

REPORT FOR: **CABINET**

Date of Meeting:	19 May 2011
Subject:	Timetable for the Preparation and Consideration of Statutory Plans and Strategies 2011/12
Key Decision:	No
Responsible Officer:	Hugh Peart, Director of 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

Introductory paragraph

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 (see also appendix A)
- Community Safety Plan (formerly the Crime and Disorder Reduction Strategy)
- Gambling Policy
- Licensing Authority Policy Statement/Licensing Policy
- Local Implementation Plan (formerly the Local Transport Plan)
- Plans and strategies which together comprise the Development Plan
- Sustainable Community Strategy
- Youth Justice Plan (see also Appendix A).

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.

For completeness, the following background has been included: On 27 October 2010 (PHD 25/10), the Leader agreed that the timetable for

the Core Strategy (Development Plan) be varied. On 17 January 2011 (PHD 37/10), the Leader agreed further variations in respect of three Plans, the Local Implementation Plan, the Single Equalities Scheme and the Sustainable Community Strategy. In addition, a change in position in relation to the Youth Justice Plan and the Children and Young People Strategic Plan was also noted. On 10 March 2011 (PHD 041/10), a further variation in the timetable in respect of the Community Safety Plan, formerly known as the Crime and Disorder Reduction Strategy, was approved. The revised dates are included in the Appendix.

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 the Committee and for it 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 Director of Legal and Governance Services 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. Other than in accordance with the procedure for urgent matters set out

at paragraph 5 of the 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/Legal Implications

There are no financial or legal implications other than those mentioned in the main body of the 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.

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: 27 April 2011		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 27 April 2011		

Section 4 – Performance Officer Clearance

Name: Martin Randall



on behalf of the
Divisional Director
Partnership,
Development and
Performance

Date: 26 April 2011

Section 5 – Environmental Impact Officer Clearance

Name: John Edwards



on behalf of the
Divisional Director
(Environmental
Services)

Date: 26 April 2011

Section 6 - Contact Details and Background Papers

Contact:

Daksha Ghelani, Senior Democratic Services Officer
Tel: 020 8424 1881 or Internal Ext 2881

Background Papers:

Council's Constitution.
Cabinet/PHD Reports 2010/11.

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

NOT APPLICABLE

[Call-in applies]