



## Council 18 June 2013

### Schedule of Referrals from Cabinet and Democratic Renewal Working Party

(A) Referrals from Cabinet: 22 May 2013

**1. Annual Review and Appointment of Cabinet Working Parties and  
Other Groups**

*Decisions Plan Reference: May13/08*

*Report E6*

*Cabinet Member: Cllr John Griffiths*

**RECOMMENDED: That**

- (1) the Health and Safety Manager be given delegated authority to implement any future recommendations of the West Suffolk Joint Health and Safety Panel in respect of amendments and additions to Part 5 (Arrangements) of the Joint Health and Safety Policy; and if this is agreed**
- (2) the role description of the West Suffolk Joint Health and Safety Panel in Part 4 (Organisation) of the Joint Health and Safety Policy be amended to include a specific responsibility to: 'Consider and make recommendations to the Health and Safety Manager regarding Part 5 of this policy'; and**
- (3) if the above delegated authority to the Health and Safety Manager is approved by the two Councils, the Terms of Reference of the West Suffolk Joint Health and Safety Panel be amended accordingly as set out in Appendix J of Report E6.**

Both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) Cabinets are of the view that it would be more efficient to place greater reliance on the West Suffolk Joint Emergency and West Suffolk Joint Health and Safety Panels for the approval of minor operational matters. In practice this would be in the form of an officer being given delegated authority to approve such matters on the recommendation of the Joint Panel. This will avoid the need to refer minor recommendations through to Cabinet and sometimes even full Council. The changes specifically proposed for the West Suffolk Joint

Health and Safety Panel are that both FHDC and SEBC's Cabinets and/or Councils should continue to take a strategic overview and therefore will still need to consider and approve any recommendations from the Panel in respect of Parts 1-4 of the Health and Safety Policy ("introduction", "policy statement", "object and intent" and "organisation" respectively). However, it is suggested that the Council's Health and Safety Manager be authorised to make any amendments to Part 5 ("arrangements") of the Policy on the recommendation of the Joint Panel. This delegation will cover all of the operational instructions and annexes to the policy. The Panel and/or Manager will have the discretion not to exercise this delegation where they feel the changes require greater Member support. However, this change should have the effect of speeding up the implementation of important safety improvements in frontline services, and also avoid the need to bring reports to Cabinet/Council for often minor changes such as new legislative requirements.

## **2. Bury St Edmunds Community Football Project: Request for Loan by Bury Town Football Club**

*Decisions Plan Reference: May13/08                      Exempt Report E8*  
*Cabinet Member: Cllr Sara Mildmay-White*

(The following recommendations are published in the public domain; however, Members of the Council are requested to consider the recommendations contained in Exempt Appendix A to this report, which contain further information regarding the amount and conditions of the proposed commercial loan.)

### **RECOMMENDED: That**

- (1) a loan be approved, to allow Bury Town FC to invest in the Bury St Edmunds Community Football Project, as detailed in Section 4 of Exempt Report E8; approval to be subject to the Chief Finance Officer being satisfied that the loan is sustainable and properly secured; and***
- (2) the Council's own capital contribution of up to £1m and the final lease arrangements are submitted to Full Council for final approval once the Football Foundation funding bid is confirmed, the construction tenders are received and it is clear that there is sufficient funding to complete the project.***

The Borough Council has committed £1 million of funding to deliver the estimated £2.5 million Bury St Edmunds Community Football Project, as well as a site for the scheme at Moreton Hall, Bury St Edmunds. Significant external funding has been identified in partnership with the Football Foundation, Football Stadia Improvement Fund and Suffolk Football Association. The contribution from Bury Town FC is a critical factor without which the Project cannot proceed. Exempt Report D88 presented to Cabinet in July 2012 considered the principle of making a

commercial loan to Bury Town Football Club and Exempt Report E8 sought approval for confirmation of the loan, subject to conditions, in order to complete the final piece of the funding jigsaw.

**(B) Referrals from Democratic Renewal Working Party: 2 May 2013**

*Chairman of the Working Party: Cllr Mrs P A Warby*

**1. Member Development: Update (Report D356)**

**RECOMMENDED:**

***That the areas of training shown in (1) to (9) below be included in the 2013/14 Member Development Programme.***

The Working Party considered the results of the Training Needs Analysis (TNA) completed by Members since the previous meeting. In all a total of 20 forms had been completed by Members. Appendix A analysed how Members had assessed themselves against a range of skills, and their comments. The Working Party was asked to use this information, alongside local and national priorities, to inform a Member Development Programme for 2013/2014.

A discussion was held on areas which should be included in the Programme for 2013/2014. Training for Members of the Licensing and Regulatory Committee had already been arranged, and any essential training on changing legislation would be slotted into the programme as it arose. The following areas of training were suggested for inclusion in the Member Development Programme for 2013/2014:

- (1) Advanced Outlook;
- (2) Local Government Finance;
- (3) Development Control Committee – basic responsibilities of Ward Members;
- (4) Licensing and Regulatory Committee – general information for Ward Members;
- (5) Understanding the Organisation;
- (6) Electronic Communications (incorporating email usage and social media);
- (7) 6-monthly briefings on the Welfare Reform Act;
- (8) “Designated Persons” (to be slotted in when there is a suitable gap in the programme); and
- (9) Emergency Planning – via the e-learning platform, when this is available.

**2. Amendment to the Constitution: Addition to the Scheme of Delegation to Officers (Report D357)**

**RECOMMENDED:-**

***That the following delegation be added to the Scheme of Delegation to Officers at Part 3 of the Council's Constitution, for all Chief Officers:***

***"Following consultation with the relevant Portfolio Holder(s), to make any minor typographical, grammatical, factual or contextual changes to any policies or strategies approved through Cabinet or full Council, provided they do not materially affect the meaning of the document".***

Members will be aware that several new or amended policies or strategies are taken through Cabinet and/or full Council each committee cycle, and each time this occurs, it is necessary to give delegated authority to make minor amendments to the policy, in order to avoid bringing it back through Members each time a minor change is required.

The Working Party agreed that it made more sense to make an addition to the Scheme of Delegation to Officers to authorise Chief Officers, following consultation with the relevant Portfolio Holder(s), to make such amendments without having to request them each time a policy was amended.

**3. Review of Petitions Scheme – E-Petition Facility (Agenda item 7)**

**RECOMMENDED:-**

***That the Head of Legal and Democratic Services be authorised, in consultation with the Chairman of the Democratic Renewal Working Party and the relevant Portfolio Holder, to amend and update the Petitions Scheme in the Council's Constitution to reflect any future changes in the electronic petitions (e-petitions) process required by a change or improvement in software or technology, provided that such changes maintain accessibility to the scheme and are consistent with the existing guidelines and terms and conditions regarding validity, transparency and privacy.***

The 2011 Localism Act revoked the 2009 requirement for councils to have a petitions scheme. Notwithstanding this relaxation in the legislation, the Working Party agreed that the Borough Council should retain its petitions scheme as this was an important democratic tool, and was used regularly. However, the freedoms and flexibilities offered by the 2011 Act also meant that the Council was no longer required to maintain its own electronic petitions (e-petitions) system on its website if a better digital alternative could be found.

Alternatives could be explored when a decision was made whether or not to renew the current software contract, within the existing budget. The process of choosing and implementing software was a matter routinely delegated to officers under the Council's constitution. However, as a matter of housekeeping, it may be necessary to amend the petitions scheme in the Constitution to implement any new e-petitions system (in-house or externally hosted).

**4. Performance and Audit Scrutiny Committee: Approval of the Council's Annual Accounts (Report D358)**

***RECOMMENDED:- That***

- (1) the Performance and Audit Scrutiny Committee be given delegated powers to approve the Council's Statement of Accounts; and***
- (2) the Head of Legal and Democratic Services be given delegated authority to make the necessary changes to the Council's Constitution.***

A recent review of the framework for reporting performance and financial information to Members has considered the role of the Performance and Audit Scrutiny Committee (PASC) and its powers concerning the Council's Statement of Accounts.

Currently the Statement of Accounts is considered by PASC before it is presented for approval by full Council. It has been confirmed that PASC may both receive and have the authority for approving the Council's Annual Statement of Accounts, thus removing the necessity for that decision to be ratified by full Council.

If agreed, this will require a suitable change to PASC's delegated powers in the Council's Constitution. A similar change is being made to the powers of Forest Heath District Council's Performance and Audit Committee.