



Democratic Renewal Panel 10 September 2009

Amendments to the Constitution

1. Background

- 1.1 The Democratic Renewal Panel has as part of its Terms of Reference to 'recommend amendments to the Council's Constitution to full Council'.

2. Proposed Amendments

2.1 Staff and Management Restructure

- 2.1.1 On 29 July 2009 the Chief Executive Officer presented his proposals for a staff and management restructure to the Cabinet, which were endorsed. This restructuring has resulted in a significant rearrangement of the Constitution, especially in Part 3, Responsibility of Functions, relating to delegation to officers.
- 2.1.2 The restructuring has led to a rearrangement of the Constitution and not changes to the basic delegations to officers. Therefore, it is **RECOMMENDED** that the Head of Legal and Democratic Services be given delegated authority to amend the Constitution as a result of the staff and management restructure.

2.2 Budget Setting and Medium-Term Planning, Budget Monitoring and Control and Resource Allocation

- 2.2.1 Arising from the Chartered Institute of Finance and Accountancy and Audit Commission recommended good practice an additional section has been produced concerning financial management issues. Attached as Appendix A to this report is a draft of the proposed additional section, which it is proposed to include in Part 3, Responsibility for Functions, Scheme of Delegation to Officers.
- 2.2.2 It is **RECOMMENDED** that Appendix A to this report is approved for inclusion under Part 3, Responsibility of Functions, Section B of Scheme of Delegation to Officers.

3. Recommendations

3.1 It is **RECOMMENDED** that:-

- (a) the Head of Legal and Democratic Services be given delegated authority to amend the Constitution as a result of the staff and management restructure; and
- (b) Appendix A to this report is approved for inclusion under Part 3, Responsibility of Functions, Section B of Scheme of Delegation to Officers.

For further information, please contact:-

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B. Budget Setting and Medium-Term Planning, Budget Monitoring and Control and Resource Allocation

1. Budget Setting and Medium-Term Planning

1.1 Overarching Principles

- 1.1.1 St Edmundsbury Borough Council is a complex organisation responsible for delivering a wide variety of services. It needs to plan effectively and to develop systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. The budget is the financial expression of the authority's plans and policies.
- 1.1.2 The revenue budget must be constructed so as to ensure that resource allocation properly reflects the service plans and priorities of the Council. Budgets (spending plans) are needed so that the authority can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for an authority to budget for a deficit.
- 1.1.3 Medium-term financial planning involves a planning cycle in which managers develop their plans. As each year passes, another future year is added to the medium-term plan. This ensures that the authority is always preparing for events in advance. The Medium Term Financial Strategy (MTFS) reflects this forward planning financially.

1.2 Key controls

- 1.2.1 The key controls for budget setting and medium-term planning are:-
- (a) budget managers are consulted and involved in the preparation of the budgets for which they will be held responsible and accept accountability within delegations set out in the Constitution for their budgets and the level of service to be delivered; and
 - (b) a monitoring process is in place to review regularly the effectiveness and operation of budget preparation and to ensure that any corrective action is taken.

1.3 Responsibilities

1.3.1 Chief Finance Officer

- (a) Prepare and submit reports on budget prospects as part of the annual financial planning cycle, including resource constraints set by the Government and other external factors. Reports should take account of medium-term prospects, where appropriate. To prepare reports at intervals during the year in specific circumstances, such as prior to approval of additional expenditure.
- (b) Prepare and submit the annual budget to full Council, on the basis of information provided by Chief Officers and Heads of Service.

- (c) Advise on the medium-term implications of spending decisions.
- (d) Encourage the best use of resources and value for money by working with the Chief Officers and their staff to identify opportunities to improve economy, efficiency and effectiveness, and by encouraging good practice in conducting financial appraisals of development or savings options, and in developing financial aspects of service planning.
- (e) To advise the full Council in accordance with his or her responsibilities under Section 151 of the Local Government Act 1972.

1.3.2 All Chief Officers

- (a) Prepare budgets on the basis of service priorities, within the overall context of the Cabinet's agreed priorities.
- (b) Prepare budgets that are consistent with any relevant cash limits, as part of the authority's annual budget cycle and within guidelines issued by Cabinet (for example relating to the setting of council tax).
- (c) Integrate financial and budget plans into service planning, so that budget plans can be supported by financial and non-financial performance measures.
- (d) When drawing up draft budget requirements, to have regard to:-
 - (i) spending patterns and pressures revealed through the budget monitoring process;
 - (ii) legal requirements;
 - (iii) policy requirements as defined by the Full Council in the approved policy framework; and
 - (iv) initiatives already under way.

2. Budget Monitoring and Control

2.1 Overarching Principles

2.1.1 Budget management ensures that once the budget has been approved by full Council, resources allocated are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the authority to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account managers to account for defined elements of the budget.

2.1.2 By continuously identifying and explaining variances against budgetary targets, the authority can identify changes in trends and resource requirements at the earliest opportunity. The authority itself operates within

an annual cash limit, approved when setting the overall budget. To ensure that the authority in total does not overspend, each service is required to manage its own expenditure within the cash-limited budget allocated to it.

- 2.1.3 For the purposes of budgetary control by managers, a budget will normally be the planned income and expenditure for a service area or cost centre. However, budgetary control may take place at a more detailed level if this is required by the Director's scheme of delegation.

2.2 **Key controls**

2.2.1 The key controls for managing and controlling the revenue budget are that:-

- (a) budget managers should be responsible only for income and expenditure that they can influence;
- (b) there is a nominated budget manager for each cost centre heading;
- (c) budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities;
- (d) budget managers follow an approved certification process for all expenditure;
- (e) income and expenditure are properly recorded and accounted for; and
- (f) performance levels/levels of service are monitored in conjunction with the budget and necessary action is taken to align service outputs and budget.

2.3 **Responsibilities**

2.3.1 **Chief Finance Officer**

- (a) Establish an appropriate framework of budgetary management and control which ensures that:-
 - (i) budget management is exercised within annual cash limits unless the full Council agrees otherwise;
 - (ii) each Chief Officer has available timely information on income and expenditure for each budget, which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities;
 - (iii) expenditure is committed only against an approved budget head;
 - (iv) all officers responsible for committing expenditure comply with relevant guidance, and the financial regulations;

- (v) each cost centre has a single, named manager, determined by the relevant Chief Officer. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making process that commits expenditure; and
 - (vi) significant variances from approved budgets are investigated and reported by budget managers on a regular basis.
- (b) To administer the authority's scheme of virement.
 - (c) To prepare and submit regular reports to the Cabinet and Performance and Audit Scrutiny Committee on the authority's projected income and expenditure compared with the budget on a regular basis.
 - (d) Where a Chief Officer is unable to balance expenditure and resources within existing approved budgets under his or her control, to submit reports to the Performance and Audit Scrutiny committee, in consultation with the relevant Chief Officer.

2.3.2 All Chief Officers

- (a) Maintain budgetary control within their responsibility, in adherence to the principles in 2 above, and to ensure that all income and expenditure are promptly and properly recorded and accounted for.
- (b) Ensure that an accountable budget manager is identified for each item of income and expenditure under the control of the Chief Officer (grouped together in a series of cost centres). As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure. The current list is attached at Appendix 1 and is updated annually, or following any major restructuring.
- (c) Ensure that spending remains within the service's overall cash limit, and that individual budget heads are not overspent, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.
- (d) Ensure that a monitoring process is in place to review performance levels/levels of service in conjunction with the budget and is operating effectively.
- (e) Ensure prior approval by the Cabinet and full Council (as appropriate) for new proposals that create financial commitments in future years.
- (f) To ensure compliance with the scheme of virement.
- (g) Agree with the relevant Chief Officer where it appears that a budget proposal, including a virement proposal, may impact materially on another service area or Chief Officers' level of service activity.

3. **Resource Allocation**

3.1 **Overarching Principles**

3.1.1 A mismatch often exists between available resources and required resources. A common scenario is that available resources are not adequate to fulfil need/desire. It is therefore imperative that needs/desires are carefully prioritised and that resources are fairly allocated, in order to fulfil all legal responsibilities. Resources may include staff, money, equipment, goods and materials.

3.2 **Key controls**

3.2.1 The key controls for resource allocation are:-

- (a) resources are acquired in accordance with the law and using an approved authorisation process;
- (b) resources are used only for the purpose intended, to achieve the approved policies and objectives, and are properly accounted for;
- (c) resources are securely held for use when required; and
- (d) resources are used with the minimum level of waste, inefficiency or loss for other reasons.

3.3 **Responsibilities**

3.3.1 **Chief Finance Officer**

- (a) Advise on methods available for the funding of resources, such as grants from central government and borrowing requirements.
- (b) Assist in the allocation of resources to budget managers.

3.3.2 **All Chief Officers**

- (a) Work within budget limits and to utilise resources allocated, and further allocate resources, in the most efficient, effective and economic way.
- (b) Ensure that delegated budgets are appropriately managed inline with the Scheme of Financial Delegation and other policy requirements.

List of Budget Managers: 2009/2010

<u>Chief Executive</u>	<u>Budget Manager</u>
Chief Executive & Personal Secretary	Geoff Rivers
Directorate Heads	Geoff Rivers
Corporate management (CEO)	Geoff Rivers
Ceremonial & Mayoral Function	Geoff Rivers
Mayoralty	Geoff Rivers
Queen's Visit 2009	Geoff Rivers
Corporate Review Programmes	Adriana Stapleton
Head of HR & Org Development	
Central Training	Louise Hammond
Recruitment Expenses	Louise Hammond
Salaried Staff Other Cent Ser	Louise Hammond
Other Personnel Sub Cttee Service	Louise Hammond
PSV Human Resources	Louise Hammond
*PSV Change Management	Louise Hammond
Personnel & Training Services	Louise Hammond
Local E Government programme	Louise Hammond
Safety Officer	Martin Hosker
Customer Services	Davina Howes
Policy Unit	Davina Howes
Head of Legal & Democratic services	
Legal Division Property	Joy Bowes
Corporate Management (Legal)	Joy Bowes
Freedom of Information	Joy Bowes
Committee administration	Steven Lincoln
Democratic Representation	Steven Lincoln
Council costs	Steven Lincoln
Cabinet Costs	Steven Lincoln
Scrutiny & Overview Costs	Steven Lincoln
Standards Committee costs	Steven Lincoln
Policy Development committee	Steven Lincoln
Development Control Committee	Steven Lincoln
Licensing & Regulatory Committee	Steven Lincoln
Other Democratic rep	Steven Lincoln
Head of Finance, ICT, Revenues & Benefits, Procurement and Audit	
NDR Cost Of Collection	Ann Parry-Jones
Council Tax	Ann Parry-Jones
Council Tax Benefit	Ann Parry-Jones
Housing Benefits (GF)	Ann Parry-Jones
Housing Benefits Section	Ann Parry-Jones
Accountancy Section	Chris Barber
Walk-up Printer/Copier Machines	Chris Woodhouse
Computer section	Chris Woodhouse
Audit	Jon Snares
Telephones/Faxes	Liz Watts

Postages St Edmundsbury Hse	Liz Watts
Local Government Review	Liz Watts
Golf Club Loan	Liz Watts
Christ Church Moreton Hall	Liz Watts
Grants To Voluntary Bodies-gen	Liz Watts
Interest Transactions	Liz Watts
Other Services	Liz Watts
Misc Retirement costs	Liz Watts
Corporate Management	Liz Watts
Concessionary Bus Fares	Liz Watts
Concessionary Rail Fares	Liz Watts
Concessionary Taxi Vouchers	Liz Watts
Housing act advances	Liz Watts
PSV Management Office	Ivan Sams
Policy & Procurement	Zia Quader
FM Stationery	Liz Watts

Communications

*PSV Communications	Marianne Hulland
Public Relations unit	Marianne Hulland
Council Newspaper	Marianne Hulland

Corporate Director Community Services

Head of Neighbourhood Management and Development

Dem Representation-elections	Fiona Osman
Elections Division	Fiona Osman
Electoral Registration	Fiona Osman
Community Strategy	Fiona Osman

Head of Environmental Health & Housing

Safeguarding Children	Carole Herries
Emergency Planning Grant aided	Carole Herries
Strategic Housing	Carole Herries
Grants To Housing Charities	Carole Herries
Residual HRA costs	Carole Herries
Choice based lettings scheme	Carole Herries
Housing Waiting List	Carole Herries
Housing Associations Advances	Carole Herries
Housing Condition Survey	Carole Herries
Housing Strategy CA	Carole Herries
Housing Advice	Carole Herries
Homelessness Grf Services Only	Helen Cullup
Crime & Disorder Reduction	Helen Lindfield
Safer Communities Initiative	Helen Lindfield
CCTV	Helen Lindfield
Chalkstone Community Centre	Jane Chance
Community Centres	Jane Chance
Grants & Subscriptions(Leisure	Jane Chance
Community & Leisure Development	Jane Chance
Health Promotion	Jane Chance
Community Development	Jane Chance
Licensing section	Hilary Workman

Street Trading Consents	Hilary Workman
Street Vending Permits(+ Cafes)	Hilary Workman
Licensing Hackney Carriages	Hilary Workman
Licensing Public Entertainment	Hilary Workman
Licensing Other	Hilary Workman
Licensing Gambling	Hilary Workman
Street Banners	Ivan Sams
Food Safety	Julie Lynch
Drinking Water Quality	Julie Lynch
Health & Safety Enforcement	Julie Lynch
Communicable Disease Control	Julie Lynch
Research & Commercial Section	Julie Lynch
Community Admin	Kath Bond
Substance Misuse Officer	Kath Bond
Enabling Role	Niki Hollingworth
Empty Homes/Wasted Space Strategy	Niki Hollingworth
Environment Management systems	Peter Gudde
Prevention Of Pollution	Peter Gudde
Climate Change	Peter Gudde
Pest Control	R Whitehead
Home Energy Conservation	R Whitehead
Dog Control	R Whitehead
Sewer Investigations	R Whitehead
Drainage	R Whitehead
Renovation Grants (revenue)	R Whitehead
Agricultural Housing Grants	R Whitehead
Home Improvement agency	R Whitehead
Domestic & Pollution Section	R Whitehead/Peter Gudde
Burial Of The Dead	Richard Whitehead
Private Drain Clearance Service	Richard Whitehead
Gypsies Removal Unauthorised s	Richard Whitehead

Head of Leisure

West Stow Country Park	Alan Baxter
West Stow Country Park Cater	Alan Baxter
West Stow trading ac	Alan Baxter
Heritage Services	Alan Baxter
Change costs	Alan Baxter
Moyses Hall Museum	Alan Baxter
Moyses Hall Shop Trading ac	Alan Baxter
St Saviours Museum	Alan Baxter
Haverhill Local History Centre	Alan Baxter
Heritage Services Outreach	Alan Baxter
Parks & Rec Grounds General Ex	Damien Parker
Abbey Gardens	Damien Parker
Abbey Gardens Trading account	Damien Parker
Abbey Gardens Catering acc	Damien Parker
The Great Churchyard	Damien Parker
Nth - Other Parks & Recreation	Damien Parker
Nowton Park Nursery	Damien Parker
North Maintenance Of Highway Verges	Damien Parker
Victory Ground	Damien Parker
Nowton Park	Damien Parker

Nowton Park Trading account	Damien Parker
Nowton Park Country Fair	Damien Parker
East Town Park HH	Damien Parker
East Town Park Trading a/c	Damien Parker
Children's Play Equipment Costs	Damien Parker
Bury St Edmunds Cemetery	Damien Parker
Bury Cemetery Memorial Garden	Damien Parker
Bury Cemetery Headstones Trading	Damien Parker
Haverhill Cemetery	Damien Parker
HH Cemetery Concrete Headstone	Damien Parker
Closed Churchyards General	Damien Parker
Tree Maintenance	Damien Parker
Bury In Bloom	Damien Parker
Rural Anglia In Bloom	Damien Parker
Rural action plan	Damien Parker
Allotments	Damien Parker
Parks Management	Damien Parker
Athenaeum	Justin Morse
Athenaeum Catering Account	Justin Morse
Public Venue	Justin Morse
Corn Exchange	Justin Morse
Corn Exchange Catering Account	Justin Morse
Public Halls General Expenses	Justin Morse
Art Gallery	Neil Anthony
Guildhall	Neil Anthony
HH Town Hall Arts Centre	Neil Anthony
Hockey Development	Neil Anthony
Football Academy Changing Room	Neil Anthony
Community recreation	Neil Anthony
Athletics track refurbishment	Neil Anthony
Leisure Centres	Neil Anthony
Leisure Services Admin	Neil Anthony
Festival Expenses	Nick Wells
Bse Festival Events & Gen Exps	Nick Wells
Arts Development	Nick Wells
Theatre Royal Grant	Nick Wells
Shopmobility HH	Sharon Fairweather
Tourist Information Centre	Sharon Fairweather
Tourist Information	Sharon Fairweather
Shopmobility BSE	Sharon Fairweather
Christmas Fayre	Sharon Fairweather

Corporate Director Economy & Environment

Head of Property Services and Engineering

Enterprise Units Severn /Elsey	Betty Albon
Enterprise Units BSE & H/Hill	Betty Albon
Enterprise Units Hollands Rd	Betty Albon
Head Corp Prop/Strategic/Estate	Betty Albon
Commercial Developments	Betty Albon
Cornhill Shops	Betty Albon
Market Cross shops	Betty Albon
HH Golf course /Hotel	Betty Albon
Opted Properties (Vatable)	Betty Albon

Industrial Estates	Betty Albon
NON Opted Corp Properties	Betty Albon
Undeveloped Land	Betty Albon
Borough Offices	Ivan Sams
Haverhill Offices	Ivan Sams
St Edmundsbury House	Ivan Sams
Caretakers Bungalows	Ivan Sams
West Suffolk House	Ivan Sams
Managed Print Service	Ivan Sams
walk up photocopiers	Ivan Sams
Customer Care	Ivan Sams
Corporate Property Services	Ivan Sams
Public Clocks	Ivan Sams
Monument Maintenance	Ivan Sams
Haverhill Depot	Ivan Sams
Western Way Depot	Ivan Sams
Courier & Postal Serv	Keith Hayes
West Front Housing	Richard Combes
Ram Meadow Public Conveniences	Ivan Sams
Risbygate St Public Conveniences	Ivan Sams
Abbey Gardens Public Conveniences	Ivan Sams
Clare Country Park Public Conveniences	Ivan Sams
Jubilee Walk HH Public Conveniences	Ivan Sams
Hanchet Square Public Conveniences	Ivan Sams
Recreation Ground HH P Conveniences	Ivan Sams
Public Conveniences Other	Ivan Sams
Building Cleaning operational a/c	Russell Hill
Building Cleaning/custodian - WSH	Russell Hill
Building Cleaning/custodian - WW Depot	Russell Hill
Building Cleaning Havebury a/c	Russell Hill
General Market Bury St Edmunds	Cameron Findlay
General Market Haverhill	Cameron Findlay
Park & Ride	Cameron Findlay
Robert Boby Car Park	Cameron Findlay
Lower Down Slade Car Park HH	Cameron Findlay
Car parks administrative Office	Cameron Findlay
St Andrews St North Car Park	Cameron Findlay
St Andrews St South Car Park	Cameron Findlay
Lower Baxter St Car Park	Cameron Findlay
Parkway Car Park	Cameron Findlay
Cotton Lane Car Park	Cameron Findlay
Risbygate Street Car Park	Cameron Findlay
Parkway Multi Storey Car Park	Cameron Findlay
Other Bury Car Parks	Cameron Findlay
Town Hall HH Car Park	Cameron Findlay
HH Sports Centre Car Park	Cameron Findlay
HH Relief Road Car Park	Cameron Findlay
Other HH Car Parks	Cameron Findlay
Cleales Car Park	Cameron Findlay
Manor House Car Park	Cameron Findlay
Olding Rd Car Park	Cameron Findlay
The Meadow HH Car Park	Cameron Findlay
Cattle Market Lower Level	Cameron Findlay

Footpath Lighting	Steve Boor
Footpath Diversions	Steve Boor
Scaffolding Permits	Steve Boor
Skips Permits	Steve Boor
Display & exhibition permits	Steve Boor
Bury Bus Station	Steve Boor
Bus Station Trading account	Steve Boor
Traffic Issues General	Steve Boor
Public Transport Initiatives	Steve Boor
Cycling Initiatives	Steve Boor
Pedestrianisation maintenance costs	Steve Boor
Naming Streets & Num. Houses	Steve Boor
Bus Shelter	Steve Boor
Welcome Signs	Steve Boor
Seats	Steve Boor
Highways District Services	Steve Boor
Agency Balances	Steve Boor
Land Drainage	Steve Boor
Private Development	Steve Boor
sewer maps	Steve Boor
Highways Section	Steve Boor

Head of Planning & Economic Development

SEBC Green Travel	Andrea Mayley
Econ Dev/Town Centre Management	Andrea Mayley
Town Centre Management	Andrea Mayley
Econ Dev Use of Labgi Grant	Andrea Mayley
Grants to voluntary bodies	Andrea Mayley
Cattle Market development	Andrea Mayley
Christmas Decorations	Andrea Mayley
Planning Delivery grant funded	Ian Poole
Local Plan	Ian Poole
Design/Transportation Services	Ian Poole
Local Land Charges	Tim Bartlett
Planning Control	Tim Bartlett
Building Regulations Control	Tim Bartlett
Building Regs Fees account	Tim Bartlett
HH Masterplan	Tim Bartlett
Planning Division	Tim Bartlett
Building Control Section	Tim Bartlett

Head of Waste, Street Scene Services and Projects

Street Cleansing	Mark Walsh
Provision Of Litter Bins	Mark Walsh
Domestic Refuse Collection	Mark Walsh
Trade Refuse collection	Mark Walsh
Removal Of CFC's(Fridges & Freezers)	Mark Walsh
Collection/Disposal Of Clinical waste	Mark Walsh
Removal Of Hazardous Waste	Mark Walsh
Coloured Bag Collection	Mark Walsh
Compostable Waste Collection	Mark Walsh
Recycling(bottle/can Banks Etc	Mark Walsh
Abandoned Vehicles	Mark Walsh

Recycling/Waste Management Sec	Mark Walsh
Refuse ex DSO	Mark Walsh
Refuse ex DSO Vehicles	Mark Walsh
Refuse ex DSO Plant	Mark Walsh
Cleansing ex DSO	Mark Walsh
Cleans Havebury- Operating a/c	Mark Walsh
Cleans - V&P Holding Havebury	Mark Walsh
Cleansing ex DSO Vehicles	Mark Walsh
Cleansing ex DSO Plant	Mark Walsh
Landscape exDSO	Mark Walsh
Landscape - Vehicle Holding a/	Mark Walsh
Landscape - Plant Holding a/c	Mark Walsh
Highway Operational a/cs	Mark Walsh
Highways - Vehicle Holding a/	Mark Walsh
Highways Plant	Mark Walsh