

REPORT FOR: **CABINET**

Date of Meeting:	23 June 2010
Subject:	Timetable for the Preparation and Consideration of Statutory Plans and Strategies 2010/11
Key Decision:	No
Responsible Officer:	Hugh Peart, Director Legal and Governance Services
Portfolio Holder:	Councillor Bill Stephenson, Leader of the Council and Portfolio Holder for Finance and Business Transformation
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Appendix A - Timetable for Statutory Plans and Strategies

Section 1 – Summary and Recommendations

This report sets out the requirements of the Council's Constitution in terms of the development of its policy framework and seeks approval to the timetable for consideration of statutory plans and strategies.

Recommendations:

That (1) the timetable for the preparation and consideration of the statutory plans and strategies, set out at Appendix A to this report, be approved;

(2) variation to the timetable be reserved to the Leader of the Council.

Reason: (For recommendation)

To comply with the requirements of paragraph 3 of the Budget and Policy Framework Procedure Rules set out in Section 4C of the Council's Constitution.

Section 2 – Report

2.1 Introduction

2.1.1 The Council's Constitution sets out the process for the development of the policy framework at paragraph 3 of the Budget and Policy Framework Procedure Rules. In accordance with the Local Authorities (Functions and Responsibilities) Regulations 2000, any approval to the following Plans and Strategies is reserved to the Council:-

- Children and Young People's Plan
- Community Safety Plan (Crime and Disorder Reduction Strategy)
- Gambling Policy
- Licensing Authority Policy Statement/Licensing Policy
- Local Area Agreement
- Local Implementation Plan (formerly the Local Transport Plan)
- Plans and strategies which together comprise the Development Plan
- Sustainable Community Strategy
- Youth Justice Plan.

The Council's Corporate Plan and the Single Equalities Scheme are also reserved to the Council.

2.1.2 The Constitution requires the Executive to determine, at the start of each Municipal Year, a timetable for the preparation and consideration of the statutory plans and strategies listed in paragraph 2.1.1 above that are required to be made in that year. A timetable is attached at Appendix A to this report and shows the meeting of the Executive which it is expected that the Plan or Strategy will be agreed for recommendation to Council, the meeting of the Overview and Scrutiny Committee to which the matter is to be referred (see paragraph 2.1.3 below) and the date of the Council meeting at which the recommendation will be considered.

- 2.1.3 The Overview and Scrutiny Committee shall receive any proposed Plan or Strategy listed in paragraph 2.1.1 above in sufficient time for the proposals to be included in the agenda for a scheduled meeting of their Committee and for them to make a report or recommendations to the meeting of the Council that is to consider the Plan or Strategy concerned. The Council shall not agree a Plan or Strategy until the Overview and Scrutiny Committee has had the opportunity, subject to the need for the statutory deadlines to be met, to consider the proposals.
- 2.1.4 On consideration of a Statutory Plan or Strategy the Council may decide to:
- (a) adopt the Executive's proposals;
 - (b) amend the Executive's proposals;
 - (c) refer the proposals back to the Executive for further consideration;
 - (d) substitute its own proposals in their place.

If the Council decides to adopt the Executive's proposals, that decision becomes effective immediately. If the Council decides to amend, refer back or substitute the proposals that decision shall come into effect after 5 clear working days from the day on which the Council meeting makes its decision.

If, however, the Plan or Strategy has been amended or substituted, and before the expiry of the 5 clear working days period, the Leader of the Council may give notice to the Chief Executive that s/he objects to some or all of the amendments made by the Council. In these circumstances the matter shall be referred to the next scheduled meeting of the Executive.

The Executive may agree the proposals of the Council, reaffirm its original proposals, or make further amendments. The decision of the Executive shall then be referred back to the Council. The Council can agree the proposals of the Executive or amend the proposals. The decision made by the Council then becomes effective immediately.

- 2.1.5 Members should note that when the Council approves a Plan or Strategy it will also specify the extent of variation within the Plan or Strategy that may be undertaken by the Executive in accordance with paragraph 7 of the Budget and Policy Framework Procedure Rules. The Executive may only make such other changes to a Plan or Strategy as have been agreed by the Council.
- 2.1.6 Once the Council has determined a Plan or Strategy the Executive shall publish information on the contents of the Plan or Strategy. The Plan or Strategy shall also be made available for public inspection and included on the Council's website, with copies available at a reasonable cost.

Options considered

There were no options to be considered.

Financial Implications

There are no financial implications.

Legal Implications

There are no legal implications other than those mentioned in the main body report.

Performance Issues

This report has no direct impact on any performance indicators. The effects of individual plans and strategies will be addressed in the respective reports. Under the Comprehensive Area Assessment, Use of Resources Key Line of Enquiry 2.3 (Governance), proper arrangements for the consideration of statutory plans and strategies contributes to a score of 3 in this particular KLOE, which is the Council's ambition for 2010.

Environmental Impact

There are no environmental impact issues associated with this report.

Risk Management Implications

Failure to publish the Plans may result in the Council failing to meet its statutory obligations.

Equalities implications

There are no equalities implications associated with this report.

Corporate Priorities

The impacts on delivery of the Corporate Priorities will be addressed in the reports on the individual plans and strategies. This report has no direct effect on the Corporate Priorities.

Section 3 - Statutory Officer Clearance

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 29 April 2010		
Name: George Curran	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 21 April 2010		

Section 4 – Performance Officer Clearance

Name: Alex Dewsnap



Divisional Director
Partnership,
Development and
Performance

Date: 12 May 2010

Section 5 – Environmental Impact Officer Clearance

Name: John Edwards



Divisional Director
(Environmental
Services)

Date: 13 May 2010

Section 6 - Contact Details and Background Papers

Contact:

Daksha Ghelani, Acting Senior Professional Democratic Services
Tel:020 8424 1881 or ext 2881

Background Papers:

The Council's Constitution.

Cabinet – 14 May 2009 - approved the timetable for the preparation and consideration of statutory plans 2008/9.

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

*(for completion by Democratic
Services staff only)*