of the Cabinet with the following portfolios:

CMT

Individual Areas of Responsibility**Councillors**

Strategic Overview, Customer Advocacy,
Regeneration and Equalities
Planning
Housing
District Services
Finance and Cost Control

J V S Page (Leader of the Council)
(Chair)
A T Jones
R K Maskell
H J F Sheppard
A X Smith

Business, Economic Development and Tourism	R Blackman
Community Engagement and Health & Environment	R Robertson

**Up to 3 members for Special Projects
(non-portfolio holders)**

The Leader of the Council then moved, and Councillor Jones seconded, the motion that the recommendations contained in Report Nos 78/12 and 79/12 on pages 1 to 6 and 9 to 11 of Council Document B, be approved subject to:

- (a) the substitution of Councillors J M Harrison-Hicks, A X Smith and B M Warren in place of Councillors P L Franklin, R Robertson and I J White on the Devolution Committee;
- (b) the substitution of Councillor J V Harris in place of Councillor I J White on the Planning Applications Committee;
- (c) the substitution of Councillor S B Davy in place of Councillor A X Smith on the Housing Working Party;
- (d) the addition of Councillor J V Harris on the Constitution Working Party;
- (e) the deletion of the Travellers Working Group; and
- (f) the substitution of Councillor S B Davy in place of Councillor B W Groves as one of the Council's representative on the East Sussex Gypsy and Travellers Forum.

The motion was put to the meeting, Declared Carried, and it was

Resolved:

- 6.2** That it be noted that the following Councillors had been appointed as members of the Cabinet with the following portfolios:

CMT

Individual Areas of Responsibility	Councillors
Strategic Overview, Customer Advocacy, Regeneration and Equalities Planning	J V S Page (Leader of the Council) (Chair)
Housing	A T Jones
District Services	R K Maskell
Finance and Cost Control	H J F Sheppard
Business, Economic Development and Tourism	A X Smith
Community Engagement and Health & Environment	R Blackman
	R Robertson

Up to 3 members for Special Projects (non-portfolio holders)

- | | | |
|------------|--|-----|
| 6.3 | That the membership of the Scrutiny Committee be increased from 9 to 11 members so as to assist the Committee to conduct its business more effectively; | CMT |
| 6.4 | That the Standards Committee and Audit Committee continue to operate as separate Committees with their current memberships for the time being but that, on commencement of the new Standards framework, the two Committees be merged into the Audit and Standards Committee with its new membership as set out in section 24 of Report No 78/12; | CMT |
| 6.5 | That the membership of Committees etc for the municipal year 2012/2013, based on the political structure and the political balance as set out in Appendix B to Report No 78/12 (subject to the adjustments set out in that Report and to those reported at the meeting by the Leader of the Council), be as follows: | CMT |

Proportionality is shown as Conservative Group – Liberal Democrat Group:

Audit Committee (up to 1 July 2012 or such later date as provided for by transitional regulations)	Membership 7 (4-3)
J M Harrison-Hicks	I Eiloart (Chair)
C Sugarman	M P Chartier
B M Warren	J Stockdale
I White	

Standards Committee
(up to 1 July 2012 or such later date
as provided for by transitional
regulations)

Membership 5 (3-2)

J V Harris
P A Howson
E E J RussellC S Lambert
M P Chartier*(plus 3 Independent Members and up
to 5 Town/Parish Council members)***Audit and Standards Committee**
(from 1 July 2012 or such later date
as provided for by transitional
regulations)

Membership 7 (4-3)

P L Franklin
J V Harris
E E J Russell
C SugarmanI Eiloart (Chair)
M P Chartier
C S Lambert*(plus up to 3 co-opted, non-voting
Town/Parish Council members –
participation restricted to Standards
matters)***Complaints Panel**This Panel comprises three councillors
who have not had any direct involvement
in the complaint.**Devolution Committee**

Membership 7 (4-3)

J M Harrison-Hicks
E C Merry
A X Smith
B M WarrenP F Gardiner
D Gray
C S Lambert**Employment Committee**

Membership 5 (3-2)

E E J Russell (Chair)
R Blackman
A X SmithC J Butler
S J Gauntlett

Licensing Committee

Membership 10 (6-4 becomes 5-4-1, see paragraph 13 of Report No 78/12)

P A Howson (Chair)
J M Harrison-Hicks
R Robertson
C Sugarman
B M Warren

G R Amy
C Butler
S J Gauntlett
J Stockdale
C R O'Keeffe

Planning Applications Committee

Membership 11 (6-5)

J M Harrison-Hicks (Chair)
S B Davy (Vice-Chair)
S Adeniji
B Groves
J V Harris
A T Jones

R E Allen
A Dean
I Eiloart
P F Gardiner
R Main

Scrutiny Committee

Membership 11 (6-5)

S Adeniji
D R Edmunds
J V Harris
E C Merry
I A Nicholson
E E J Russell

S J Osborne (Chair)
A Dean
P F Gardiner
S J Gauntlett
J Stockdale

6.6 That the following Sub-Committees be no longer appointed as their business will be considered at Cabinet in future: CMT

- Lewes House Site Sub-Committee; and
- Southover Grange Sub-Committee;

6.7 That the new Constitution Working Party be tasked with revising the Council's Constitution and reporting back to Cabinet initially; CMT

6.8 The following Working Groups be appointed or re-appointed in order to continue the business for which they were originally established: CMT

Housing Working Party

Membership 7 (4-3)

R K Maskell (Chair)
S B Davy
P Gander
E C Merry

M P Chartier
S J Osborne
S Saunders

Constitution Working Party Membership 4 (3-1)

I A Nicholson (Chair)
 J V Harris
 P A Howson

I Eiloart

- 6.9** That the nominations of the Majority Group for the appointment of Chairs (and of the Minority Group for the appointment of the Chairs of the Audit and Scrutiny Committees) be approved and that the remaining Chairs be appointed at the first meetings of the bodies concerned;
- 6.10** That the appointment of representatives to serve on outside and joint bodies be as follows:

CMT

CMT

Outside Body (Annual appointment unless term of office/expiry date stated)	Representative(s)
3VA Board (Voluntary Action Lewes)	C R O'Keeffe
Action in Rural Sussex	H J F Sheppard
Age UK East Sussex Governing Body	J V Harris E E J Russell (sub)
Asham Literary Endowment Trust (3 years expires 2014)	M P Chartier
Chailey Common Nature Reserve Management Committee (2 reps)	S B Davy H J F Sheppard
Citizens' Advice Bureaux, Lewes & Seaford	J V S Page
Community Safety Partnership (2 reps)	A X Smith (Chair) S J Osborne
Community Transport for the Lewes Area Limited Management Committee	R Robertson
Court of the University of Sussex	J V S Page Chief Executive
East Sussex Flood Risk Panel	A T Jones
East Sussex Gypsy and Travellers Forum (2 reps)	S B Davy I Eiloart
East Sussex Health and Well-Being Board	I A Nicholson
East Sussex Rural Partnership	I White

Outside Body (Annual appointment unless term of office/expiry date stated)	Representative(s)
English Heritage – Heritage Champion	R E Allen
Health Overview and Scrutiny Committee	E C Merry
Lewes Conservation Area Advisory Group	M P Chartier J Stockdale (sub)
Lewes Joint Parking Board (2 reps)	R Blackman I Eiloart
Lewes Town Partnership	J Stockdale
Local Government Association: General Assembly	J V S Page
Rural Commission (2 reps)	P Gander S Osborne
Coastal Issues Special Interest Group	R E Allen
District Councils' Network	C R O'Keeffe
Newhaven Strategic Network	R Robertson
Ouse Estuary Nature Reserve Liaison Group	R Robertson
Seaford Community Partnership	S Adeniji
Seaford Head Nature Reserve Management Committee (2 reps)	I A Nicholson P L Franklin
South Downs National Park Authority (4 years expires 2015)	A T Jones
South East Employers Local Democracy and Accountability Network (2 reps)	P L Franklin E E J Russell
South East Employers & South East Regional Council	E E J Russell R Blackman (sub)
South East England Council	E C Merry
Sussex Community Foundation Grants Committee (Lewes and District Flood and Disaster Relief Fund) (3 years expires 2014)	J V S Page
Sussex County Playing Fields Association	H J F Sheppard
Sussex Downs and Low Weald LEADER Local Action Group	H J F Sheppard
Sussex Police and Crime Panel	A X Smith
Tourism South East	R Robertson

Wave Trust Leisure Board (2 years expires 2013)	R Blackman
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Joint Body (Annual appointment unless otherwise stated)	Proportionality (where appropriate) Con-LibDem (see Report No 78/12)	Representative(s)
Housing Consultative Panel	4 (3 – 1)	P Gander E C Merry C Sugarman S Saunders (R K Maskell, Lead Councillor, Housing ex officio)
Landport Bottom Management Committee	4 (3 – 1 becomes 2-1-1, see paragraph 16 of Report No 78/12)	D R Edmunds P Gander M A Cutress C R O’Keeffe
Planning User Group	3 (2 – 1)	J M Harrison-Hicks A T Jones P F Gardiner

- 6.11** That no appointment be made to the Parking and Traffic Regulations Outside London Adjudication Joint Committee, as its work is not sufficiently relevant to the Council.

CMT

7 Recommendations of the Standards Committee

Local Standards Framework and Code of Conduct for Councillors

The Leader of the Council moved, and Councillor Jones seconded, the motion that the recommendations contained in Report No 80/12 relating to the Local Standards Framework and Code of Conduct for Councillors, be received and adopted.

The motion was put to the meeting, Declared Carried, and it was

Resolved:

- 7.1** Accordingly.

CHLDS

8 Substitute Members

The Leader of the Council moved, and Councillor Warren seconded, the motion that, in accordance with Council Procedure Rule 4, all members of the Council be appointed to the “approved list” of members appointed to act as substitute members.

The motion was put to the meeting, Declared Carried, and it was

Resolved:

8.1 Accordingly.

CMT

9 Notices of Motion

The Chair of the Council reported that a Notice of Motion had been submitted under Council Procedure Rule 13 by Councillor Osborne relating to the introduction of 20mph limits on residential roads in the towns and villages of the District.

In accordance with Council Procedure Rule 13, Councillor Osborne moved, and Councillor Smith seconded, the Notice of Motion as follows:

“Council notes:

The road accident rate in East Sussex is still far too high with the County falling short of the Government’s national road safety target of a 40% reduction from the average. In 2009 the number of people killed or seriously injured in the county was 373, including 32 children, with a further 1685 people sustaining slight injuries.

A survey of East Sussex residents in 2009, concluded that road safety was the most important issue for any new transport strategy to address.

The Community Safety Partnership, of which Lewes District Council is a key partner, has as one of its main priorities the reduction in the volume of traffic collisions as well as the reduction in killed and seriously injured on our roads.

In Lewes, the ‘Living Streets Lewes’ organisations have collected 1,500 signatures on a petition calling for 20mph limits for the whole of the town.

It is worth highlighting a couple of key statistics that support the need for more 20mph zones:

- Excessive speed is one of the biggest contributory factors in KSI crashes. More than half of road deaths and serious injuries occur on roads with 30 mph limits.(Transport Statistics

for Great Britain).

- Britain has the highest percentage of pedestrian road fatalities in Europe 22.5%. (EU European Road Safety Observatory)

The Department for Transport estimates that the average cost per seriously injured casualty on the roads is **£178,160** and that the average cost per fatality is **£1,585,510**.

Speed limits on Britain's urban roads are 60% higher than Europe. (30 mph compared to 18.6 mph) Britain has one of the lowest levels of children walking or cycling to school in Europe. British parents consistently cite traffic speed as the main reason why their children are not allowed to cycle or walk to school.

Already 7m residents who live in towns and villages are adopting or have adopted this policy including Portsmouth, Oxford, Lancashire, Brighton & Hove, Bath and North East Somerset.

Wiltshire County Council are piloting 20mph speed limits and reduction in the speed limits on the surrounding rural roads in six of its villages.

New guidelines from the Department for Transport have relaxed requirements for 20 mph limits in residential areas. It is no longer mandatory to impose physical measures such as bumps. This has significantly reduced the cost and complexity of introducing 20mph limits.

In Portsmouth the 20mph limit on all residential roads has reduced casualties by 22% drop in collisions and at a cost of only £333 per street. Oxford spent £300,000 (£2 per head). The "value" of fewer casualties from an area-wide 20mph limit has given a First Year Rate of Return of over 800%.

The introduction of 20mph speed limits is supported by NICE, the National Institute for Health and Clinical Excellence, who recommend 20 mph limits where children and young people are likely to be.

Council resolves that:

The residents of Lewes District have a right to the benefit from 20mph limits in residential areas. These include:

Fewer casualties - Lowering urban and residential speed limits to 20 mph has been found to decrease child pedestrian accidents by up to 70% (Transport Research Laboratory). In Portsmouth, drivers had 23% fewer and passengers 31% fewer after 2 years of wide area 20 mph limits. Elderly drivers had 50% fewer injuries and 40% fewer injured passengers.

Popularity - 71% of drivers support 20 mph speed limits on residential

streets. (British Social Attitudes Survey 2011)

Pollution, Climate Change and Air Quality - When 30 km/h (18.5 mph) zones were introduced in Germany, car drivers on average changed gear 12% less often, braked 14% less often and required 12% less fuel.

Health Improvements - Reduced local emissions, improved air quality and increased likelihood of a shift to active modes of transport like walking or cycling. Slowing speeds from 30mph to 20 mph has been shown to increase levels of cycling by 12%

Better Quality of Life and Reduced Inequalities - Slower speeds benefit large numbers of non-car users, reducing noise and allowing better urban design standards for quality places. Those currently suffering the greatest inequalities tend to live nearer to busy roads and therefore benefit more from 20mph limits. 20 mph reduces health inequalities by extending the life expectancy of disadvantaged people.

Less Congestion - At 20 mph more cars occupy the same road space due to shorter gaps between them relative to 30 mph, easing traffic 'flow'. Junctions are more efficient as drivers can merge into shorter gaps. Less risk encourages sustainable travel and public transport.

Easier parking – As people feel safer, more will walk or cycle in towns and villages and there will be fewer car trips, freeing up road space and parking for those that have to drive.

Cleaner air quality - especially benefits motorists. They breathe in-car air, which is three times more polluted than at the pavement. Standing traffic, which produces unnecessary fumes, reduces as traffic flow becomes smoother. Less fuel is burnt due to less acceleration and the transfer of some trips away from cars towards walking, cycling and public transport.

Motoring costs drop. As crashes fall in severity and frequency, so do legal and repair bills. This will be reflected in motor insurance premiums dropping in 20 mph limit postcodes.

Repair bills fall. Vehicles maintain value from fewer crashes, less brake and tyre wear.

Stress reduces as drivers have more time to see and react to hazards. Fewer road rage incidents occur due to more considerate driving styles, including less dangerous overtaking and it is easier to pull out. With casualties down by 22% some drivers will suffer less emotional trauma and anxiety from their part in liability for crashes. Noise also reduces.

Less parents' taxi duty. Road danger reduction brings safer independent child travel, improves their life skills, and frees up parents for more productive activities than driving.

Society benefits. Fewer road victims frees up facilities for other health needs. Fewer workdays are lost. Widow, disability benefit and care savings. Active travel cuts obesity and heart disease. Inequalities reduce as fewer children die. Quality of life rises. Fewer potholes.

Council calls for:

Lewes District Council requests that East Sussex County Council urgently assesses the feasibility of introducing 20mph limits on residential roads in the towns and villages of Lewes District. The Council understands that some roads are not appropriate for 20mph limits, in particular major trunk roads and arterial routes. However, the Council is convinced of the immediate need to introduce 20mph limits where feasible to yield the substantial benefits to local residents outlined above”.

The motion was put to the meeting, Declared Carried, and it was

Resolved:

9.1 Accordingly.

DPES

10 The Draft Council Plan 2012/13

The Leader of the Council moved, and Councillor Robertson seconded, the motion that the recommendation contained in Report No 81/12 relating to The Draft Council Plan 2012/13, be received and adopted.

Councillor Osborne moved, and Councillor MacCleary seconded, an amendment as follows:

“That Councillors be invited to send details of any further comments that they had in respect of The Draft Council Plan 2012/13 to the Chief Executive or the Corporate Head – Legal and Democratic Services in order that they can be taken into account by the Leader of the Council in the production of the final version of that Plan.”

The amendment was put to the meeting and Declared Carried.

The substantive motion was put to the meeting, Declared Carried, and it was

Resolved:

10.1 Accordingly.

CE/
CHLDS

11 Structure of Full Council Meetings at Lewes District Council

The Leader of the Council moved, and Councillor MacCleary seconded, the motion that the options set out in section 3 of Report No 82/12 relating to the Structure of Full Council Meetings at Lewes District Council, be trialled at future full Council meetings and that consideration be given to trialling a "Questions and Answers to the Leader of the Council" session at a future full Council meeting.

The motion was put to the meeting, Declared Carried, and it was

Resolved:

11.1 Accordingly.

CHLDS

12 Updates to Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules

The Leader of the Council moved, and Councillor Gander seconded, the motion that the recommendations contained in Report No 83/12 relating to Updates to the Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules, be received and adopted.

Councillor Eiloart moved, and Councillor Gardiner seconded, an amendment as follows:

"That recommendations 2 and 3 contained in Report No 83/12, be received and adopted, that recommendations 1 and 4 be not approved but, instead, be referred to the Constitution Working Party for its consideration, and that recommendation 5 be amended to read 'That the Head of Democratic Services be authorised to update the Constitution to reflect the changes agreed at the Annual Meeting of the Council on 9 May 2012.'"

The amendment was put to the meeting, Declared not Carried, and the vote thereon was recorded in accordance with Council Procedure Rule 17 as follows:

For the Amendment:

Councillors R E Allen, G R Amy, C A Bowers, C J Butler, J L Carr, M P Chartier, M A Cutress, A Dean, I Eiloart, P F Gardiner, S J Gauntlett, D M Gray, C S Lambert, J N MacCleary, R Main, S J Osborne, S Saunders and J Stockdale (18).

Against the Amendment:

Councillors S Adeniji, R Blackman, S B Davy, D R Edmunds, P L Franklin, P Gander; B W Groves, J V Harris, J M Harrison-Hicks, P A Howson, A T Jones, R K Maskell, E C Merry, I A Nicholson, J V S Page, R Robertson, E E J Russell, H J F Sheppard, A X Smith, C Sugarman,

B M Warren and I J White (22).

Abstained:

Councillor C R O’Keeffe (1).

Councillor Page, with the agreement of his seconder and with the consent of Council, moved an amendment as follows:

“That, in light of a request made by Councillor Chartier, the Constitution Working Party, as part of its review of the Council’s Constitution, be authorised to also review changes that are agreed at this meeting and that any subsequent recommended changes thereto, as identified by that Working Party, be referred to Cabinet for consideration.”

The amendment was put to the meeting and Declared Carried,

The substantive motion was put to the meeting, Declared Carried, and it was

Resolved:

12.1 Accordingly.

Subsequent to the Council’s agreement to recommendation 3, as set out in Report No 83/12, relating to the reinstatement of the role of Consort to the Chair of the Council, the Chair of the Council reported that he had appointed his wife Angela Nicholson to be his Consort during his year of Office.

Resolved:

12.2 That the Chair of the Council’s appointment of his wife Angela Nicholson to be his Consort during his year of Office, be noted.

CHLDS

CHLDS
(Civic
Officer)

The meeting ended at 3.42pm

I A Nicholson
Chair



CHAIR
COUNCILLOR EILEEN RUSSELL

Lewes District Council

Lewes House
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East Sussex BN7 2LX

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CHAIR'S ENGAGEMENTS 21 February 2012 – 9 May 2012

Thursday 23 February	12.40 pm - 2.00 pm	Chair: To attend the Rotary Club of Lewes luncheon to mark Rotary International Day. The Rotary Club of Lewes was established in 1923 and is the oldest of the Rotary clubs in Lewes. Raises money throughout the year for charities.
Friday 24 February	6.00 pm - 7.30 pm	Chair: To attend Chillax youth club run by the Peacehaven Evangelical Free Church in Peacehaven.
Saturday 25 February	7.30 pm - 9.30 pm	Chair: To attend the Mayor of Newhaven Councillor Saunders' charity event to raise funds for three charities; Coastwatch, Vista Newhaven Blind & Partially Sighted Group and Newhaven Youth Football. The event takes place at Seaford Constitutional Club.
Monday 19 March	7.30 pm - 8.30 pm	Chair: To present the Access for All awards at the Hillcrest Centre in Newhaven.
Wednesday 21 March	7.30 pm - 9.00 pm	Chair: To attend the Seaford Young Mayor's Awards. Young Mayors were introduced in 2002 to encourage young people to become familiar with the voting process and local democracy. The results of the election for the new Deputy Young Mayor of Seaford for 2012/2013 will be announced during the evening.
Monday 26 March	2.00 pm - 3.30 pm	Chair: To attend Chailey Heritage School for a tour around the facilities to see the work that takes place there. Chailey Heritage School is a charitable

special school for children and young adults aged between 3 and 19 with complex physical disabilities.

Wednesday 28 March	7.30 pm - 9.00 pm	Chair: To attend East Sussex Academy of Music Easter Concert at St John sub Castro in Lewes.
Thursday 29 March	7.00 pm - 10.00 pm	Chair: To host drinks reception and attend the Lewes Operatic Society's performance of the Pirates of Penzance.
Friday 30 March	9.30 am – 10.30 am	Chair: To judge Celebrating in 2012 banner competition. Images made by local school children.
Friday 20 April	6.00 pm - 8.00 pm	Chair: To host event at the Linklater Pavilion in Lewes to thank voluntary groups for their services to the community
Sunday 22 April	10.45 am - 12.00 pm	Chair: To attend Lewes District Scout Council's Annual St George Parade and the renewal of Scouts Own. Followed by reception at Lewes Town Hall attended by the Mayor of Lewes Councillor John Stockdale and local MP Norman Baker.
Monday 23 April	7.30 pm - 9.30 pm	Chair: To attend the Royal Society of St George Service at St Andrews Church, Alfriston.
Monday 7 May	10.00 am - 11.30 am	Chair: To attend the Garland Day in Lewes for the Knots of May, an old custom of gathering flowers on May Day. Children will make their own garlands and Councillor Russell will be one of the judges and award prizes on the day.

Agenda Item No:

Report No:

Report Title: Appointments of Representatives to Serve on Outside and Joint Bodies 2012/13

Report To: Council

Date: 9 May 2012

Wards Affected: All

Report By: Leader of the Council

- 1 The Council appoints representatives to serve on a number of outside and joint bodies and, in accordance with the Council Procedure Rules, the Head of Democratic Services asked all councillors to indicate on which organisations they would be interested in serving.
- 2 The Leader of the Council (following consultation with the Leader of the Minority Group) **Recommends** that the appointment of representatives to serve on outside and joint bodies be as set out in the table below:

Outside Body (Annual appointment unless term of office/expiry date stated)	Representative(s)
3VA Board (Voluntary Action Lewes)	C R O'Keeffe
Action in Rural Sussex	H J F Sheppard
Age UK East Sussex Governing Body	J V Harris E E J Russell (sub)
Asham Literary Endowment Trust (3 years expires 2014)	M P Chartier
Chailey Common Nature Reserve Management Committee (2 reps)	S B Davy H J F Sheppard
Citizens' Advice Bureaux, Lewes & Seaford	J V S Page
Community Safety Partnership (2 reps)	A X Smith (Chair) S J Osborne
Community Transport for the Lewes Area Limited Management Committee	R Robertson
Court of the University of Sussex	J V S Page Chief Executive
East Sussex Flood Risk Panel	A T Jones
East Sussex Gypsy and Travellers Forum (2 reps)	B Groves I Eiloart
East Sussex Health and Well-Being Board	I A Nicholson
East Sussex Rural Partnership	I White

Outside Body (Annual appointment unless term of office/expiry date stated)	Representative(s)
English Heritage – Heritage Champion	R E Allen
Health Overview and Scrutiny Committee	E C Merry
Lewes Conservation Area Advisory Group	M P Chartier J Stockdale (sub)
Lewes Joint Parking Board (2 reps)	R Blackman I Eiloart
Lewes Town Partnership	J Stockdale
Local Government Association: General Assembly	J V S Page
Rural Commission (2 reps)	P Gander S Osborne
Coastal Issues Special Interest Group	R E Allen
District Councils' Network	C R O'Keeffe
Newhaven Strategic Network	R Robertson
Ouse Estuary Nature Reserve Liaison Group	R Robertson
Seaford Community Partnership	S Adeniji
Seaford Head Nature Reserve Management Committee (2 reps)	I A Nicholson P L Franklin
South Downs National Park Authority (4 years expires 2015)	A T Jones
South East Employers Local Democracy and Accountability Network (2 reps)	P L Franklin E E J Russell
South East Employers & South East Regional Council	E E J Russell R Blackman (sub)
South East England Council	E C Merry
Sussex Community Foundation Grants Committee (Lewes and District Flood and Disaster Relief Fund) (3 years expires 2014)	J V S Page
Sussex County Playing Fields Association	H J F Sheppard
Sussex Downs and Low Weald LEADER Local Action Group	H J F Sheppard
Sussex Police and Crime Panel	A X Smith
Tourism South East	R Robertson
Wave Trust Leisure Board (2 years expires 2013)	R Blackman

Joint Body (Annual appointment unless otherwise stated)	Proportionality (where appropriate) Con-LibDem (see Report No 78/12)	Representative(s)
Housing Consultative Panel	4 (3 – 1)	P Gander E C Merry C Sugarman S Saunders (R K Maskell, Lead Councillor, Housing ex officio)
Landport Bottom Management Committee	4 (3 – 1 becomes 2-1-1, see paragraph 16 of Report No 78/12)	D R Edmunds P Gander M A Cutress C R O’Keeffe
Planning User Group	3 (2 – 1)	J M Harrison-Hicks A T Jones P F Gardiner

Two places are made available to the Council each year on Chailey Common Nature Reserve Management Committee, one of which is usually offered to the Chailey Common Freeholders. As the offer of a place has not been taken up in the past by the Freeholders, the Leader of the Council has appointed two representatives to serve on this outside body for 2012/13.

Following consultation with the current representative, the Leader of the Council **Recommends** that the PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee no longer be appointed to as its work is not sufficiently relevant to the Council.

Councillor J V S Page
Leader of the Council
3 May 2012

Extract from the Local Government and Housing Act 1989, Section 15

The principles mentioned in subsection (4) above, in relation to the seats on any body which fall to be filled by appointments made by any relevant authority or committee of a relevant authority, are –

- (a) that not all the seats on the body are allocated to the same political group;
- (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
- (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of the seats on that body as is borne by the number of members of that group to the membership of the authority.

Political Proportionality

Political Composition of the Council 9 May 2012

	Number	Proportion
Conservative Group	22	53.66%
Liberal Democrat Group	18	43.90%
Councillor O'Keeffe *	1	2.44%
	<u>41</u>	<u>100.00%</u>

Part 1 - Committees	Membership	Con	LD	CIr O
Planning Applications Committee	11	6 (5.9)	5 (4.8)	0
Licensing Committee	10	6 (5.4)	4 (4.4)	0
Scrutiny Committee	11	6 (5.9)	5 (4.8)	0
Audit and Standards Committee	7	4 (3.8)	3 (3.1)	0
Devolution Committee	7	4 (3.8)	3 (3.1)	0
Employment Committee	5	3 (2.7)	2 (2.2)	0
Total number of seats	51			
Result of applying proportionality per Committee [principle (c)]		29	22	0
Seats allocated on whole Council proportionality [principle (d)]	#	27 (27.366)	23 (22.39)	1 (1.244)
Adjustment to be made to Committee memberships	*	-2	+1	+1
Part 2 - Other Bodies	Membership	Con	LD	CIr O
Housing Consultative Panel	4	3 (2.1)	1 (1.8)	0
Landport Bottom Management Committee	4	3 (2.1)	1 (1.8)	0
Planning User Group	3	2 (1.6)	1(1.3)	0
Housing Working Party	7	4 (3.8)	3 (3.1)	0
Travellers Working Group	6	4 (3.2)	2 (2.6)	0
Constitution Working Party	3	2 (1.6)	1 (1.3)	0
Total number of seats	27			
Result of applying proportionality per Committee [principle (c)]		18	9	0
Seats allocated on whole Council proportionality [principle (d)]	^	14 (14.488)	12 (11.854)	1 (0.659)
Potential adjustment to be made to Other Bodies memberships	¬	- 4	+3	+1

Complaints Panel meets as and when required

Liberal Democrat Group total rounded up (as their decimal largest) to complete the total 51 committee places

* Councillor O'Keeffe, as a single Independent councillor, does not comprise a political group so is not entitled to seats according to principle (c) but is entitled to receive 1 seat from the Conservative Group under principle (d)

^ Liberal Democrat Group total rounded up (as their decimal largest) to complete the total 27 other bodies places

¬ On other bodies, under principle (d) the Liberal Democrat Group would receive 3 seats from the Conservative Group and Councillor O'Keeffe 1 seat from the Conservative Group but principle (b) – that the group with the majority of councillors is entitled to a majority on each body – takes precedence and therefore, on this occasion, no redistribution can take place and the proportionality calculated by applying principle (c) stands.

Agenda Item No:

Report No:

Report Title: Appointments 2012/13

Report To: Council

Date: 9 May 2012

Ward(s) Affected: All

Report By: Leader of the Council

- 1 The political composition of the Council is 22 Conservative, 18 Liberal Democrat and Councillor C R O’Keeffe who is currently not a member of any group.
- 2 The Chief Executive has received written notice from Councillor Barry Groves and the Leader of the Conservative Group stating that Councillor Groves is to be treated as a member of the Conservative Group.
- 3 Councillor Stephen Gauntlett remains suspended from the Liberal Democrat Group. By law for the purposes of political proportionality, Councillor Gauntlett is still treated as an elected Councillor for the Liberal Democrats and so is properly included in the political proportionality calculations. However, whilst he remains suspended, Councillor Gauntlett cannot take up his allocated seats on those committees or outside bodies.
- 4 The Leader of the Council **Recommends** that the allocation of places between the political groups as shown in Appendix B, subject to the amendments detailed below, be noted and agreed.
- 5 Under Section 15 of the Local Government & Housing Act 1989, the Council has a duty to review the political balance at the Annual Meeting of the Council.

Review Procedure

- 6 The principles for carrying out a review of Committee Proportionality are set out in the Local Government & Housing Act 1989, Section 15(5) – extract of the Act set out at Appendix A to this Report.
- 7 Each Group’s fraction of membership converts to a percentage as follows:

Conservative Group	$\frac{22}{41}$	=	53.66%
Liberal Democrat Group	$\frac{18}{41}$	=	43.90%
- 8 In turn, these percentages convert to representation on the various sizes of the Council’s Committees as shown in Appendix B.

9 A political group can only be treated as being constituted when it comprises two or more members of the Council.

10 The table in Appendix B calculating the places on individual committees (Part 1 of Appendix B) shows the following totals:

Conservative Group	-	29 places
Liberal Democrat Group	-	22 places

11 However, when the total number of committee places of 51 is subjected to the political group percentages (the duty set out at principle (c) in Appendix A and which takes precedence over principle (d) in Appendix A), this gives a total allocation of:

Conservative Group	-	27 places (27.366)
Liberal Democrat Group	-	23 places (22.39)

leaving 1 place remaining for the non-group member Councillor O’Keeffe.

12 It will be seen from paragraphs 10 and 11 above and the Appendix that the Conservative Group has two more places than it is entitled to. It is therefore necessary for the table in Part 1 of Appendix B to be adjusted by the allocation of one of the Conservative Group’s places to Councillor O’Keeffe.

13 The Conservative Group has therefore offered one of its places on the Licensing Committee to Councillor O’Keeffe and this offer has been accepted.

14 Under principle (d) the Liberal Democrat Group would receive one seat from the Conservative Group but principle (b) – that the group with the majority of councillors is allocated a majority on each body – takes precedence and therefore, on this occasion, no redistribution can take place without increasing committee membership and the proportionality calculated by applying principle (c) stands.

15 On the “Other Bodies” Part 2 of the Appendix, under principle (d) the Liberal Democrat Group would receive 3 seats from the Conservative Group and Councillor O’Keeffe 1 seat from the Conservative Group but principle (b) – that the group with the majority of councillors is allocated a majority on each body – takes precedence and therefore, on this occasion, no redistribution can take place and the proportionality calculated by applying principle (c) stands.

16 The Conservative Group has offered one of its places on the Landport Bottom Management Committee (see Report No 79/12) to Councillor O’Keeffe and this offer has been accepted.

17 As a matter of law, the political proportionality rules only apply to “ordinary committees and sub-committees” of the Council. These rules do not apply to the Cabinet. The Licensing Act 2003 and the associated Guidance and Regulations are silent as to whether the Licensing Committee needs to be politically balanced and the Licensing Committee has therefore been included in the calculation in the Appendix.

18 As a matter of law, the power to appoint the membership of Cabinet rests with the Leader of the Council. In light of this, the Leader of the Council **Appoints** the membership of the Cabinet, the individual areas of responsibility to be allocated to the Cabinet and the allocation of those areas of responsibility to the members of the Cabinet as follows:

Cabinet Membership Up to 10

Individual Areas of Responsibility	Councillors
Strategic Overview, Customer Advocacy, Regeneration and Equalities	J V S Page (Leader of the Council) (Chair)
Planning	A T Jones
Housing	R K Maskell
District Services	H J F Sheppard
Finance and Cost Control	A X Smith
Business, Economic Development and Tourism	R Blackman
Community Engagement and Health & Environment	R Robertson

Up to 3 members for Special Projects (non-portfolio holders)

19 Following a request from the Chair of the Scrutiny Committee, the Leader of the Council **Recommends** that the current membership of the Scrutiny Committee be increased from 9 to 11 members. This will assist the Committee to conduct its business more effectively.

20 The abolition of Standards for England and the Audit Commission (which in the past required the Council to have a standalone Audit Committee), along with the fact that the full Standards Committee has had to meet only infrequently and the anticipation of a less onerous Standards regime post July 2012, suggests that committee arrangements in these areas might be streamlined.

21 Subject to Council approval of the recommendations from the Standards Committee (see Agenda Item 14, Report 80/12 of the Corporate Head – Legal and Democratic Services for more information), it is intended to continue with the current Code of Conduct and Standards arrangements until 1 July 2012 or such later date as the new Standards framework takes effect (transitional regulations still awaited).

22 So, for the time being, it is intended to continue with the existing work and memberships of the Audit Committee and the Standards Committee. On commencement of the new regime, the intention is to merge the two Committees with a new membership of 7 councillors.

23 Therefore, the Leader of the Council **Recommends** that the existing Standards Committee and Audit Committee continue to operate as separate Committees with their current memberships for the time being. On commencement of the new Standards framework, the two Committees shall merge into the Audit and

Standards Committee with its new membership as set out in section 24 of this Report.

- 24** The Leader of the Council and the Leader of the Minority Group **Recommend** that their own Groups' membership of Committees etc for the municipal year 2012/2013, based on the political structure and the political balance in the Appendix and taking account of the adjustments referred to above, be as follows:

Proportionality is shown as Conservative Group – Liberal Democrat Group:

Audit Committee Membership 7 (4-3)
(up to 1 July 2012 or such later date as provided for by transitional regulations)

J M Harrison-Hicks	I Eiloart (Chair)
C Sugarman	M P Chartier
B M Warren	J Stockdale
I White	

Standards Committee Membership 5 (3-2)
(up to 1 July 2012 or such later date as provided for by transitional regulations)

J V Harris	C S Lambert
P A Howson	M P Chartier
E E J Russell	

(plus 3 Independent Members and up to 5 Town/Parish Council members)

Audit and Standards Committee Membership 7 (4-3)
(from 1 July 2012 or such later date as provided for by transitional regulations)

P L Franklin	I Eiloart (Chair)
J V Harris	M P Chartier
E E J Russell	C S Lambert
C Sugarman	

(plus up to 3 co-opted, non-voting Town/Parish Council members – participation restricted to Standards matters)

Complaints Panel

This Panel comprises three councillors who have not had any direct involvement in the complaint.

Devolution Committee

Membership 7 (4-3)

P L Franklin
E C Merry
R Robertson
I White

P F Gardiner
D Gray
C S Lambert

Employment Committee

Membership 5 (3-2)

E E J Russell (Chair)
R Blackman
A X Smith

C J Butler
S J Gauntlett

Licensing Committee

Membership 10 (6-4 becomes 5-4-1, see paragraph 13 above)

P A Howson (Chair)
J M Harrison-Hicks
R Robertson
C Sugarman
B M Warren

G R Amy
C Butler
S J Gauntlett
J Stockdale
C R O'Keeffe

Planning Applications Committee

Membership 11 (6-5)

J M Harrison-Hicks (Chair)
S B Davy (Vice-Chair)
S Adeniji
B Groves
A T Jones
I White

R E Allen
A Dean
I Eiloart
P F Gardiner
R Main

Scrutiny Committee

Membership 11 (6-5)

S Adeniji
D R Edmunds
J V Harris
E C Merry
I A Nicholson
E E J Russell

S J Osborne (Chair)
A Dean
P F Gardiner
S J Gauntlett
J Stockdale

Appendix 1

Audit and Standards Committee Terms of Reference

1 Purpose

- a) Provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.
- b) Promote and maintain high standards of conduct by Members and Co-opted Members of the Council.

2 Membership

- 2.1 The Standards Committee shall consist of seven members of the District Council. The quorum shall be four.

Up to 3 co-opted non-voting town/parish members may participate in Standards, but not Audit, matters.

- 2.2 The terms served by town/parish members shall run concurrently with the term of office of the District Councillors.
- 2.3 The Chair shall be elected from a non-Cabinet member of the Minority Group.
- 2.4 Duty to appoint one or more independent persons for the following purposes:-
- (a) to give the Council views on any allegations it has decided to investigate, before a decision is reached;
 - (b) at the discretion of the Council, to give the Council views on any other allegations; and
 - (c) at the discretion of a Member, Co-opted Member or Member of Town/Parish Council, to give the Member views on any allegations relating to the behaviour of that Member.

3 Powers and Duties

- 3.1 To review progress with the External Auditor on audit systems and final audits and respond to any matters raised by the External Auditor. A meeting between the External Auditor and members of the Audit Committee can be held at the request of either party;
- 3.2 To review the External Auditor's Management Letter and the conclusions of Value for Money Studies and make recommendations to the Cabinet

- 3.3 To keep under review the probity and the effectiveness of internal controls, both financial and operational, including the Council's arrangements for identifying and managing risk;
- 3.4 To keep the effectiveness of management arrangements under review to ensure legal and regulatory compliance;
- 3.5 To review the effectiveness of corporate governance arrangements;
- 3.6 To agree a three year strategic audit programme and annual programme and keep them under review:
 - to ensure co-ordination between internal and external auditors, and
 - to make recommendations to the Cabinet to ensure that the internal audit function is adequately resourced and is able to discharge its functions effectively;
- 3.7 To consider the significant findings of internal audit investigations, the responses of Chief Officers to those findings and any matters the Head of Audit and Performance may wish to discuss (in the absence of Chief Officers if necessary);
- 3.8 To consider the Head of Audit and Performance's Annual Report and to report annually to the Cabinet on the adequacy and effectiveness of internal controls within the Council;
- 3.9 To commission work from internal and external audit;
- 3.10 To maintain an overview of the Council's Constitution in terms of contract procedure rules, financial regulations and codes of conduct and behaviour;
- 3.11 To oversee production of the Annual Governance Statement and recommend its adoption;
- 3.12 To monitor Council policies on Whistleblowing and Anti-Fraud and Corruption;
- 3.13 To review the annual statement of accounts, and consider whether the appropriate accounting policies have been followed and whether there are any concerns that need to be brought to the attention of the Council; and to approve the Council's annual accounting statements.
- 3.14 To review Treasury Management Policies and the Treasury Strategy and to recommend any changes to those documents to Cabinet for consideration.
- 3.15 *To exercise the duty to adopt a Code of Conduct dealing with the conduct expected of Members and Co-opted Members of the council when acting in that capacity [s27(2)] and (ii) including provision in

respect of the registration and disclosure of (a) pecuniary interests and (b) interests other than pecuniary interests. [s28(2)]

- 3.16 *To exercise the power to revise the existing Code of Conduct or adopt a replacement Code of Conduct. [s28(5)]
- 3.17 To exercise the duty to put in place arrangements to investigate and make decisions on written allegations that a Member or Co-opted Member of the Council has failed to comply with the Code of Conduct. [s28(6)]
- 3.18 To exercise the power to have regard to a Member's or Co-opted Member's failure in complying with the Code of Conduct, in deciding whether to take action in relation to that Member and what action to take.
- 3.19 To exercise the power to grant a Member or Co-opted member a dispensation from the restriction on speaking and/or voting when any matter in which that person has a disclosable pecuniary interest is to be considered at a meeting of the Council or any of its committees, sub-committees, joint committees or joint sub-committees.

NB (a) items above marked * can only be discharged by the full Council and cannot be delegated under s 101 Local Government Act 1972. [s28(13) & (14)].

NB (b) Sched 4 para 4 of the Localism Act amends section 3A of the Local Government and Housing Act 1989 (grant and supervision of exemptions from political restriction: England) by removing the powers of the standards committee and transferring them to the head of paid service.

NB (c) The power of the Secretary of State to make regulations to introduce a Code of Conduct for Local Government Employees in England will be repealed by Sched 4 para 49.

4 Summary of Monitoring Officer's functions

- 4.1 Duty to establish & maintain a register of interests of Members and Co-opted Members of the Council. [s29(1)]
- 4.2 Power to remove entries from the register of interests once the person concerned no longer has the interest or is no longer a Member or Co-opted member of the Council. [s29(3)]
- 4.3 Duty to make register of interests available for public inspection and publish on Council's website. [s29(5)]
- 4.4 Similar duties and power in relation to register of interests for Town/Parish Councils as in 1, 2 & 3 above, including placing the

Town/Parish register on that Council's website if it has one. [s29(4), (6) & (7)]

- 4.5 Duty to register pecuniary interests which are notified by a Member or Co-opted Member to the Monitoring Officer pursuant to section 31 of the Localism Act after arising and being declared at a meeting. [s31(9)]
- 4.6 Power to exclude the details of sensitive interests from the register of interests. [s32(1)]

NB – the following need checking:-

There are as yet no Regulations under the new standards provisions in the Localism Act – when these are made they may well introduce additional functions for the Committee & Monitoring Officer.

Agenda Item No: **Report No:**

Report Title: **Local Standards Framework and Code of Conduct for Councillors**

Report To: **Council** **Date:** **9 May 2012**

Cabinet Member: **N/A**

Ward(s) Affected: **All**

Report By: **Corporate Head – Legal and Democratic Services**

Contact Officer(s)- **Catherine Knight – Corporate Head – Legal and Democratic Services**

E-mail(s): **Catherine.knight@lewes.gov.uk**

Tel No(s): **01273 484118**

Purpose of Report:

To present recommendations from the Standards Committee meeting held on 25 April 2012.

Standards Committee Recommendations

Council is Recommended:

- 1** To continue to operate the Council's existing Code of Conduct and existing investigation and hearing procedures for the time being.
- 2** To approve proposals that:
 - (a) on election to office, members be required to sign an undertaking to comply with the Council's Code of Conduct.
 - (b) a member must withdraw from the meeting room during the consideration of any item of business in which they have a prejudicial or disclosable pecuniary interest, unless they are permitted to remain as a result of a dispensation or unless not required to do so by the Code of Conduct.
- 3** Subsequent to the issue of proposed Regulations and adoption of a revised Code of Conduct, to establish a merged Audit and Standards Committee with 7 District Council members to be appointed on a proportionate basis, together with up to 3 co-opted, non-voting Town/Parish members as nominated by the Sussex Association of Local Councils, on the basis that the participation of Town/Parish members is restricted to standards matters.
- 4** To approve the terms of reference for the proposed Audit and Standards Committee and the Monitoring Officer functions under the Localism Act 2011 as set out in Appendix 1.

- 5** That the following functions be delegated to the Committee responsible for Standards matters:
- (a) discharge of the duty of the District Council to promote and maintain high standards of conduct, and to monitor the operations of the Council's Code of Conduct and registers of interest.
 - (b) in relation to allegations that a member/co-opted member has failed to comply with the Code of Conduct, the putting in place of arrangements for investigations and hearings to investigate and make decisions, including the drawing up of any necessary procedures and protocols.
 - (c) the power to deal with applications for dispensations, save that the Monitoring Officer be delegated to deal if and when time does not permit the convening of a Committee meeting.
- 6** To authorise the Corporate Head – Legal and Democratic Services to make arrangements for the appointment of Independent Persons as necessary.
- 7** To authorise the Corporate Head – Legal and Democratic Services to make changes to the Constitution and Council procedures as are required by the Localism Act 2011 and/or Regulations made under the Act.
-

Reasons for Recommendations

- 1** To take account of changes to the Standards regime as required by the Localism Act 2011 and to propose mechanisms and codes which will satisfy these requirements.

Information

- 2** The Standards Committee met on 25 April 2012. The full report and appendices can be found at the following

<http://cmispublic.lewes.gov.uk/Public/Binary.ashx?Document=4948> (Report);

<http://cmispublic.lewes.gov.uk/Public/Binary.ashx?Document=4949> (Appendix 1);

<http://cmispublic.lewes.gov.uk/Public/Binary.ashx?Document=4950> Appendix 2A);

<http://cmispublic.lewes.gov.uk/Public/Binary.ashx?Document=4951> (Appendix 2B);
and

<http://cmispublic.lewes.gov.uk/Public/Binary.ashx?Document=4952> (Appendix 2C).

The main issues considered by the Committee are set out below:

- 3** The Localism Act 2011 abolishes much of the Standards regime, but requires councils to have a Code of Conduct and a register of members' interests. It also places a duty on councils to promote and maintain high standards of public

life and have a mechanism in place to enforce the code. Failure to register or declare a pecuniary interest without a good cause will be a criminal offence to be enforced through the courts.

- 4** Any committee established to oversee the Council's Code will no longer be required to have Independent (non-elected) members. Instead the Act requires the Council to appoint at least one Independent Person who must be consulted when an allegation is made that a member has breached the Code of Conduct. The wording of the legislation prevents current Independent Members from being Independent Persons. It is therefore proposed that a 'pool' of Independent Persons be established which all councillors locally can draw on as and when needed and that the Corporate Head – Legal and Democratic Services be authorised to recruit these in conjunction with her peers at Brighton and Hove City Council and the other East Sussex authorities.
- 5** The Standards Committee noted that as from 1 July 2012 there is to be no national 'model' code; instead, from that date, local authorities will be free to adopt their own Code. Adoption of a Code must be taken at Annual Council in May if the Council is to meet the 1 July deadline (It appears that at some stage there will be transitional provisions which will effectively extend the life of the current Code for a further 6 months from 1 July, but these provisions have not yet been published).
- 6** The Committee noted that a draft Code, modelled very much on the lines of the current Code, had been worked up by officers locally with a view to the same Code being adopted by all East Sussex Districts and Boroughs, East Sussex County Council and Brighton and Hove City Council. The advantage of a common Code would be to achieve a level of consistency of expected conduct across the geographical area and be more manageable for twin-hatted members.
- 7** The Committee noted that on 10 April 2012 a suggested 'template Code' was circulated to local authorities by the Local Government Association. This is a principles based, outcomes focussed Code which the Association suggests provides more flexibility for responding to rapid changing times.
- 8** The Committee noted that on 11 April 2012 an 'illustrated text' for a Code was published by Communities and Local Government as an example of a Code which might be suitable for local authorities wanting to adopt a lighter touch Code and perhaps town/parish councils in particular.
- 9** The Committee noted that the above three draft codes are very different in character.
- 10** The Committee was of the view that there was insufficient time between the publication of the LGA and CLG codes and Annual Council for the Council to make a proper assessment of the various draft codes, including asking for feedback from councillors. It noted too that Regulations are yet to be published defining what is meant by a 'Disclosable Pecuniary Interest' and that until those Regulations are published no Code can be finalised.

- 11** For the above reasons, and noting that some other councils are doing likewise, it recommends that the Council should resolve to continue with its current Code of Conduct, together with its current procedures and protocols until such time as the Regulations have been published and there has been time for the Standards Committee to properly assess and recommend a preferred Code.
- 12** The Committee noted that the abolition of Standards for England and the Audit Commission (which in the past required the Council to have a standalone Audit Committee) meant it was possible to review Committee arrangements. It noted that it had only been necessary to convene a meeting of the full Standards Committee on 6 occasions between 2009 and 2012. It noted a trend for Councils to merge their existing Audit and Standards Committees and recommends that this be done post July 2012 when the new Code, Regulations and Standards regime is finally in place. The proposed terms of reference are set out in Appendix 1.

Financial Appraisal

- 13** A significant amount of time will initially need to be spent on re-drafting the Code, procedures, and on advising and training members on the changes. In the longer term, it is hoped that the cost of administering the complaint process may reduce due to the ability to streamline the existing process.

The merger of the Audit and Standards Committee will produce a small annual saving of £1,300 in the Council budget as a consequence of no longer having Independent members on the Committee and a reduction in the number of town/parish councillors from 5 to 3.

Environmental Implications

- 14** I have completed the Environmental Implications Questionnaire and there are no significant effects as a result of these recommendations.

Risk Management Implications

- 15** The following risks will arise if the recommendations are not implemented:

The Council is obliged to adopt a Code of Conduct and arrangements for dealing with the breaches as a matter of law. The Code of Conduct and arrangements for investigating complaints play a significant part in upholding and maintaining good standards of conduct. This helps reduce the risk of reputational damage to the Council and the wider local government and public sector.

Equality Implications

- 16** Any arrangements proposed will need to consider and meet the Council's statutory duties under the Equalities Act 2012 and the Human Rights Act.

Background Papers

- 17** None

Appendix 1

- 18** Terms of Reference for proposed Audit and Standards Committee and Monitoring Officer functions.



**Cabinet recommendations for consideration by Council
at the Annual Meeting of the Council on Wednesday, 9 May 2012**

Cabinet – 14 March 2012

145 Agile Working Project Initiation Document

The Cabinet considered Report No 47/12 relating to the proposed approval of the Agile Working Project Initiation Document (PID) and funding for the proposals detailed therein. A copy of the PID was set out at Appendix 1 to the Report.

At its meeting on 23 November 2011, Cabinet had launched programme Nexus and had identified a number of phase 1 projects to be progressed including that of Agile Working.

Agile Working was being implemented in many public sector organisations as a way to address budget deficit reduction targets whilst maintaining and improving key public services. At the Council, it comprised a subset of individual work strands which covered accommodation, information technology, human resources, business plan modelling and communications.

The PID focused upon the outline business case for undertaking the project, the project objectives, key deliverables, an assessment of potential risks and resources for delivery.

In order to realise the benefits that were set out in the PID, there was a need for significant capital investment in the project which needed to be financed by way of a loan. In the costings, it had been assumed that an external maturity loan be repaid over 20 years. However, revised cash flow projections following the Housing Revenue Account self financing transaction on 28 March might provide an opportunity to utilise internal borrowing capacity. Either way, the modelling provided an indicative cost of the transaction.

It was therefore necessary to approve borrowing in the sum of £2.2m, which included £190,000 contingency, to fund the necessary investment. Regular

Reports would be made to Cabinet in order to seek approval to commit to significant expenditure.

Details relating to the Risk Analysis and the PID project costs and sensitivity analysis were appended to the Report.

Resolved:

- 145.1** That the Agile Working business case and Project Initiation Document, as set out at Appendix 1 to Report No 47/12, be approved; and
- 145.2** That, at the earliest opportunity, current market values be obtained in respect of both selling and renting (on the basis of full repairing and insurance leases), the Council's properties as identified in Exempt Appendix 4 to the Report, and that a market test be undertaken in respect thereof.

It was further

Recommended:

- 145.3** That an addition of £2.2million be made to the 2012/2013 Capital Programme for the Agile Working Project;
- 145.4** That the Director of Finance fund the £2.2million referred to above by way of loan; and
- 145.5** That, in the event of a capital receipt being realised, the first call will be the repayment of the loan used to fund the Project.

Reason for the Decisions:

Agile Working is a phase one Project of the Nexus programme. Approval will authorise resources to deliver the Project in order that the benefits outlined in the Project Initiation Document can be realised.

† *The Recommendations, and not the Resolutions, in the above Minute are for consideration by Council.*

Councillors are requested to bring with them to the meeting Report No 47/12 which was circulated with the agenda papers for the meeting of the Cabinet on 14 March 2012. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 484122

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Agenda Item No:

Report No:

Report Title: Structure of Full Council Meetings at Lewes District Council

Report To: Council

Date: 9 May 2012

Cabinet Member: Councillor James Page

Ward(s) Affected: All

Report By: Corporate Head – Legal and Democratic Services

Contact Officer(s)-

Name(s): Catherine Knight
Post Title(s): Corporate Head – Legal and Democratic Services
E-mail(s): catherine.knight@lewes.gov.uk
Tel No(s): 01273 484118

Purpose of Report:

To consider a range of options for inclusion in the structure of full Council meetings.

Officers Recommendation(s):

- 1 That councillors examine the range of options as set out in section 3.
 - 2 That councillors identify which options set out in section 3 they wish to trial at full Council meetings.
-

Reasons for Recommendations

- 1 To improve the structure of full Council meetings at Lewes District Council.

Information

- 2 Councillors from both the majority and minority groups have asked the Corporate Head – Legal and Democratic Services whether the structure of full Council meetings at Lewes District Council might be improved, in order that there is more space for debate, feedback and discussion. Officers were asked to research ideas from other authorities Council meetings and present a list of options for councillors to consider, as set out in section 3. Councillors could choose to trial and perhaps implement all, or just some of the options.

Options

3 Reporting back on meetings of Outside Bodies

A standing item could be added to the Council agenda in order that individual

members of the Council have an opportunity to present feedback to the full Council on previous meetings they have attended as official representatives on outside bodies. A time element could be added to this to ensure that oral reports are kept succinct. The Leader has suggested that councillors might similarly like to consider an option to give their feedback at Cabinet meetings, especially as there might be a long gap between the meeting of the outside body and the next scheduled council meeting.

State of the District Debate

Lewes District Council could hold an annual “State of the District Debate”. Crawley Borough Council and Adur District Council have held such events, and they have been whole day events containing workshops where members of the Council work together on specific issues. These workshops are on topics such as the Local Development Framework, social media, recycling and could be facilitated by officers, councillors or members of outside bodies such as Action in Rural Sussex. Opportunities for engagement with young people, such as the Youth Cabinet, could be included within the day. The day would conclude with a public meeting, where feedback and discussion from the workshops occurred. This final section of the day would be open to members of the public, and publicised.

Themed Presentations/discussions

A series of themed presentations could be presented as part of the full Council meetings, which would be followed by discussion in groups, or between all councillors. The presentation could be undertaken by an officer, or a representative from an outside body, but that officer would not facilitate the discussion - that would be the responsibility of the Chair of the Council. A thirty minute slot could be allocated in the agenda for the item, split as follows (10 minutes presentation/10 minutes discussion in groups/10 minutes feedback). This feedback would be noted by officers who would take important points forward in the specific project. The presentations, or discussions could be linked to the Forward Plan so that discussion at full Council could feed into future Cabinet reports and considerations, for example the Wind Farm, fuel poverty or Food Waste.

Work Suggestions Scheme

A standing item could be added to the full Council agenda to give councillors the opportunity to suggest work that Lewes District Council could undertake. This suggestion could be passed onto senior officers, Cabinet members or other Committees such as Scrutiny or Audit, whoever was deemed most appropriate. There would be a time limit allocated at Council meetings for the making of suggestions. Once a suggestion had been made, the relevant officer or Cabinet member would ensure a meeting took place with the councillor making the suggestion to discuss the issue further. A feedback mechanism through an announcement by the Chair of the Council would be put in place to ensure councillors knew what happened to previous suggestions. PAM, the platform for Achieving More specialist collaboration software that the Council owns, could be used to keep track of the results.

Meet Your Representatives Event

Councillors have indicated that attendance at local surgeries is often low. Events could be held throughout the year, possible directly following full Council, when councillors stay behind and attend a “Meet your Representatives” event, where local people are invited to meet local councillors. The event would be publicised through the website and other means. Such an event would be different in character than surgeries as people might attend one out of curiosity and/or interest rather than because they have a current problem that they would like their councillor to resolve for them.

Financial Appraisal

4 There are no financial implications arising from this Report.

Environmental Implications

5 I have completed the Environmental Implications questionnaire and this Report is exempt from the requirement because it is a progress report/budget monitoring report/development control report.

Risk Management Implications

6 There are no risk management implications arising as a result of this Report

Equality Implications

7 As no potential negative impacts were identified, a full equality impact assessment is not required.

Background Papers

8 None

Appendices

9 None

Agenda Item No: **Report No:**
Report Title: **The DRAFT Council Plan 2012/13**
Report to: **Council** **Date:** **9th May 2012**
Lead Councillor: **Councillor James Page**
Ward(s) Affected: **All**
Report By: **Chief Executive**
Contact Officer
Name: **Sue Harvey**
Post Title: **Corporate Performance Officer**
E-mail: **sue.harvey@lewes.gov.uk**
Tel no: **01273 484156**

Purpose of Report:

To consider and endorse the next steps in the publication of the Council Plan 2012/13.

Officers' Recommendations:

That the Plan (latest version attached at Appendix A to this report) be approved for publication subject to any further amendments or updates deemed necessary by the Leader of the Council, including artwork and graphics.

Reasons for Recommendations

- 1 To present the latest working draft of the Council Plan which sets out the Council's priorities for the medium term and a forward plan of activity for 2012/13 and beyond; and
- 2 To demonstrate the Council's commitment to achieving its vision of a One District, One Council approach to customers, value for money and working collaboratively to achieve service improvements.

Background Information

- 3 The Council Plan is evolving to ensure it remains 'fit for purpose' as a key corporate document. This year's Council Plan reflects a new vision and direction for the Council - the One District, One Council vision that was launched at the end of last year. The Plan has also been re-engineered to capture the three new priority commitments made by the Leader of the Council earlier this year – that of an unswerving commitment to customer service, to connect with our workforce and partners to inspire exceptional contribution and to save money and where possible put it back into our residents' and businesses pockets.
- 4 A working draft of the Plan was reported to Cabinet on 17th April but it has continued to evolve as a document, with input from senior councillors and external partners. Work has focussed on the content and language of the Plan to ensure it properly reflects the

Council's ambitious and exciting plans for the future whilst also providing a mechanism for reporting progress and performance

- 5 The Plan is at a more advanced point and the latest Word version is attached for Councillors' consideration and comment.
- 6 The Constitution requires that the Council Plan is approved by Full Council.

Next Steps

- 7 The Council has made a clear commitment to customer service, working collaboratively with staff and partner organisations and achieving cost savings which can be passed on to council tax payers and businesses. The Council wants to grasp the opportunities presented by the localism agenda and be seen by its residents as open and accountable. The Council recognises the need to engage with a wide variety of stakeholders and partners and involve them in challenging the performance of local services, spending decisions and in helping to shape local services for the future. The publication of the Council Plan provides a further opportunity for engagement with staff, partner organisations and local communities on the Council's future direction.
- 8 The Council Plan has been reported in Word format at this stage but will be produced in a design which reflects a new, exciting brand for the Council. The Leader of the Council has made it clear that he wishes the Plan to be the key document for launching the Council's refreshed brand identity. This work has been approved by Cabinet and is nearing completion.
- 9 There will continue to be engagement with senior Councillors on the content of the Council Plan and, once agreed with the Leader of the Council, will be published on the Council's website and comments invited. We will also encourage comments and feedback from key stakeholders and partners.

Risk Appraisal

- 10 I have completed a risk assessment in accordance with the Council's risk management strategy. The main risks are:
 - failure to communicate the Council's ambitions and priorities and ensure that these drive performance and resource allocation, risks which would be likely to result in a less than positive statement from the Council's external auditors (PKF);
 - failure to demonstrate that resources and activity are aligned to the Council's priorities and budgets;
 - failure to demonstrate achievement of outcomes in the community, potentially damaging local accountability;
 - failure to respond to the Government's localism and transparency agendas and produce relevant progress and performance information to service users and the wider community.

Mitigation of these risks is achieved through a comprehensive and coherent Council Plan and also through regular monitoring of progress and performance.

Financial Appraisal

11 Production and publication of the Council Plan and performance monitoring arrangements are within budget estimates.

Environmental Implications

12 There are no significant environmental effects as a result of the recommendations in this report.

Equalities Implications

13 There are no significant equalities impacts as a result of this report. However, it should be noted that Equality Impact Assessments may be required in respect of specific actions, decisions or projects which are referred to in the Council Plan. These will be the responsibility of the relevant senior manager.

Background Papers

- All key projects, strategies and departmental service plans for 2012/13 and beyond.

Appendices

Appendix A – The Working Draft Council Plan 2012/13 (WORD VERSION)

The Council Plan 2012/13

One District, One Council

Lewes District successfully blends its history, art and culture with a 21st Century creative edge.

The District is blessed with beautiful rolling downland and chalky cliffs; crashing waves and a meandering river.

The District has a nationally-recognised brewery, a castle, a fort, internationally acclaimed vineyards and a world famous opera house. We are also part of the beautiful new South Downs National Park.

The District is home to entrepreneurs, artists and active communities. It delights and surprises even the people who live here, with its outlook and celebrations. It's no surprise residents are proud of this place and people want to visit.

There is much worth looking after and much to develop. The Council plays an important role in preserving the district's heritage as well as shaping its future.

Lewes District Council must take a leadership role and continue to provide high-quality public services that matter most to residents.

At the heart of our Lewes District Council lies residents and our promise is simple:

- An unswerving commitment to customer service.
- To connect with our workforce and partners to inspire exceptional contribution
- To save money and where possible put money back into our residents and business pockets where we can.

Our vision is to create "One District One Council" – bringing us closer to the residents we serve – looking confidently towards our future and honouring our past.

We will achieve this by becoming more responsive to our customers and finding creative solutions to improve services. We will promote prosperity and enterprise in both town and country, improving skills, and providing a wide choice of local work. As an organisation we aim to unlock the initiative, imagination and passion of employees at all levels, challenge the status quo, and go the extra mile to ensure that Lewes District remains a unique place that we all love and respect.

We will go about our business with a clear sense of purpose and professional values based on fairness, integrity and pride.



Councillor James Page
Leader of the Council



Jenny Rowlands
Chief Executive

Introduction

Councillor James Page

Leader of Lewes District Council

Our Commitments

Residents of Lewes District voted for a new Administration in May 2011. We want to deliver for them and will focus on issues that matter most to them. As the saying goes: if you keep doing the same thing, you will get the same results. This is no longer an option. The Council must evolve if it is to meet the needs of local people and become more resilient to public sector reforms and financial pressures. We see a great opportunity for the Council to work in new and innovative ways to be more efficient, cost effective and customer focussed.

This Council Plan reflects our new vision – to create a ‘One District One Council’ approach to everything we do. This means working together both within the Council and with our partners, service users and local communities to deliver sustainable outcomes for our residents and businesses and deliver good value, customer focussed services.

Words into Action

It is easy to have a vision but then fail to deliver any meaningful change. We will continue to work closely with the Chief Executive, her Senior Management Team and staff to drive the organisation to achieve more, improve services and reduce costs.

We have put the principles of localism and collaboration at the heart of a bold new transformation programme which we have called Nexus (meaning a bonded or connected group). Through this programme we will keep focussed on what matters most to our residents.

We will constructively challenge what we do, why we do it and whether we can do it better. We will ask service users what they

expect from us and listen to what they tell us. We will unlock the talents, skills and capacity of our staff to enable the organisation to go ‘from good to great’ and to support them to manage the change ahead. We will listen to them about what needs to be improved.

Over the next 18 – 24 months we will

Unswerving commitment to customer service

Focus on improving waste collection and recycling services and introduce a new food waste collection service;

Redesign our services around our customers, ensuring we have clear service standards, and improve how customers contact and engage with us;

Make more of our information and services available online.

Connect with our workforce and partners to inspire exceptional contribution

Through our new Nexus Academy, encourage our staff to think and work differently, in the interests of delivering better and more cost-effective services;

Empower our staff to contribute their ideas and help reshape how they work, giving them the tools to be more customer focussed; we will make sure the important things get done and obstacles to working efficiently are removed;

Continue to be a fair and responsible employer providing our staff with the opportunity to work in a more flexible way which balances work and life commitments;

Reconnect the Council with the business community and become more 'business friendly, focussing on key regeneration and economic development projects, building business partnerships, doing what we can to support skills development and new jobs and continuing to be an active player in both Local Economic Partnerships covering the District;

Play our part in helping to secure Newhaven as the 'port of choice' for the Rampian offshore wind farm project;

Become more visible in our local communities, removing obstacles to effective engagement and working with Town and Parish Councils to deliver affordable housing and sustainable community projects by making full use of new Neighbourhood Planning powers.

Save money and, where we can, put money back into our residents and business pockets

Reduce costs and make better use of some of our office buildings by relocating our staff into one main office location, whilst keeping a presence on the coast;

Invest in new technology to enable staff to work more efficiently and effectively and to better serve our customers.

Our Core Values - What you can expect from us

Service Users

We will.....

- Set our Council Tax at a level which offers excellent value for money
- Keep focussed on customer needs and provide excellent customer service at all times
- Improve our waste collection and recycling services
- Look after the local environment
- Make the most of the opportunities presented by the 2012 celebrations, both for residents and visitors alike

Private, Public and Community Partners

We will.....

- Encourage innovation and best value
- Be open and receptive to new ideas and ways of working
- Be 'business friendly' while maintaining our statutory obligations
- Seek to make our District a more attractive visitor destination

Our staff

We will....

- Provide staff with a new and exciting work environment and offer them the opportunity to work more flexibly
- Offer staff the opportunity to learn new skills and support them to perform to their potential
- Ask staff for their ideas, listen to them and involve them in decisions which affect them

What have we achieved so far?

- Our investment in new services to enable business growth and regeneration has seen the formation of the Lewes District Business Board, actively championed by Councillor Rob Blackman.
- Our new Business Charter has been put out to consultation with the sector. It sets out what the business community can expect from the Council and how we wish to work more collaboratively with the private sector in the future.
- We have become an active partner in the two new Local Enterprise Partnerships covering the Lewes District where we continue to represent the economic interests of local communities, especially Newhaven.
- We have provided advice and support to a young entrepreneur based in Lewes to enable him to get his business plan for a skate project in Lewes off the ground.
- We have expanded our cardboard recycling service to make it available to over 70% of households in the District.
- Our close monitoring of the Council's finances has seen us achieve 100% of our savings target last year. We have adjusted our budgets and made savings that have enabled us to not raise council tax again in 2012/13.
- We have achieved much stronger working relationships with Town and Parish Councils and are embarking on a

package of support and advice to bring about their own Neighbourhood Plans.

We have worked alongside the South Downs National Park Authority to ensure we continue to offer an efficient and 'seamless' planning service.

Real cost savings have been achieved by making energy efficiency improvements in many of our Council buildings.

Funding our Priorities 2012/13

The pressure on public finances continues and we have had to make some important changes to our finances to ensure our future budgets are sustainable. We have seen an overall reduction in government grant over the last couple of years and important changes to the way housing services are funded.

More than ever before we need to keep our priorities and resources under constant review and plan to make substantial savings over the next four years. We recognise that the status quo is not an option and there needs to be a re-focussing on the services and issues that matter most to local people.

Our Priorities and how will we achieve them?

- **An unswerving commitment to customers** – we will reconnect with our customers through better communications, establishing quality standards and reporting our performance more openly and transparently;
- **To connect with our workforce and partners to inspire exceptional contribution** – we will achieve this by being open and inviting new ideas. We will involve customers, communities, partners and our staff in helping to shape services. We will be more 'business friendly'.
- **To save money and where possible put money back into our residents' pockets** – we will look for best value from all of our services. We will monitor spending closely and ensure we make the best possible use of IT, assets and resources. We will ensure our services and decisions are sustainable.

We will look carefully at the resources required to deliver these priorities and monitor our progress, performance and budgets closely.

We will publish information about our performance and consult with service users and local communities about decisions which affect them.

SPENDING AND COUNCIL TAX 2012/13

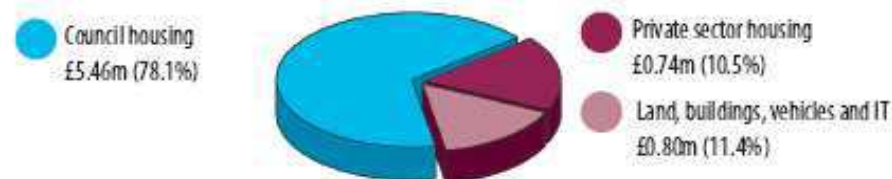
Where does the money come from?



Where does the money go?



Capital Investment Programme 2012/13



Achieving our Savings Target

We will deliver another 0% rise in Council Tax in 2012/13. This has an impact on our budget in the medium term. We must find £1.6 million of savings over the next 3 years. £0.7million of this will need to be found by the end of March 2013.

Before the start of the 2012/13 financial year, firm plans were put in place to deliver £0.4 million of savings. Examples of how we plan to achieve this is through generating extra income by doing work for other public sector bodies and by negotiating price reductions with contractors.

We are finalising our plans for delivering the remainder of the savings.

An Unswerving Commitment to Customer Service

The Need for Change

The residents of Lewes District deserve the best services possible for the council tax they pay. We believe there is more the Council can and must do to improve customer contact, services and information. We need to invest in better telephone, face to face contacts and online services and we want to properly engage with service users and local residents, putting them at the heart of what we do.

Open and Accessible Services and Information

To Do

- Make more services and information available online including making telephone and online payments for our services
- Review our Customer Charter and improve customer service across the Council through a variety of new and improved systems
- Carry out equality impact assessments to ensure the effect of our decisions on different groups can be measured
- Vulnerable households are prevented from becoming homeless through advice and support services
- Provide a court desk service for people in financial difficulty to help prevent homelessness
- Fund vital debt advice services provided by the Citizens Advice Bureau
- Enable disabled people to live independently in their homes by providing financial assistance for disabled adaptations
- Support the expansion of the Credit Union to provide financial support for families on low incomes
- Review the Disabled Adaptations services provided to Council tenants
- Meet the Achieving level of the Equality Framework for Local Government

Service Efficiency and Improvement

To Do

- Invest in a major expansion of our waste and recycling services to include cardboard and food waste collection
- Work closely with town and parish councils and others to deliver the new and improved play facilities and services around the District
- Invest in our staff to develop their skills and ideas to improve services and achieve better value for money
- Design the Big Parks Project in Peacehaven
- Work with our partners Wave Leisure to promote healthy and active lifestyles through quality leisure services across the District

Measures of Success

- Satisfaction with our website is good (rated 3Star or higher by an independent IT survey)
- Residents, service users and tenants are satisfied with the services we provide
- People that use our leisure centres are satisfied with the services they receive from our partner, Wave Leisure

Our Commitments

- To respond quickly to keep local streets and public areas free of litter, graffiti and fly-tipping
- Fly-tips are removed within 2 days and action is taken to prosecute offenders
- Abandoned vehicles are removed within 24 hours
- 99.9% of bins are collected each week and any missed bins are collected within 1 working day
- The equality impact of our decisions on different groups in the community will be assessed
- Council publications are clear and easy to understand
- Housing and council tax benefits are processed within 20 days
- Complaints about our customer service are investigated and acted upon
- Aim to answer telephone calls within 20 seconds, respond to emails within 2 working days and letters within 5 working days.
- Freedom of Information requests are responded to promptly and details published on our website
- Homeless families spend less than 42 days in B&B accommodation
- Empty council homes are re-let within 26 days
- Over 98% of urgent Council house repairs are completed within 24 hours
- Keep Warm in Winter grants are publicised and provided to the most vulnerable households
- Respond to requests for environmental health services within 3 working days (urgent cases within 24 hours)

To Connect with Our Workforce and Partners to Inspire Exceptional Contribution

The Need for Change

Local people should feel they can influence decisions and the Council has an opportunity to better engage effectively with the local business community and other community based organisations such as Town and Parish Councils. The future prosperity and sustainability of the District depends on a full and effective contribution from the Council, its staff and a wide variety of partners across all sectors. We want to be more business friendly and work more collaboratively with the business community. There is a need for innovation and new ways of working which makes the best use of the skills and resources available across the District and beyond.

Local Businesses and Regeneration

To Do

- Work with partners in the public, private, voluntary and community sectors to develop and drive forward a regeneration strategy (called 'Building a Brighter Future') for the District, with a particular focus on Newhaven. This will include submitting a variety of bids for funding and investment that can help drive regeneration activity and supporting Newhaven's bid to be the port of choice for the Rampion Offshore wind farm project.
- Work with local businesses through the Lewes District Business Board to place innovation, enterprise and entrepreneurship at the heart of our local economy.
- Work with Newhaven Enterprise Centre to support new business start-ups in the town.
- Continue to play an active part in the two Local Economic Partnerships covering the District.
- Work with local communities and chambers of commerce in rural areas to develop rural businesses and improve broadband speeds.
- Work with local employers and training providers to address local unemployment and skills shortages, focussing initially on apprenticeships.
- Actively promote the District through the Enjoy Sussex partnership and brand, particularly during the 2012 Olympics/Paralympics and Golden Jubilee celebrations. This will include arranging Olympics banner displays in key locations across the District.
- Organise and promote the annual Artwave Festival which supports local artists and the wider economy.
- Work with local food businesses to improve hygiene standards in poorly performing establishments. We will target our inspections on those businesses at risk of failure whilst applying a 'light touch' approach to those which are well managed.
- Develop a guide to bring together local businesses involved in food production and related services.
- Work with local retailers and other organisations on a campaign to reduce the use of single use plastic bags

Planning in Partnership

To Do

- A Local Development Framework Core Strategy and associated policy documents developed in partnership with the South Downs National Park Authority and with the support of Town and Parish Councils
- To support those Town and Parish Councils who wish to deliver Neighbourhood Plans
- Provide an efficient and joined up planning service in partnership with the South Downs National Park Authority
- Introduce locally set planning fees as soon as Government legislation allows.
- Introduce a Community Infrastructure Levy that will ensure developers contribute to new and improved infrastructure to support their development schemes
- Complete Conservation Area Appraisals for Streat, Westmeston, Malling Deanery and East Chiltington in partnership with town and parish councils
- Continue to promote waste minimisation, recycling and composting, and work with other councils on a Waste Management Strategy for East Sussex
- Work with Sussex Air Quality Partnership to monitor and manage air quality in the District
- Complete the Landport and Malling Brooks flood defence scheme in Lewes in partnership with the Environment Agency
- Work with our partners to provide a minimum of 200 new additional homes in the District each year. We have set a target for 60 of these to be new affordable homes
- Work with partners, private landlords and owners to make better use of empty homes
- Introduce a Lewes District Tenancy Strategy
- Sign agreement with Newhaven Football Club to give them control over their facilities and enable further improvements to be made
- Play our part in the Nature Improvement Area and Biosphere projects in partnership with a range of agencies and organisations

Our Workforce - From Good to Great

To Do

- Embark on a training and development programme for managers and staff through our new Nexus Academy
- Invest in systems that will enable more efficient and effective internal communication and collaboration
- Help our staff to develop their skills and knowledge
- Carry out an annual staff survey and encourage staff ideas and suggestions for improvement

Our Commitments

- To develop a 'Fit for Purpose' planning policy framework for the District

- To pay our contractors and suppliers on time
- To demonstrate a positive impact of tourism and the annual Artwave Festival on the local economy
- Requests for pre-application advice are responded to within 15 working days
- Building Regulations plans are checked for compliance within 15 days
- Planning applications are processed within target times
- Complaints of unauthorised development are inspected within 5 working days

Measures of Success

- Occupancy levels at Newhaven Enterprise Centre
- Enquiries at our two Tourist Information Centres increase
- Visitor numbers, satisfaction and spend at Newhaven Fort are high
- The majority of planning decisions that go to appeal are ruled in the Council's favour
- The Environment Agency is satisfied with our performance in helping to prevent flooding and dealing with the impact of coastal erosion
- Local businesses organisations are satisfied with our support and advice services
- Levels of employment land and business developments in the District
- Levels of inward investment
- Enquiries at our two Tourist Information Centres
- A sufficient supply of housing development sites across the District
- Increased income from the New Homes Bonus

To save money and put money back into our residents' and business pockets where we can

The Need for Change

We are under unprecedented pressure to reduce our own costs whilst trying to support local residents and local businesses through the economic downturn. We have identified higher than average overhead costs and a property portfolio which may no longer be 'fit for purpose'. We have also identified the need to make far greater use of new technology to enable us to be more responsive, more efficient and more cost-effective.

Managing our Finances

To Do

- Re-align budgets following changes to Council Housing funding arrangements
- Prepare for the introduction of Universal Credit and the local Council Tax rebate scheme
- Keep the Council's budgets and financial arrangements under close scrutiny in order to deliver significant cost savings over the next 3 years
- Determine options for the more cost-effective management of fly-tips on Council housing land

Buildings and Property Assets

To Do

- Review all property assets and determine the best use for them
- Implement a project to relocate all our staff into one main office location, whilst keeping a presence on the coast

Energy Efficiency and Environmental Management

To Do

- Provide grants for home insulation and energy improvements to enable local families to cut their energy bills.
- Actively monitor our energy usage and ensure we meet our environmental standards
- Actively encourage staff to reduce their need to travel by car
- Make energy efficiency improvements at Downs Leisure Centre in Seaford

Our Commitments

- To collect over 98% of Council Tax and Business Rates and 98.5% of Council house rents
- All outstanding payments will be followed up
- Benefit fraud will be proactively investigated and prosecuted
- Council publicity is planned, joined up and cost effective
- Make the most cost-effective use of our offices
- Work to reduce our energy consumption and carbon emissions by 3% each year and our business mileage by 5% each year

Measures of Success

- Our savings targets are achieved
- We are able to keep our council tax at 0%
- Energy efficiency improvements and an overall reduction in carbon emissions from the Council's operations

APPENDIX A

The Lewes District

(Latest data is taken from a variety of sources held on the East Sussex in Figures website: www.eastsussexinfigures.org.uk)

Lewes District covers an area of 292 square kilometres. Just over half of this area, including the historic county town of Lewes, is included in the South Downs National Park. We have 14.5 km of coastline between the outskirts of Brighton and Cuckmere Haven.

The District is a generally prosperous and affluent area although some parts of the District suffer from different forms of deprivation, which are often closely linked and concentrated in a few wards. Some areas of the District have above average health problems.

Most of our 97,653 residents (77%) live in the four main urban areas (Lewes, Peacehaven & Telscombe, Newhaven and Seaford). Our largest town is Seaford. Around 23% of people live in our villages and rural areas.

Our population is growing, mostly as a result of in-migration and is projected to reach 105,600 by 2022. We have an above average number of people in every age band over 45 and are below average in all age bands under 45. Around 23% of people are above normal retirement age. Women make up 52.0% of the population and Black and Minority Ethnic groups make up 2.1%. Bengalis and Chinese are the main ethnic groups in the District. Around 13% of economically active people are disabled or have a limiting long term illness.

There are 43,544 homes in the District. Around a third are single person households and a quarter are households with children. Around 78% of the housing stock is privately owned, 20% rented

privately or from the Council or Registered Social Landlords. 4% of the housing stock is vacant.

Around 38% of people working in the District are employed in public services, higher than the national average. Construction, utilities and manufacturing accounts for 16.1% of jobs, with the retail trade representing 15.8% of jobs. The number of VAT registered businesses has fallen by around 3% since 2008, although businesses in the Lewes District are more likely to survive over the medium term (5 years) compared to East Sussex as a whole.

Since 2008, the number of people in the District claiming out of work benefits has increased by 12.1% (compared to 11.2% for the County as a whole). The increase rises to 18.8% for Newhaven, 17.6% for the rural areas of the District and 17.5% for Telscombe Cliffs and Saltdean. In 2010, 7.1% of working age residents have no qualifications. The figure for East Sussex as a whole is 9.0%.

Since 2007, there has been a marked improvement in the number of 15 year olds achieving five GCSEs (A*-C) across the District. Particular improvement can be seen in respect of Newhaven which saw a 21% improvement between 2007 and 2010. The overall change for East Sussex as a whole was +12%.

Overall life expectancy in the District is above the national average. However, the District suffers from a higher than average number of deaths due to cancer and heart disease. Although levels of obesity amongst children do not vary greatly from the national average, levels of physical activity amongst children is significantly below the average for East Sussex as a whole. There is a higher than average number of falls amongst people aged 65+ and a higher than average prevalence of mental health problems in the District.

Lewes District Council

Lewes District Council comprises 41 elected local councillors representing 21 wards. There are 28 parishes in the District.

The political composition of the Council as elected in May 2011:

Conservative – 21

Liberal Democrat – 18

Independent – 2



APPENDIX B

CABINET LEAD MEMBERS AND THEIR PORTFOLIOS



Councillor James Page Leader of the Council
Lead Councillor, Finance, Resources and Communications
Includes Council Tax and business rates, Housing benefits, treasury and asset management, budgets, information systems, communications and staffing matters.



Councillor Tom Jones Deputy Leader of the Council
Lead Councillor, Planning
Includes development control and building control, neighbourhood planning, transportation and flood risk management.



Councillor Ron Maskell
Lead Councillor, Housing
Includes housing allocations and revenue, housing advice, homelessness, tenant participation and private sector renewal.



Councillor Tony Nicholson
Lead Councillor, Regeneration, Partnership and Engagement
Includes economic growth, business and enterprise, partnership working, community engagement, leisure centres and performance management.



Councillor Jim Sheppard
Lead Councillor, Waste and Recycling
Includes refuse collection, recycling, street cleansing and commercial waste.



Councillor Andy Smith
Lead Councillor, Health and Environment
Includes environmental protection, energy and climate change, food safety, licensing, pest control, open spaces and recreation and community safety.

Plus the following Cabinet Members without specific portfolio responsibilities



Councillor Rob Blackman



Councillor Paul Franklin



Councillor Robbie Robertson

THE CHIEF EXECUTIVE AND CORPORATE MANAGEMENT TEAM



Jenny Rowlands
Chief Executive
 Head of the Paid Service,
 Strategic and Corporate Planning, Returning Officer



John Magness
Director of Finance
 Finance and Accountancy, Local Taxation, Benefits,
 Audit and Performance, Section 151 Officer



Lindsay Frost
Director of Planning and Environmental Services
 Planning and Building Control, Environment and
 Health, District Services, Emergency Planning, Flood
 and Coast Defence, South Downs National Park



Nilam Popat
Corporate Head Communities and Enterprise
 Tourism and Economic Development, Estates,
 Community Engagement and Partnership

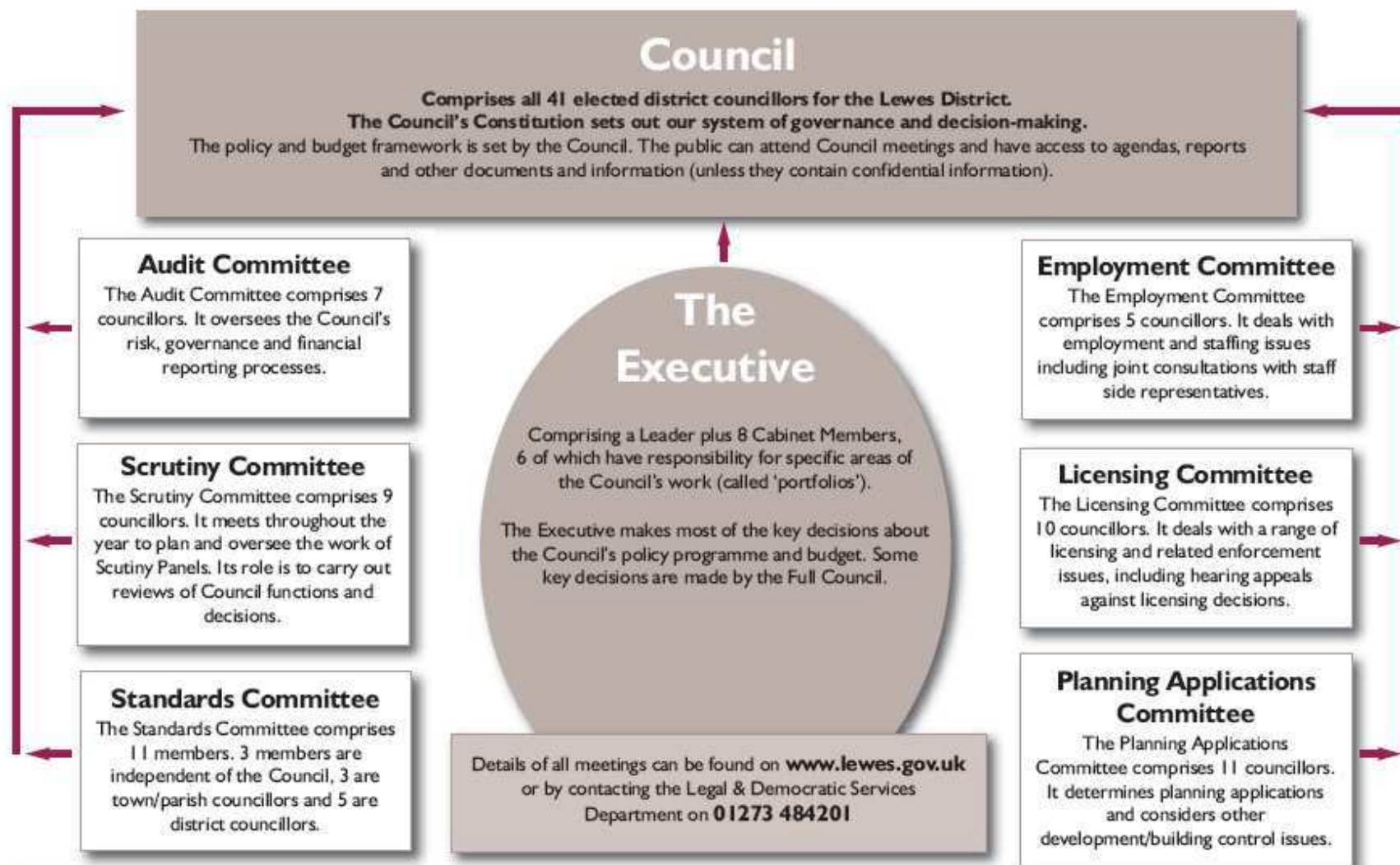


Catherine Knight
Corporate Head Legal and Democratic Services
 Legal Services, Local Land Charges, Monitoring
 Officer, Communications, Committee Administration,
 Councillor Services, Elections/Electoral Registration,
 Freedom of Information/Data Protection



Andy Chequers
Corporate Head Housing Services
 Housing Strategy and Needs, Council Homes,
 Tenant Services, Property and Architectural Services

APPENDIX D



APPENDIX E

Accountability and Governance

It is vital that the public, our partners, staff and elected councillors have trust and confidence in the Council's decision-making arrangements. The Council's Constitution sets out our formal decision-making arrangements, ethics and codes of conduct. It governs how we do business and what standards we expect from elected councillors and our staff.

In addition to the Constitution, we have adopted a local Code of Corporate Governance which sets out our core principles for ensuring that our decisions are fair, transparent and robust and that they are in the best interests of the communities we serve.

The local Code can be viewed on our website at <http://www.lewes.gov.uk/council/3748.asp> . The Local Code is reviewed periodically by the Audit Committee. In addition, we produce an Annual Governance Statement (AGS) which seeks to ensure our arrangements remain robust and in line with good practice. The AGS can also be viewed on our website at <http://cmispublic.lewes.gov.uk/Public/binary.ashx?Document=4499>

The Audit Committee

The Council's Audit Committee comprises 7 councillors. The Committee is independent from and oversees the Council's risk management, governance and financial reporting processes. It receives regular reports about the Council's

internal control environment and progress on the planned programme of internal audits, and receives an annual review (the Audit Management Letter) from the Council's appointed external auditor, currently Panel Kerr Foster (PKF).

The Audit Management Letter 2010/2011

The last Audit Management Letter related to the financial year 2010/11 and can be viewed at <http://cmispublic.lewes.gov.uk/Public/Binary.ashx?Document=4712>

In summary, PKF were satisfied that, in all significant respects, the Council had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2011. PKF issued an unqualified value for money conclusion on 30 September 2011.

The Scrutiny Committee

In addition to the Audit Committee, the Council's governance arrangements are also supported through the work of the Scrutiny Committee comprising 9 councillors. This body is in place to ensure that the Council's policies, plans, decisions and actions are being made in the community's best interest. It gives councillors, officers and members of the public an opportunity to consider new ideas, challenge existing policy and drive forward service improvement.

APPENDIX A

PART 5

Protocol on Key decisions

References: Chapter 7, DTLR Guidance
Regulations made under section 22, Local Government Act 2000

A key decision means an executive decision which is likely

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the services or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in Part 4 of this Constitution

Examples of Key Decisions:-

Decisions which will be Key Decisions include:

- ~~1 Approval of a new policy, plan or strategy or amendment to an existing one.~~ Formatted: Bullets and Numbering
- ~~2 Approval of any service proposal giving rise to an addition or reduction to the base budget.~~ Formatted: Bullets and Numbering
- ~~3 Approval of proposals to prepare and submit applications for external funding.~~ Formatted: Bullets and Numbering
- ~~4 Approval to proceed on projects where successful funding bids have been secured.~~ Formatted: Bullets and Numbering
- ~~5 The Cabinet's annual revenue and capital budget recommendation to Council~~ Formatted: Bullets and Numbering
- ~~6 Setting the annual scale of fees and charges and council house rents.~~ Formatted: Bullets and Numbering
- ~~7 Virement on revenue accounts of £5,000 or more~~ Formatted: Bullets and Numbering
- ~~8 Virement between approved General Fund capital projects of £5,000 or more~~ Formatted: Bullets and Numbering
- ~~9 Use of the contingency fund for amounts between £5,000 and up to £25,000~~ Formatted: Bullets and Numbering
- ~~10 Writing off irrecoverable debts where the individual debtor has not been made bankrupt and the debt is £2,500 or more.~~ Formatted: Bullets and Numbering

~~11 Any permanent addition or reduction in the approved staffing establishment.~~

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~~12 Approval of the detailed vehicle and plant replacement programme.~~

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~~13 Approval of the detailed IT equipment replacement programme.~~

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~~14 Approval for the use of any reserves, provisions or balances.~~

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Decisions which will not be Key Decisions under (a) above include:

~~1 Utilisation of the approved annual revenue and capital budgets~~

~~2 Use of staffing establishment savings arising from vacancies to fund the cost of advertisements and engagement of temporary staff~~

~~3 Daily cash flow funding decisions taken in accordance with the approved Treasury Management strategy~~

~~4 Acquisition of vehicles, plant and equipment in accordance with approved replacement programmes.~~

~~5 Writing off irrecoverable debts up to £2,500~~

~~6 Writing off irrecoverable debts of any value where the debtor has been made bankrupt or is in liquidation.~~

APPENDIX B

Part 12, Section 1

Role Profile of the Chair and Vice-Chair of the Council

The Chair and Vice-Chair will be elected by the Council annually. The Chair and, in his/her absence, the Vice-Chair, will have the following responsibilities:

- 1 To Chair Council Meetings.
- 2 To focus his/her activities on the communities of the District (including communities of interest, as well as geographical ones) and, by focusing on the Council's priorities, strengthen links between those communities and the Council.
- 3 To act as an enabler and ambassador by arranging meetings between the Council and other parties for the benefit of the District.
- 4 To celebrate those people or groups in the District who do extraordinary things to help others in the community, and to recognise those whose everyday lives are a challenge but who succeed in spite of their difficulties.
- 5 To celebrate successes of partners involved in major projects with the Council, particularly projects steered by the voluntary sector.
- 6 To encourage activities that recognise and support staff, (eg the annual garden party).

The Chair may appoint a Consort of their choice if they so wish. The Chair may take their Consort along to appropriate events although such Consort shall not be expected to have a role to play at the event.

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Guidelines

- (a) ~~Participation in events within and beyond the District shall be clearly linked to the role of the Chair and/or the activities of the Council. The budget provided for the Chair to use at his/her discretion shall be used to fulfil the above-defined role. Lead councillors and ward councillors shall also undertake an enabling and ambassadorial role within Lewes District wherever possible.~~
- (b) ~~Any activities focussing on raising monies for charitable purposes shall relate to a project or charity that is in partnership with the Council to deliver services.~~
- (c) ~~The Chair's inaugural event shall be organised as a 'thank you' to voluntary groups and individuals that support community life in the district (perhaps with a display of some of their activities). An emphasis on the involvement of young people shall be a constant theme (perhaps~~

with music from a local school). Appropriate food and drink shall be provided. At an appropriate time the Chair shall make a short speech of thanks to those present. There shall be no civic ceremony at the event and no flowers. Mayors/Chairs of councils outside the District shall not be invited to the Chair's inaugural event.

- (d) ~~Invitations to social events in the District may, in fulfilment of the Chair's role, be attended at the Chair's discretion with minimal organisational assistance from officers. Senior officers shall not be required to attend such events.~~
- (e) ~~Invitations to view the Lewes Bonfire Night celebrations shall be extended to the groups and individuals mentioned in paragraphs 4 and 5 above (recognising the physical limitations of Lewes House) and District councillors and staff.~~
- (f) ~~Towards the end of each municipal year the views of staff shall be sought as to how the Chair and councillors could support staff, eg occasions where frontline staff and relevant councillors can get together informally or tours of departments on an annual cycle. This would enable each department to have a team celebration at times when their workload allows and would spread the load for the Chair.~~
- (g) ~~If the Chair is hosting or is invited to attend or to bring an official party to a social event such as a theatre show, councillors and staff who are invited shall pay for their own tickets (as has been the custom).~~
- (h) ~~The Chair shall host social events only if they fulfil the requirement of the Role of the Chair. Mayors/Chairs of other councils and other civic dignitaries shall not be invited to those events unless the invitation arises out of the Role of the Chair set out in paragraphs 1 to 6.~~
- (i) ~~As at present, the Chair shall not attend the inaugurations of Mayors or Council Chairs of councils outside the District.~~
- (j) ~~The outgoing Chair's civic programme and the budget for the role of Chair for the forthcoming year shall be subject to appropriate scrutiny by the Scrutiny Committee. At the first meeting of that Committee in each municipal year, the Chair shall present a business report setting out the known programme of activities for the year.~~
- (k) ~~The Chain of Office or badge may be worn for events both outside and within the District where the Chair considers that those present would consider it appropriate to mark the occasion.~~
- (l) ~~The Garden Room shall be available for business meetings, but the Chair shall have priority use of the room in connection with the fulfilment of his/her role.~~

- ~~(m) The role of Consort shall be discontinued. However, a Chair may take his/her partner along to appropriate events although such partner shall not be expected to have a role to play at the event.~~
- ~~(n) It shall continue to be appropriate for the Chair to accept invitations to the annual Royal Garden Party and to nominate deserving members of the staff and/or the public to accompany him or her.~~
- ~~(o) The Chair shall not appoint a Chaplain.~~
- ~~(p) The Civic Service shall be discontinued. However, the Chair shall have the discretion to make his/her own arrangements for a Chair's Service but will not involve the officers in that process.~~
- ~~(q) The Chair shall have the discretion to attend the services to mark the opening of the Crown Court sessions but will not involve the officers in that process.~~
- ~~(r) The Chair shall continue to attend Remembrance services because they are recognition of individual sacrifice.~~

APPENDIX C

PART 4

Financial Procedure Rules and Contract Procedure Rules in Part 4 and the Scheme of Delegation to Officers in Part 9

Introduction

- 1 In these Financial Procedure Rules, Contract Procedure Rules and in the Scheme of Delegation to Officers, "Designated Officer" means the Chief Executive, Director of Finance, Director of Planning and Environmental Services, Corporate Head - Legal and Democratic Services, Corporate Head - Internal Services, Corporate Head - Housing Services, Corporate Head – Communities and Enterprise and Head of District Services or any properly appointed deputy or other Officer authorised to act for such Designated Officer.
- 2 For the avoidance of doubt, any function purported to be delegated to or exercisable by a Designated Officer of the Council, shall be deemed also to be delegated to the Chief Executive, who in the absence of that Delegated Officer on leave, through sickness, attendance at conference or for any similar reason, shall authorise a substitute officer to act. The exception to this shall be the Head of Finance when acting on behalf of the Director of Finance under Section 151 of the Local Government Act 1972 and the Corporate Head - Legal and Democratic Services when acting on behalf of the Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.
- 3 As an addition to the Financial Procedure Rules, the Council has adopted the following clauses as recommended by the Chartered Institute of Public Finance and Accountancy:
 - 3.1 The Council will create and maintain, as the cornerstones for effective treasury management:
 - a treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities
 - suitable treasury management practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

The content of the policy statement and TMPs will follow the recommendations contained in Sections 6 and 7 of CIPFA's Code of Practice, subject only to amendment where necessary to reflect the particular circumstances of the Council. Such

amendments will not result in the Council materially deviating from the Code's key principals.

- 3.2 Full Council will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs.
- 3.3 This Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Cabinet, and for the execution and administration of treasury management decisions to the Director of Finance, who will act in accordance with the Council's policy statement and TMPs and, if he/she is a CIPFA member, CIPFA's Standard of Professional Practice on Treasury Management.
- 3.4 The Council nominates the Audit Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.

PART 4

Financial Procedure Rules

1 Financial Administration

1 Financial Administration

- 1.1** Every Officer of the Council and Councillor shall comply with the provisions of these Financial Procedure Rules.
- 1.2** The Cabinet shall be responsible for regulating and controlling the finances of the Council.
- 1.3** The Director of Finance shall, for the purposes of Section 151 of the Local Government Act 1972, be responsible for the proper administration of the Council's financial affairs as the Council's financial and economic adviser.
- 1.4** The Director of Finance shall have responsibility for maintaining an adequate and effective system of Internal Audit.
- 1.5** The Director of Finance, in consultation with the Chief Executive, shall report to the Cabinet on the level of financial resources available and to be utilised in each financial year. These Officers shall keep the Cabinet informed of the Council's finances and financial performance and provide financial and performance advice to the Scrutiny Committee as necessary.
- 1.6** The Designated Officer shall be responsible for:
 - (a) the observance of the Council's Financial Procedure Rules and financial regulations;
 - (b) the accountability and control of employees, and
 - (c) the security, custody and control of all other resources of his/her department.
- 1.7** All the accounting procedures and records of the Council shall be approved by the Director of Finance in consultation with the Designated Officers concerned.
- 1.8** Each Designated Officer shall agree with the Director of Finance any proposed changes in accounting procedures or records. All agreed changes shall be properly recorded.
- 1.9** Where a Designated Officer delegates his/her powers to staff in accordance with a scheme of delegation, a written record including appropriate authorisation of such delegation must be maintained by the delegated Officer concerned.

2 Financial Planning

- 2.1 To enable the Council's annual estimates to be prepared, the Cabinet shall prepare a programme of proposed capital expenditure and estimates of income and expenditure on revenue account and shall consider the combined effect of these programmes and estimates upon the Council's financial resources, and submit them to the Council for approval, with a recommendation as to the General Fund Net Requirement and its levy implications for the next financial year.
- 2.2 Prior to any application for external funding each application shall be submitted to the Director of Finance for appraisal to confirm that the financial implications have been fully assessed.
- 2.3 Before claims for grant or reimbursement are submitted to any Government department or other body, they shall be sent to the Director of Finance for examination and certification.

3 Control on Capital and Revenue Expenditure

3.1 Capital Expenditure

- 3.1.1 The Designated Officer, jointly with the Director of Finance, shall prepare financial appraisals of all projects to be put forward for inclusion in the Capital Programme.
- 3.1.2 Capital expenditure shall only be incurred if the project is included in the Council's approved Capital Programme and the Cabinet has authorised expenditure on the project.
- 3.1.3 The Designated Officer responsible for implementing an approved capital project and the Director of Finance shall *regularly* report on the progress and financial expenditure of the project to *meetings* of the Cabinet.

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3.1.4 Leases

In consultation with the Corporate Head - Legal and Democratic Services, the Director of Finance shall settle terms and conditions for the leasing of vehicles, plant and equipment in accordance with financial policies determined by the Cabinet.

3.2 Revenue Expenditure

3.2.1 Recurring Expenditure

The inclusion of an estimate in a budget shall be authority for the expenditure of sums not exceeding that estimate (inclusive of transfers or supplementary estimates that have been authorised).

3.2.2 Orders for Works and Goods

Orders for works and goods shall be issued in a form approved by the Director of Finance and in accordance with any prescribed procedures.

3.2.3 The following principles shall be observed in connection with accounting systems:

- (a) the duties of providing information regarding sums due to or from the Council and of calculating, checking and recording those sums shall be separated as completely as possible from the duty of collecting or disbursing them, and
- (b) Officers charged with the duty of examining and checking the accounts of financial transactions will not be engaged in any of these transactions.

3.2.4 Non-Recurring Expenditure

Items of non-recurring revenue expenditure approved each year by the Cabinet can only be used for the purpose stated.

3.2.5 Trading Activities

No Officer shall engage in any trading activity until a Business Plan incorporating a statement of financial viability has been examined by the Director of Finance and approved by the Cabinet following consideration of the views of the Director of Finance.

3.3 Reserves

3.3.1 The Cabinet shall each year set aside from its estimates *amounts to be transferred into reserves for the proper support of the Council's services.* 3.3.2 *The Cabinet shall each year include in its estimates amounts to be transferred from its reserves for the proper support of the Council's services.*

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3.3.3 *During the course of each year the Leader of the Council may authorise amounts to be expended from uncommitted reserves provided such amounts are used in accordance with the purposes for which the reserve was established. The Leader will seek advice from the Director of Finance prior to each authorisation and each amount authorised will be reported to the next meeting of the Cabinet.*

3.3.4 *A vehicles replacement programme will be submitted to Cabinet at least once every three years. Vehicles may be*

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purchased up to twelve months in advance of requirements in accordance with the approved programme provided that the Director of Finance is satisfied that there is an adequate balance available within the Repairs and Renewals Fund *and the action is approved by the relevant Lead Councillor.*

- 3.3.5 Details of vehicles purchased in advance of the programme will be reported to the next available meeting of the Cabinet.

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3.4 Contingencies

3.4.1 Provision for Salary and Wages Pay Award

The Cabinet shall include in the revenue budget such provision for salary and wages awards as may be considered necessary.

3.4.2 Contingencies

The Leader of the Council may, approve expenditure from the contingency fund *element of the Working Balance* to meet the cost of additional and/or previously unforeseen expenditure. The Director of Finance in consultation with the Chief Executive shall be permitted to approve expenditure from the contingency fund to meet the cost of additional and/or previously unforeseen expenditure up to a sum not exceeding £5,000. A statement of any expenditure *however* authorised shall be reported to the *next available* Cabinet.

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3.5 Petty Cash Expenditure

- 3.5.1 The Director of Finance is authorised to pay to each Director or Designated Officer an amount to be used as petty cash. The amount will be at a level consistent with the needs of the department involved.
- 3.5.2 No income received on behalf of the Council may be paid into a petty cash account but must be banked or accounted for in one of the Council's accounts.
- 3.5.3 Payments shall be limited to minor items of expenditure and shall be supported by a receipt.
- 3.5.4 An Officer responsible for a petty cash account shall give the Director of Finance a certificate to show the position of his/her petty cash account at the end of each financial year and at any other times if so requested.
- 3.5.5 On ceasing to be entitled to hold a petty cash account, the

Officer will account to the Director of Finance for the amount advanced.

- 3.5.6 No single item of expenditure from petty cash shall exceed £50 (including VAT), unless in exceptional circumstances and with the prior approval of the Director of Finance.

3.6 Budget Transfers

3.6.1 Revenue Estimates

The Revenue Estimates shall show on a separate page each annual Cabinet budget divided into Service Estimates. Each Service Estimate shall be sub-divided into the following resources estimates:

- Employees;
- Premises;
- Transport;
- Supplies and Services;
- Agency and Contracted Services;
- Support Services;
- Capital Charges, and
- Income.

No sum can be transferred from one Service Estimate to another without the prior approval of:

- (a) the Cabinet for sums ~~over £50,000~~(b) the Council for sums over £100,000.

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No sum may be transferred to or from the resources estimates provided for Support Services or Capital Charges. ~~Proposals to transfer sums to or from the resources estimates provided for employees and income must be supported by the Director of Finance and authorised by the Leader of the Council. All such transfers will be reported to the next available meeting of the Cabinet.~~

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With the exception of non-recurring items in 3.2.4 above, a Designated Officer shall have delegated powers to transfer money from one of the remaining resource estimates to another within a Service Estimate with the prior approval of the Director of Finance. Each transfer shall not exceed the sum of £50,000.

3.6.2 Housing Revenue Account Capital Programme

The Corporate Head - Housing Services or Designated Officer, in consultation with the Director of Finance, may transfer sums between programme heads in the Housing Revenue Account Capital Programme. All such transfers must be reported to the next meeting of the Cabinet.

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3.6.3 General Fund Capital Programme,

Designated Officers may, with the approval of the Director of Finance, transfer sums of up to £5,000 from one project or programme head to another. All such transfers must be reported to the next meeting of the Cabinet. Any additional costs of a project or programme head which cannot be met by transfer must be the subject of a supplementary estimate, prior to being incurred.

3.7 Supplementary Estimates

The *Leader of the Council* may approve a supplementary estimate to the budget provided that:

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There are sufficient *uncommitted* resources in the Council's reserves and balances to fund the supplementary estimate.

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That each reserve will only be used for its stated purpose.

The General Fund Working Balance is used in accordance with the indicative risk based service elements when the estimates were last approved by Council.

The approval of the *Cabinet* shall be required when the amount of each approval exceeds £100,000.

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3.8 Emergencies

Nothing in these Financial Procedure Rules shall prevent a Designated Officer or the Cabinet from incurring expenditure which is essential to meet any immediate needs created by a sudden emergency or disaster which can be justified by reference to Section 138 of the Local Government Act 1972. Any expenditure incurred must be reported to the next meeting of the Cabinet.

3.9 Payments

3.9.1 The Director of Finance is authorised to make payment in respect of expenditure incurred under the provisions of these Financial Procedure Rules.

3.9.2 Apart from petty cash, the Council will pay money due by cheque or *electronic* method, drawn on the Council's bank account.

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3.9.3 Each Designated Officer shall:

- (a) send the names of Officers authorised to certify financial records to the Director of Finance, together with specimen signatures, and
- (b) keep under regular review the department's list of names of the Officers authorised to certify such records and promptly notify any changes to the Director of Finance.

3.9.4 Before certifying an *invoice*, the certifying Officer must be satisfied that:

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- (a) the work, goods or services to which the account relates have been received, carried out, examined and approved;
- (b) the prices, extensions, calculations, trade discounts, other allowances, credits and tax are correct;
- (c) the relevant expenditure has been properly incurred and is within the relevant estimate provisions;
- (d) appropriate entries have been made in inventories, stores records or stock books as required, and
- (e) the account has not been previously passed for payment and is a proper liability of the Council.

3.9.5 Each certified original *invoice* shall be passed without delay to the Director of Finance. The Director of Finance shall examine the account and be entitled to make enquiries and to receive information and explanations as may be required.

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3.9.6 Any amendment to an *invoice* shall be made in ink and initialled by the Officer making it, stating briefly the reasons where they are not self-evident,

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3.10 Outstanding Payments

At the end of each financial year each Designated Officer shall comply with the requirements of the Final Accounts timetable and notify the Director of Finance of all outstanding expenditure relating to the previous financial year.

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4 Control of Income

4.1 Fees and Charges

All fees and charges, including nil charges, shall be reviewed

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annually and agreed by the Cabinet.

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4.2 Collection

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Designated Officers shall notify the Director of Finance of all items of income arising from their department's activities. The collection of all money due to the Council shall be under the supervision of the Director of Finance. All money received by an Officer on behalf of the Council will be paid without delay to the Director of Finance or where instructed to the Council's Bank. *Every transfer of the Council's money from one member of staff to another shall be evidenced in the records of the departments concerned by the signature of the receiving Officer.*

4.3 Banking Facilities

The Cabinet shall approve the appointment of a Bank or Banks. All arrangements with the Council's Bankers shall be made by the Director of Finance. All Council money shall be transacted through the official accounts of the Council. No other account shall be used for transacting or transferring Council funds.

Deleted: All fees and charges, including nil charges, shall be reviewed annually and agreed by the Cabinet. Every transfer of the Council's money from one member of staff to another shall be evidenced in the records of the departments concerned by the signature of the receiving Officer.

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4.4 Cheques

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4.4.1 Main Account

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All cheques (with the exception of cheques drawn on the Court Fees' and Chair's accounts) shall be ordered on the authority of the Director of Finance who shall make proper arrangements for their safe custody. All cheques drawn on the Council's main bank account shall bear the facsimile signature of the Director of Finance.

Cheques for amounts which exceed £10,000 shall be manually signed by the Director of Finance or an Officer authorised in writing by the Director of Finance.

4.4.2 Court Fees' Account and Chair's Account

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Cheques for use on each of these accounts shall be supplied by the Council's bank.

The Director of Finance shall notify the bank of the names of persons who will operate the account together with specimen signatures.

4.5 Amounts to be Written-off

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4.5.1 Where an amount of debt is less than £10,000, or the amount involved is claimable in bankruptcy or liquidation

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proceedings, the Director of Finance or Designated Officer is authorised to write off the amount. Amounts written off will be reported to the next meeting of the Cabinet by the Director of Finance.

~~4.5.2~~ Where the sum is between £10,000 and £50,000, the Cabinet is authorised to write off the amount.

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~~4.5.3~~ Where the sum exceeds £50,000, the Cabinet shall make an appropriate recommendation to the Council.

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~~4.5.4~~ A complete record of all debts written-off must be maintained by the Director of Finance.

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~~4.6~~ Value Added Tax

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When the rate of Value Added Tax (VAT) is altered, the Director of Finance, in conjunction with the appropriate Designated Officer, is authorised to amend all fees and charges as required.

5 Audit and Control Arrangements

5.1 Internal Audit

5.1.1 The Director of Finance shall maintain adequate and effective arrangements for the internal audit of the Council's accounting records, control systems and other operations in accordance with the Audit Regulations and Auditing Guidelines.

5.1.2 The Director of Finance (or authorised representative) shall have authority to:

- (a) enter at all reasonable times on any Council premises or land;
- (b) have access to all records, documents and correspondence relating to any financial and other transactions of the Council;
- (c) require and receive such explanations as are necessary concerning any matter under examination, and
- (d) require any employee of the Council to produce cash, stores or any other Council property under his/her control.

5.1.3 Internal Audit shall, in consultation with the Chief Executive and other appropriate Officers, agree arrangements for securing economy, efficiency and effectiveness in the use of the Council's resources.

5.1.4 In carrying out its duties, the Internal Audit Section will operate in accordance with the *Code of Practice for Internal Audit in Local Government in the United Kingdom 2006 and amended from time to time and other relevant auditing standards.*

Deleted: Consultative Committee of Accounting (CCAB) Auditing Guidelines (Guidance for Internal Auditors) issued in June 1990 and amended from time to time and other relevant auditing standards.

5.2 Irregularities

Whenever any matter arises which may involve any irregularity concerning cash, stores or property of the Council or the financial or non-financial functions of the Council, the appropriate Designated Officer shall immediately notify the Director of Finance. The Director of Finance shall take any necessary steps by way of investigation and report to the Chief Executive. The Chair of the Audit Committee shall be informed of the outcome of the investigation.

5.3 External Audit

An independent external audit of the Council's services will be carried out by Officers appointed by the Audit Commission for Local Authority Accounts.

5.4 Stocks and Stores

- 5.4.1 Each Designated Officer shall be responsible for the care and custody of the stocks and stores in his/her department.
- 5.4.2 Stocks will not be in excess of normal requirements except in special circumstances with the approval of the Cabinet.
- 5.4.3 Designated Officers shall arrange for stocks to be checked by an Officer other than the employee in charge of the stocks at least once in every year.
- 5.4.4 The Director of Finance shall be entitled to ask each Designated Officer for such information as required in relation to stores for the accounting, costing and financial records. Disposal of surplus or obsolete materials, stores or equipment which have an estimated realisable value greater than £2,500 shall be agreed with the Director of Finance. If agreed, the items are to be disposed of by competitive tender or public auction, unless the Committee concerned decides otherwise. For such items with a realisable value below £2,500 the method of disposal shall be at the discretion of the Designated Officer concerned.
- 5.4.5 Any surplus or deficiency in stock of a value in excess of that from time to time agreed with the Director of Finance shall be reported to the Director of Finance who shall

decide what further action is required. The facts shall be reported to the next meeting of the Cabinet.

5.5 Inventories

- 5.5.1** Inventories shall be maintained by all departments and record an adequate description of furniture, fittings and equipment, plant and machinery. The extent to which the property of the Council shall be recorded and the form in which the inventories shall be kept is to be determined by the Director of Finance in consultation with the Designated Officers.
- 5.5.2** Each Designated Officer is responsible for maintaining an annual check of all items on the inventory, and taking action in relation to surpluses or deficiencies and recording this in the inventory. Any losses shall be reported to the Director of Finance.
- 5.5.3** The Council's property shall not be removed otherwise than in accordance with the ordinary course of the Council's business. The Council's property shall not be used other than for the Council's purposes, except in accordance with specific directions issued by the Designated Officer concerned.

5.6 Security

- 5.6.1** Each Designated Officer is responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash, etc under their control. The Director of Finance must be consulted in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.
- 5.6.2** Maximum limits for cash holdings will be agreed with the Director of Finance and shall not be exceeded without his/her consent.
- 5.6.3** Keys to safes and similar receptacles shall be held in a secure environment remote from the premises where the safe or similar receptacle is located which restricts access to authorised personnel only. The loss of any key shall be reported to the Director of Finance immediately.
- 5.6.4** The Corporate Head - Internal Services shall be responsible for maintaining proper security and privacy as respects information held in the computer installation.
- 5.6.5** The Corporate Head - Internal Services shall maintain an inventory of all IT and telecommunication equipment within

the Council.

5.7 Insurance

- 5.7.1** The Director of Finance will arrange all necessary insurance cover and negotiate all claims in consultation with other Officers where necessary, and will review all insurances in consultation with other Directors at least annually.
- 5.7.2** Designated Officers shall notify and consult with the Director of Finance to enable cost effective insurance to be maintained:
- (a) before making any acquisition or disposal of land or buildings;
 - (b) before taking on any other or altering any existing risk;
 - (c) before signing or accepting any written agreement comprising or containing an indemnity from the Council or a disclaimer of liability, and
 - (d) immediately of any loss, damage, claim or circumstances which might give rise to a claim by or against the Council.

6 Salaries, Wages and Pensions

- 6.1** The payment of all salaries, wages, pensions, compensation and other emoluments to all employees or former employees of the Council shall be made and controlled by the Director of Finance under arrangements approved by the Chief Executive.
- 6.2** All time records or other pay documents shall be certified in writing by, or on behalf of, the appropriate Designated Officer. The names of Officers authorised to certify payment records shall be sent to the Director of Finance, together with specimen signatures. The name of each Officer shall be authorised by the appropriate Designated Officer and must be amended whenever there is a change in the Officer's responsibilities.
- 6.3 Travelling and Subsistence Allowances**
- 6.3.1** All claims for payment of car allowances, subsistence allowances, travelling and incidental expenses shall be submitted and duly certified, in a form approved by the Director of Finance.
- 6.3.2** Payments to members, including co-opted members of the Council or its Committees who are entitled to claim

travelling or other allowances, shall be made by the Director of Finance upon receipt of the appropriate completed form. All claims are to be submitted within two months of the date on which the duty was carried out. Claims for duties undertaken in March must be submitted for payment within one month of 31 March.

- 6.3.3** The certification by, or on behalf of, a Designated Officer shall mean that:
- (a) the certifying Officer is satisfied that the journeys were authorised;
 - (b) the expenses were properly and necessarily incurred, and
 - (c) the allowances are properly payable by the Council.
 - (d) *any Vat element to be reclaimed is supported by a Vat invoice or receipt.*
- 6.3.4** Members' and Officers' claims submitted more than six months after the expenses were incurred will be paid only with the express approval of the Director of Finance.

7 Asset Register

- 7.1** The Director of Finance shall maintain an asset register in the form required by the Code of Practice on Local Authority Accounting.
- 7.2** The Corporate Head - Legal and Democratic Services shall keep all contracts, legal instructions and title deeds under secure arrangements agreed with the Director of Finance.

8 Retention of Records

Each Director shall ensure that financial records are securely filed for the period of time required by the Director of Finance.

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Agenda Item No:

Report No:

Report Title: Updates to Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules

Report To: Council

Date: 9 May 2012

Ward(s) Affected: All

Report By: Corporate Head – Legal and Democratic Services

Contact Officer(s)-

Name(s): Jackie Gavigan
Post Title(s): Head of Democratic Services
E-mail(s): jackie.gavigan@lewes.gov.uk
Tel No(s): 01273 484145

Purpose of Report:

To update the Protocol on Key Decisions.

To update the Role Profile of the Chair and Vice-Chair of the Council.

To reinstate the role of Consort to the Chair of the Council.

To update the Financial Procedure Rules.

Officers Recommendation(s):

- 1 That the change to the Protocol on Key Decisions, as set out in Appendix A, be approved.
 - 2 That the change to the Role Profile of the Chair and Vice-Chair of the Council, as set out in Appendix B, be approved.
 - 3 To approve the reinstatement of the role of Consort to the Chair of the Council, as set out in Appendix B.
 - 4 That the changes to the Financial Procedure Rules, as set out in Appendix C, be approved.
 - 5 That the Head of Democratic Services updates the Constitution to reflect the changes set out in this Report.
-

Reasons for Recommendations

- 1 To ensure that the Constitution is kept up to date in light of new procedures and arrangements.

Information

Key Decisions

- 2** The examples of key decisions and non-key decisions contained in Appendix A (Protocol on Key Decisions) have been deleted as they are now out of date. The statutory definition of what constitutes a key decision remains unchanged and is set out in the Constitution.

Role Profile of the Chair and Vice-Chair

- 3** The guidelines set out in Appendix B (Role Profile of the Chair and Vice-Chair of the Council) have been removed. The guidelines remain relevant to the roles and the Civic Officer will continue to refer to them when organising the work of the Chair and Vice-Chair. However, it is not seen as necessary for the guidelines to appear in the Constitution.

Role of Consort to the Chair

- 4** The option of the Chair appointing a Consort to accompany them to appropriate events has been reinstated, as reflected in Appendix B. It is proposed that this be a matter of discretion for each individual Chair of the Council.

Financial Procedure Rules

- 5** The financial procedure rules set out in Appendix C have been updated to facilitate and speed up the business of the Council by enabling the Leader to authorise use of reserves and balances without having to wait for the next cycle of Cabinet meetings. The governance arrangements are that the reserves and balances can only be used for their designated purpose. The Director of Finance would advise the Leader of the Council prior to any authorisation. A re-designation of a reserves purpose would require a Cabinet report
- 6** The amendments also tidy up and bring up to date the remainder of this section of the Constitution.

Constitution Working Party

- 7** Subject to approval of the Appointments 2012/13 recommendation, a Constitution Working Party will be established to review the Council's Constitution and make any further revisions.

Financial Appraisal

- 8** There are no significant financial implications arising from these recommendations.

Environmental Implications

- 9** I have completed the Environmental Implications Questionnaire and there are no significant effects as a result of these recommendations.

Risk Management Implications

- 10** There are no risk management implications arising as a result of these recommendations. If the recommendations are not implemented, the main risk will be that the Constitution is out of date and does not reflect the Council's current procedures.

Equality Implications

- 11** I have completed the initial Equality Impact Assessment screening exercise and no potential negative impacts were identified as a result of these recommendations. Therefore, a full Equality Impact Assessment is not required.

Background Papers

- 12** None

Appendices

- 13** Appendix A: Part 5 – Protocol on Key Decisions
Appendix B: Part 12 – Role Profile of the Chair and Vice-Chair of the Council
Appendix C: Part 4 – Financial Procedure Rules

Lewes District Council



Council Agenda for the Annual Meeting of the Council to be held on 9 May 2012

The venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired.

Lewes House, Lewes
1 May 2012

Jenny Rowlands
Chief Executive

Lewes District Council



Council Meeting

Councillors are kindly requested to switch off their mobile 'phones and other mobile devices prior to the commencement of the meeting.

Note: At the commencement of the meeting the Chair will ask for a period of silence to enable councillors to focus their thoughts on the meeting or to pray silently.

01 May 2012

To: The Members of the Council

You are hereby summoned to attend the Annual Meeting of **the Council** on 09 May 2012 at 14:30 in The Chamber, Pelham House, St Andrew's Lane, Lewes, when it is proposed to transact the following business:

1 Election of the Chair of the Council

The name(s) of the councillor(s) who have been nominated for the office of Chair of the Council will be reported at the meeting.

Following the election of the Chair of the Council, and pursuant to the provisions of Section 83 of the Local Government Act 1972, the person

elected to be Chair of the Council shall make a Declaration of Acceptance of Office in the prescribed form, before the Chief Executive.

2 Appointment of the Vice-Chair of the Council

The name(s) of the councillor(s) who have been nominated for the office of Vice-Chair of the Council will be reported at the meeting.

Following the appointment of the Vice-Chair of the Council, and pursuant to the provisions of Section 83 of the Local Government Act 1972, the person appointed to be Vice-Chair of the Council shall make a Declaration of Acceptance of Office in the prescribed form, before the Chief Executive.

3 Minutes

To confirm and sign the Minutes of the Meeting of the Council held on 20 February 2012 (copy previously circulated).

4 Apologies for Absence

5 Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct

6 Announcements

To receive any announcements from the Chair of the Council, Leader of the Council, Members of the Cabinet or the Chief Executive.

A list of the Chair of the Council's engagements since the Meeting of the Council on 20 February 2012 is enclosed.

Attached Documents:

[Announcements - Chair of the Council's Engagements](#)

7 Questions from Members of the Public

To deal with questions which members of the public may wish to put to members of the Cabinet in accordance with Council Procedure Rule 10 (if any).

8 Petitions

To receive petitions from councillors or members of the public in accordance with Council Procedure Rule 12 (if any).

9 Written Questions from Councillors

To deal with written questions which councillors may wish to put to the Chair of the Council, a Member of the Cabinet or the Chair of any committee or sub-committee in accordance with Council Procedure Rule 11 (if any).

10 Ward Issues

To deal with ward issues which councillors wish to raise. A councillor wishing to raise a ward issue must notify the Chair of the Council prior to the commencement of the meeting in accordance with Council Procedure Rule 11.8 (if any).

11 Urgent Decisions taken by the Cabinet or Cabinet Members

In accordance with Scrutiny Procedure Rule 17, to receive details of any urgent decisions taken by the Cabinet or Cabinet Members since the Meeting of the Council on 20 February 2012.

12 Recommendations from Cabinet

To consider the Recommendations from the meeting of the Cabinet held on 14 March 2012 (Minute Extract herewith) (and to receive questions and answers on those Recommendations) and to make resolutions thereon.

13 Appointments

(a) To note the Leader of the Council's appointments to Cabinet (in addition to the Leader) and to note their individual areas of responsibility (Report herewith).

(b) To consider proposals for the appointment of members and Chairs of Committees and other bodies (Report herewith).

(c) To consider proposals for the appointment of members to serve on outside and joint bodies (Report herewith).

Attached Documents:

[Appointments 2012/13 - Report](#)

[Appointments 2012/13 - Appendix A](#)

[Appointments 2012/13 - Appendix B](#)

[Appointments - Appointments of Representatives to Serve on Outside and Joint Bodies 2012/13](#)

14 Recommendations of the Standards Committee

To consider the Report of the Corporate Head – Legal and Democratic Services (Report herewith).

Attached Documents:

[Local Standards Framework and Code of Conduct for Councillors - Report](#)

[Local Standards Framework and Code of Conduct for Councillors - Appendix 1](#)

15 Substitute Members

To appoint all members of the Council to the "approved list" of members appointed to act as substitute members in accordance with Council Procedure Rule 4.

16 Notices of Motion

In accordance with Council Procedure Rule 13 Councillor Osborne has submitted the following Notice of Motion:

"Council notes:

The road accident rate in East Sussex is still far too high with the County falling short of the Government's national road safety target of a 40% reduction from the average. In 2009 the number of people killed or seriously injured in the county was 373, including 32 children, with a further 1685 people sustaining slight injuries.

A survey of East Sussex residents in 2009, concluded that road safety was the most important issue for any new transport strategy to address.

The Community Safety Partnership, of which Lewes District Council is a key partner, has as one of its main priorities the reduction in the volume of traffic collisions as well as the reduction in killed and seriously injured on our roads.

In Lewes, the 'Living Streets Lewes' organisations have collected 1,500 signatures on a petition calling for 20mph limits for the whole of the town.

It is worth highlighting a couple of key statistics that support the need for more 20mph zones:

- Excessive speed is one of the biggest contributory factors in KSI crashes. More than half of road deaths and serious injuries occur on roads with 30 mph limits.(Transport Statistics for Great Britain).
- Britain has the highest percentage of pedestrian road fatalities in Europe 22.5%. (EU European Road Safety Observatory)

The Department for Transport estimates that the average cost per seriously injured casualty on the roads is **£178,160** and that the average cost per fatality is **£1,585,510**.

Speed limits on Britain's urban roads are 60% higher than Europe. (30 mph compared to 18.6 mph) Britain has one of the lowest levels of children walking or cycling to school in Europe. British parents consistently cite traffic speed as the main reason why their children are not allowed to cycle or walk to school.

Already 7m residents who live in towns and villages are adopting or have adopted this policy including Portsmouth, Oxford, Lancashire, Brighton & Hove, Bath and North East Somerset.

Wiltshire County Council are piloting 20mph speed limits and reduction in the speed limits on the surrounding rural roads in six of its villages.

New guidelines from the Department for Transport have relaxed requirements for 20 mph limits in residential areas. It is no longer mandatory to impose physical measures such as bumps. This has significantly reduced the cost and complexity of introducing 20mph limits.

In Portsmouth the 20mph limit on all residential roads has reduced casualties by 22% drop in collisions and at a cost of only £333 per street. Oxford spent £300,000 (£2 per head). The "value" of fewer casualties from an area-wide 20mph limit has given a First Year Rate of Return of over 800%.

The introduction of 20mph speed limits is supported by NICE, the National Institute for Health and Clinical Excellence, who recommend 20 mph limits where children and young people are likely to be.

Council resolves that:

The residents of Lewes District have a right to the benefit from 20mph limits in residential areas. These include:

Fewer casualties - Lowering urban and residential speed limits to 20 mph has been found to decrease child pedestrian accidents by up to 70% (Transport Research Laboratory). In Portsmouth, drivers had 23% fewer and passengers 31% fewer after 2 years of wide area 20 mph limits. Elderly drivers had 50% fewer injuries and 40% fewer injured passengers.

Popularity - 71% of drivers support 20 mph speed limits on residential streets. (British Social Attitudes Survey 2011)

Pollution, Climate Change and Air Quality - When 30 km/h (18.5 mph) zones were introduced in Germany, car drivers on average changed gear 12% less often, braked 14% less often and required 12% less fuel.

Health Improvements - Reduced local emissions, improved air quality and increased likelihood of a shift to active modes of transport like walking or cycling. Slowing speeds from 30mph to 20 mph has been shown to increase levels of cycling by 12%

Better Quality of Life and Reduced Inequalities - Slower speeds benefit large numbers of non-car users, reducing noise and allowing better urban design standards for quality places. Those currently suffering the greatest inequalities tend to live nearer to busy roads and therefore benefit more from 20mph limits. 20 mph reduces health inequalities by extending the life expectancy of disadvantaged people.

Less Congestion - At 20 mph more cars occupy the same road space due to shorter gaps between them relative to 30 mph, easing traffic 'flow'. Junctions are more efficient as drivers can merge into shorter gaps. Less risk encourages sustainable travel and public transport.

Easier parking – As people feel safer, more will walk or cycle in towns and villages and there will be fewer car trips, freeing up road space and parking for those that have to drive.

Cleaner air quality - especially benefits motorists. They breathe in-car air, which is three times more polluted than at the pavement. Standing traffic, which produces unnecessary fumes, reduces as traffic flow becomes smoother. Less fuel is burnt due to less acceleration and the transfer of some trips away from cars towards walking, cycling and public transport.

Motoring costs drop. As crashes fall in severity and frequency, so do legal and repair bills. This will be reflected in motor insurance premiums dropping in 20 mph limit postcodes.

Repair bills fall. Vehicles maintain value from fewer crashes, less brake and tyre wear.

Stress reduces as drivers have more time to see and react to hazards. Fewer road rage incidents occur due to more considerate driving styles, including less dangerous overtaking and it is easier to pull out. With casualties down by 22% some drivers will suffer less emotional trauma and anxiety from their part in liability for crashes. Noise also reduces.

Less parents' taxi duty. Road danger reduction brings safer independent

child travel, improves their life skills, and frees up parents for more productive activities than driving.

Society benefits. Fewer road victims frees up facilities for other health needs. Fewer workdays are lost. Widow, disability benefit and care savings. Active travel cuts obesity and heart disease. Inequalities reduce as fewer children die. Quality of life rises. Fewer potholes.

Council calls for:

Lewes District Council requests that East Sussex County Council urgently assesses the feasibility of introducing 20mph limits on residential roads in the towns and villages of Lewes District. The Council understands that some roads are not appropriate for 20mph limits, in particular major trunk roads and arterial routes. However, the Council is convinced of the immediate need to introduce 20mph limits where feasible to yield the substantial benefits to local residents outlined above”.

17 The Draft Council Plan 2012/13

To consider the Report of the Chief Executive (Report herewith).

Attached Documents:

[The Draft Council Plan 2012/13](#)

18 Structure of Full Council Meetings at Lewes District Council

To consider the Report of the Corporate Head – Legal and Democratic Services (Report herewith).

Attached Documents:

[Structure of Full Council Meetings at Lewes District Council](#)

19 Updates to Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules

To consider the Report of the Corporate Head – Legal and Democratic Services (Report herewith).

Attached Documents:

[Updates to Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules - Report](#)

[Updates to Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules - Appendices A, B and C](#)

Jenny Rowlands
Chief Executive

For further information about items appearing on this Agenda, please contact Catherine Knight at Lewes House, 32 High Street, Lewes, East Sussex, BN7 2LX. Telephone: 01273 484118.