

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO COUNCIL

30 July 2008

1. TREASURY MANAGEMENT COUNTERPARTY LENDING LIST

Submitted by **Finance Manager**

Portfolio **Resources and Efficiency**

Ward(s) affected **All indirectly**

Purpose of the Report

To update the Counterparty Lending List for Treasury Management control purposes.

Recommendation

That the Treasury Management Counterparty Lending list be amended to a lowest common denominator methodology.

Reasons

It would be beneficial to the Council to reduce risks associated with investments by using the ratings provided by the three major rating agencies as a method of determining counterparties.

1. Background

- 1.1 The Council operates a Treasury Management Strategy in accordance with the recommendations of the Chartered Institute of Public Finance and Accountancy Code of Practice.
- 1.2 One element of the Treasury Management Strategy deals with lending to third parties or counterparties as they are sometimes known. This report deals with a proposed change to the method of selecting counterparties that the Council can lend to.
- 1.3 The Council currently has an approved Counterparty Lending List with named potential borrowers and limits of principal which can be invested with them.

2. Issues

- 2.1 The main reason for the proposed change is that the current Counterparty Lending List is not consistent in terms of how limits of principal which can be invested are applied.

A clear example of this is that Bradford and Bingley who have financial ratings of F2/A- from Fitch (i.e. a good credit quality, a satisfactory capacity for timely payment of financial commitments, but the margin of safety is not as great as in the case of the higher ratings) have the same limits as Barclays who are rated F1+/AA (i.e. the highest credit quality, indicates the strongest capacity for timely payment of financial commitments; has an added "+" to denote an exceptionally strong credit feature).

This is not to say that dealing with Bradford and Bingley is overly risky, merely that there is a greater level of risk and that this should be reflected in the limits of principal which can be invested.

- 2.2 There are three major rating companies which apply financial ratings in terms of providing an opinion on the relative ability of a counterparty to meet financial commitments.
- 2.3 The Council's Treasury Management Consultants, Butlers, have recommended that we adopt a Lowest Common Denominator approach using the three major rating company's financial ratings to select our Counterparty's and applying the limits of principal which can be invested.
- 2.4 The introduction of the Lowest Common Denominator approach to selecting our Counterparties and applying the limits of principal which can be invested will reduce the risk to the Council of potential financial losses incurred through a Counterparty's inability to repay investments and interest due.

It will also increase the number of Counterparties that the Council is permitted to invest in, this in turn increases the possibility of greater rates of return being achieved with greater security.

- 2.5 The current turmoil of the Credit Crunch which is affecting financial institutions has reaffirmed the need to adhere to the basic principles of Local Authority investment which are security first, liquidity second, and yield third. The use of a Lowest Common Denominator approach will reinforce the Council's risk appreciation.
- 2.6 The Council's Treasury Management Consultants, Butlers continually monitor counterparties ratings as provided by the rating agencies, and a monthly Counterparty Lending List is provided. The Council is informed of any changes in counterparty ratings during the month and the effect that this has on the Counterparty Lending List.
- 2.7 The Lowest Common Denominator methodology for both selecting counterparties and applying limits is contained in Appendix 'A' (blue paper) to the report.

3. **Legal and Statutory Implications**

- 3.1 See Background for details.

4. **Financial and Resource Implications**

- 4.1 There are no specific financial implications arising from the report.

5. **Major Risks**

- 5.1 Treasury Management is a major area of risk for the Council in that large amounts of money are dealt with on a daily basis and there are a number of limits and indicators, which must be complied with.
- 5.2 It is also necessary to ensure that there is no danger of the Council's invested funds being lost owing to placing them with insecure counterparties.
- 5.3 The overriding consideration in determining where to place the Council's surplus funds is to safeguard the Council's capital. Within this constraint the aim is to ensure the liquidity of the Council and to maximise the return on capital.

6. **List of Appendices**

6.1 Appendix 'A' (blue paper), Lowest Common Denominator Methodology.

7. **Background Papers**

7.1 CIPFA Treasury Management Code of Practice; Council's Treasury Management Policy Statement, CIPFA Prudential Code for Capital Finance in Local Authorities and guidance notes thereto, Local Government Act 2003, Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, Guidance on Local Authority Investments issued by ODPM.

2. **SUPPLEMENTARY PLANNING DOCUMENT**

Submitted by Directorate of Regeneration and Development

Portfolio Neighbourhoods and Regeneration

Ward(s) affected Cross Heath and Knutton & Silverdale

Purpose of the Report

To report on the discussion by Planning Committee on the Supplementary Planning Document (SPD) for phase I of Knutton and Cross Heath, and formally to adopt it.

Recommendation

That the Council adopt the Supplementary Planning Document for Knutton and Cross Heath phase 1, subject to any amendments recommended by the Planning Committee.

Reasons

The preparation of the SPD is included in the Council's approved Local Development Scheme and its adoption is an important priority in the Local Development Framework. It also assists in the delivery of the Renew North Staffs intervention programme. Any comments by Planning Committee will be brought to the Council in a Supplementary Report. This is being done because of the urgency in adopting the formal document.

1. **Background**

1.1 A draft SPD was agreed by the Planning Committee on 6 February 2008, for consultation purposes. It has been the subject of an extensive consultation programme in the community assisted by the Neighbourhood Management Pathfinder team and Aspire Housing. The formal consultation period ended on 31 March 2008, though an additional information event was held on 26 June to update local residents on the results of the formal consultation and to outline the developing proposals.

1.2 A full report on the results of the consultation and the changes made to the SPD as a result of them was submitted to Planning Committee on 22 July 2008. All Members have received that report, together with a copy of the SPD document submitted to the Committee.

- 1.3 The Planning Committee has an opportunity to request amendments to the document submitted. Any such changes, or other recommendations, will be the subject of a supplementary report to the Council meeting.

2. The Role of the Supplementary Planning Document

- 2.1 This SPD will form part of the Newcastle Development Framework and will provide specific guidance on development control matters for two key development sites in Knutton and Cross Heath to be developed under Phase 1 of the Renew Housing Market Renew (HMR) programme and, as such, will be regarded as a material consideration. An SPD does not set policy but can only elaborate on or interpret existing policy and for this reason it does not have the same status as a Development Plan Document. However, the fact that it has undergone some form of statutory preparation increases its status. In this case the policy context is provided by saved policies within the Structure Plan, the Local Plan and emerging policy and guidance within the Core Spatial Strategy.
- 2.2 The recommendation of the Planning Committee is being brought to this Council meeting for ratification to ensure that the SPD can be adopted at the earliest opportunity, as the next Cabinet is not until 10 September. Adopting the SPD now would ensure that the Council's policy position is clear as a context for the continuing negotiations between landowners within the area. It will be used by the Council as the main background for the determination of the next planning application that is submitted for development within the area. It also emphasises to both Renew and Aspire Housing that the Council is doing what it can to ensure that the planned regeneration of the area takes place as smoothly and as effectively as possible.

3. Outcomes Linked to Corporate Priorities

- 3.1 All the documents prepared as part of the Council's LDF are intended to be "spatial", in that they are limited only by the definition of the area they cover and should take into account all the plans and strategies of the Council and other partners. They should therefore affect directly every aspect of the Council's priorities.

4. Legal and Statutory Implications

- 4.1 The way in which we must produce the local development documents is set out in changing national regulations, guidance and best practice. In this case, the plan making programme has been carried out in accordance with the Local Development Regulations 2004. The production of SPDs is optional but the regulations currently include a requirement that all SPDs are included in the Council's approved Local Development Scheme (LDS). The SPD is listed in the current LDS, May 2007 as the Knutton and Cross Heath Design SPD, but as noted above it is recommended the SPD is renamed. It is not considered that simply changing the title of the SPD will mean that the SPD does not comply with the LDS. Furthermore the change of name can be explained in the next review of the LDS.
- 4.2 In June the Local Development (Amendment) Regulations 2008, were finally published and have introduced new procedures to follow in the course of preparing local development documents. Transitional provisions run until the 1 September but in respect of the preparation of SPDs the changes are not terribly significant and, at this late stage of the SPD production process, should not have any special legal and statutory implications.

5. Financial and Resource Implications

- 5.1 There are no financial implications in adopting this SPD.

5.2 SPD production has no bearing on the amount of Planning and Housing Delivery Grant awarded annually to the Council.

6. **Equality Impact Assessment**

6.1 An EIA has been carried out in accordance with the Council's programme on the planning policy function as a whole. The community involvement to which each local development document is subjected is carried out within the terms of the Council's adopted Statement of Community Involvement, August 2006. In addition, the SPD is subject to sustainability appraisal. This considers the social, economic and environmental implications of implementing the plan.

7. **Major Risks**

7.1 In supporting the recommendations in this report the Borough Council will not be subject to major risks. The purpose of the SPD is to reduce the risk of misunderstanding between the Council and applicants and to demonstrate a clear justification for the approach to be adopted.

8. **Earlier Cabinet/Committee Resolutions**

8.1 Cabinet meeting 17 October 2007 agreed to delegate responsibility to the Planning Committee for the consideration and approval of the draft Knutton & Cross Heath Design SPD for public consultation purposes. Planning Committee considered a progress report on the Bellway Homes proposals and the SPD at its meeting on the 21 November 2007, and resolved that consultation on a draft SPD should be undertaken prior to any application for planning permission. Planning Committee 6 February 2008 approved the draft SPD for consultation purposes.

3. **OVERVIEW AND SCRUTINY REPORT – THE ROLE OF FULL COUNCIL**

Submitted by: Scrutiny Officer

Portfolio: Customer Service and Transformation

Ward(s) affected: All Wards

Purpose of the Report

To report on the conclusions and recommendations of the Overview and Scrutiny review 'The Role of full Council'.

Recommendations

(a) That the recommendations of the review report 'The Role of full Council' be approved.

(b) That, in the event of recommendation (a) being agreed, a report detailing the constitutional amendments required by the adoption of the recommendations of the review report be submitted by the Monitoring Officer to the next meeting of the Council in September 2008.

Reasons

Article 4 of the Council's Constitution outlines the terms of reference and functions of the full Council. Only full Council can agree and/or amend the terms of reference of any Council body and if the recommendations outlined in the report are to be implemented then such a decision would be required to be made by full Council.

1. Background

- 1.1 In November 2007 the former Scrutiny Committee established a Scrutiny Review Working Party to examine future proposals for the role of full Council to complement the revisions which the authority has subsequently made to its Overview and Scrutiny arrangements.
- 1.2 The Working Party produced a final report which the former Scrutiny Committee considered at its meeting on 9 January 2008. That body agreed the final report and forwarded it, along with the following recommendations, to the Cabinet:
 - (a) That Cabinet consider the report and respond to the recommendations contained therein.
 - (b) That Cabinet, when determining the programme of meetings for the next municipal year (2008-09), consider the point highlighted in the conclusion of the report relating to the scheduling of committee meetings.
- 1.3 On 16 January 2008, the Cabinet considered the report and recommendations in respect of the role of full Council. Cabinet made the following decision:

That the proposals for the future role of full Council be agreed and referred to the Council for adoption.
- 1.4 This report serves to refer the report and recommendations to the full Council for consideration on behalf of the Cabinet.

2. Issues

- 2.1 This report, attached at Appendix 'B' (salmon paper) recommends that the Council agree the recommendations contained within the review report 'The role of full Council'. A number of the recommendations will require amendments to the Constitution and it is recommended that a report be submitted to the next meeting of the Council in September 2008 to advise Members on how to enact the proposed changes. It is recommended that the Legal Services Manager, as the Council's Monitoring Officer, submit such a report in order to ensure compliance with legislation and Council convention.

3. List of Appendices

Overview and Scrutiny Report – The Role of full Council (Appendix 'B' - salmon paper).

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2. SUPPLEMENTARY PLANNING DOCUMENT

Appended below are the amendments proposed at the meeting of the Planning Committee (22 July) for consideration by Council in respect of the Supplementary Planning Document.

Recommendation:

That the Council adopt the Knutton and Cross Heath Development Sites SPD, Phase 1, subject to the following amendments raised by Members of Strategic Planning Committee, 22 July 2008:

Additional text in ***bold italics***:

Detailed Guidance on Lower Milehouse Estate:

1. Paragraph 3, page 20:

The urban form along the western boundary should relate and respond to the wider landscape beyond the site by opening up the urban form where density is less to ensure better connectivity to these areas of existing informal open space. However the interface between dwellings and this space will also need to be carefully considered to promote natural surveillance and to avoid compromising the security of residents. ***Close boarding fencing is not acceptable along this boundary.***

2. Paragraph 2, page 24:

An important strip of informal open space exists to the north east of the estate. This helps form a noise buffer from the Lymedale Cross Industrial Estate as shown in figure 14, and must be retained ***and improved as meadowland***. Additional tree and shrub planting should be provided to strengthen the noise buffer and support the creation of a new wildlife habitat. Developers should also upgrade the existing informal footpath highlighted in figure 14, in order to preserve desired routes ***and form new links to Lower Milehouse Lane***. Structural landscaping to the rear of any property boundaries will be required to create a secure environment. Where provided this should be of native species.

3. Paragraph 5, page 24:

Existing play equipment on the Lower Milehouse Estate is currently in an isolated location towards the northern boundary, with little clear relationship to surrounding properties. Its location can be seen on figure 1. As part of redevelopment proposals this should be removed and upgraded to form a Neighbourhood Equipped Area of Play in the centre of the site. The space should be safe, overlooked, secure, and well linked to the whole estate. The broad location of where it should be sited is shown in figure 14. ***In deciding upon the exact location, attention must be given to how the play area integrates with properties aimed at families and elderly people in order to minimise nuisance to local residents.***

Illustrative Material:

1. Figure 1: 'Site Context'

Minor factual amendments to illustrate all local play areas and cycle routes.

2. Figure 14: 'Design Principles for Lower Milehouse Lane'

a) add detail to the key to identify the boundary of the development site and b) delete the following text '(to face play area)' from the key, to remove the unintended implication that the bungalows must be sited around the play area.

Lowest Common Denominator Methodology

Upper Criteria

Counterparties meeting our upper criteria can be invested with for up to a period of 3 years, up to £10m of principal may be invested with such counterparties.

To meet the upper criteria of our counterparty listing a Bank or Building Society must as a minimum meet the following Fitch Rating Agency ratings or the equivalent rating from Moody's or Standard and Poor's:

Rating Agency	Rating Type	Definition	Rating Required	Description
Fitch	Short Term Rating	Places greater emphasis on the liquidity necessary to meet financial commitments in a timely manner.	F1+	Indicates the strongest capacity for timely payment of financial commitments; + denotes an exceptional credit feature.
	Long Term Rating	Used as a benchmark measure of probability of default.	AA-	They indicate very strong capacity for payment of financial commitments.
	Individual	Assesses how a bank/building society would be viewed if it were entirely independent and could not rely on external support.	C	An adequate bank/building society, which, however, possesses one or more troublesome aspects.
	Support	Judgement on whether a bank/building society would receive support should this become necessary.	3	A bank/building society for which there is a moderate probability of support.

Middle Criteria

Counterparties meeting our middle criteria can be invested with for up to a period of 12 months, up to £7.5m of principal may be invested with such counterparties.

To meet the middle criteria of our counterparty listing a Bank or Building Society must as a minimum meet the following Fitch Rating Agency ratings or the equivalent rating from Moody's or Standard and Poor's:

Rating Agency	Rating Type	Definition	Rating Required	Description
Fitch	Short Term Rating	Places greater emphasis on the liquidity necessary to meet financial commitments in a timely manner	F1	Indicates the strongest capacity for timely payment of financial commitments

Fitch	Long Term Rating	Used as a benchmark measure of probability of default	A-	The capacity for payment of financial commitments is considered strong
	Individual	Assesses how a bank/building society would be viewed if it were entirely independent and could not rely on external support.	C	An adequate bank/building society, which, however, possesses one or more troublesome aspects.
	Support	Judgement on whether a bank/building society would receive support should this become necessary.	3	A bank/building society for which there is a moderate probability of support.

Lower Criteria

Counterparties meeting our lower criteria can be invested with for up to a period of 6 months, up to £5m of principal may be invested with such counterparties.

To meet the lower criteria of our counterparty listing a Building Society must have assets totalling greater than £1bn.



Overview and Scrutiny Report

The Role of the Full Council



December 2007

Copies of this report can be obtained from:

**Overview and Scrutiny
Newcastle-under-Lyme Borough Council
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG**

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✉: **james.mclaughlin@newcastle-staffs.gov.uk**



Chair's Foreword

The Scrutiny Committee established this Scrutiny Review Working Party to examine which aspects of the full Council could be enhanced to re-affirm its status as the main democratic forum in the Borough of Newcastle-under-Lyme in response to the proposed changes to our Overview and Scrutiny arrangements.

From the outset of the review, much of our work has focused on the need to retain the civic and ceremonial aspect of the full Council meeting. We have looked at the current provisions for full Council within our Constitution and have found that many of the improvements which Members would like to see made to our full Council can already be acted upon within the existing standing orders. We have also considered a wider range of improvements including the advantages and disadvantages of allowing the public to ask questions of the Leader of the Council and the Cabinet and have also examined how other Councils have made changes to their arrangements following the introduction of the Local Government Act 2000.

The meeting of the full Council is the exercise of democracy in action within the Borough and receives more press coverage than any other Council meeting. Engagement with and involvement of the public are particularly important considerations if we are seeking to demonstrate the importance of the full Council, councillors and the democratic process to the communities we serve and represent. We believe that the image and business of the full Council can be enhanced through the recommendations made in this report

Our discussions were consensual and constructive and it was helpful to debate these issues openly and candidly, on an all-party, non-confrontational basis. It is our expectation that action will be taken to deal with the issues that we have raised. The matters discussed were genuinely about finding some straightforward ways in which democracy, together with the reputation of the Borough Council and elected representatives, can be enhanced. We believe this to be the concern of all Members of this Council and we commend this report and its recommendations to you as a means of making this a reality. It is not an exhaustive list of recommendations but we believe they will go some way towards bringing about a more effective full Council and increase Member ownership of and involvement in that forum.

Councillor Richard Gorton
On behalf of the Scrutiny Working Party

Membership of the Scrutiny Working Party



**Councillor
Richard
Gorton**



**Councillor
Andrew
Cooley**



**Councillor
Andrew
Fear**



**Councillor
Trevor
Hambleton**



**Councillor
Nigel
Jones**



**Councillor
Brian
Tomkins**

Introduction

In November 2007 the Scrutiny Committee established our Working Party to examine ways in which the full Council meeting could be reformed to respond to proposed changes to the Overview and Scrutiny function within the Council's democratic framework.

The Working Group met twice in late November and mid-December and has discussed issues by e-mail in between meetings in considering how the full Council meeting currently operates and how Members felt it could be improved as a civic occasion and democratic forum.

Recommendations

We have focussed our recommendations around five themes of:

- Civic and Ceremonial
- Holding the Cabinet to Account
- Ownership of Policy
- Use of Existing Procedures and Protocols
- Increasing Public Interest and Public Investment

There are a number of other background issues raised during this review and these are considered elsewhere in the report and are not the subject of formal recommendations.

Civic and Ceremonial

Recommendation 1

That the authority and precedence of the Mayor be re-affirmed and the associated civic and ceremonial aspects of the full Council meeting be acknowledged as enhancing the occasion.

Recommendation 2

That the Mayor's role as Chairman of the full Council be re-affirmed as representing the interests of the wider Council and the public and to order the management of full Council meetings.

Recommendation 3

That the Mayor and Deputy Mayor, prior to installation, should undertake training on how to chair meetings of full Council. This training should include management of debates and the conduct of Members. Training should also be provided to the senior officers, specifically, although not exclusively, the Chief Executive and the Monitoring Officer, supporting the Mayor in this role, particularly on the issues around the enforcement of codes of conduct and the application of standing orders.

Recommendation 4

That training on the full Council meeting be included within the Member Induction Programme following municipal elections to introduce new councillors to the meeting of the full Council and the associated protocols and procedures with a particular emphasis on making Members aware of the consequences of breaching the Council's Rules of Debate.

Holding the Cabinet to account

Recommendation 5

That the summary of Cabinet decisions and the latest publication of the Forward Plan, which are currently submitted to the Scrutiny Committee, now be referred to the full Council for consideration.

Recommendation 6

That Members be encouraged to make greater use of the provisions of Procedure Rule 21 in the Council's Standing Orders which provides for Members to ask questions without prior notice; questions with prior notice; and other questions of the Leader of the Council, a Cabinet portfolio holder or the Chair of any committee. This can be enacted through the existing provisions outlined in Recommendation 15.

Recommendation 7

That the full Council refer matters it considers appropriate to the relevant Overview and Scrutiny Committee for further investigation and there be provision for the outcomes of such investigations to be reported back to the full Council.

Ownership of Policy

Recommendation 8

That consideration be given to a review of the Council's Policy Framework and the principle that the full Council should normally agree all policies, with the exception of those that are reserved to the Cabinet, be supported.

Recommendation 9

That the Cabinet provide a full list of every policy, strategy and plan produced by Newcastle-under-Lyme Borough Council and also provide details of the deadlines for approval of such documents. This should be accompanied a timetable to better plan the development and review of policies, strategies and plans by Members and improve the existing business planning processes within the Council.

Recommendation 10

That, following on from recommendation 9, a process for encouraging greater Member involvement in the development of policy documents be developed and communicated to Members, having regard to the policy development role of the Overview and Scrutiny Committees.

Recommendation 11

That the Cabinet ensure that all Members are notified by the Members' Bulletin of the commencement of the development or review of policies, strategies and plans to ensure Member involvement at the earliest possible opportunity.

Recommendation 12

That, as well as being submitted to the Cabinet, all completed Overview and Scrutiny Review Reports be submitted to Council for full debate.

Use of Existing Protocols and Procedures

Recommendation 13

That training and development opportunities be developed and offered to Members to enhance the skills required to be effective within the forum of the full Council

Recommendation 14

That a guide to the full Council meeting procedure should be produced and made available for all Members and other interested parties & explanatory notes be included at the appropriate sections of the Constitution. This guide should be kept as short as possible and circulated in the public gallery at Council meetings to give the public a better understanding of procedures.

Recommendation 15

That a mechanism be developed to ensure that the motions that are approved and adopted by the Council are followed up and the outcome reported back to the Council in due course.

Recommendation 16

That Senior Officers, particularly the Chief Executive and the Monitoring Officer, assist the Mayor, where required, in interpreting and applying Standing Orders and the Rules of Debate to ensure that the existing procedures and protocols are adhered to.

Increasing Public Interest and Enhancing Public Involvement

Recommendation 17

That the Annual Report be used as the basis for a State of the Borough Debate to be held in September each year.

Recommendation 18

That procedure rules for the State of the Borough Debate be developed by the Legal Services Manager in conjunction with Members.

Recommendation 19

That *The Reporter* be used to keep the citizens of Newcastle-under-Lyme informed of the activities of the full Council and specifically to publicise the State of the Borough Debate and report back on its outcomes.

Recommendation 20

That the information currently on the authority's website be enhanced to reflect the work of the full Council and provide another medium for the public to realise interest in local democracy.

Information Gathered

Local Authority Context and Statutory Guidance

Prior to local government modernisation, the full Council – the body consisting of all elected Members of a local authority – was the sovereign decision-making body in Newcastle-under-Lyme. The Local Government Act 2000 radically altered the way in which the Council operates its democratic framework through the introduction of Cabinet style executive decision-making and Overview and Scrutiny Committees for non-Cabinet members to hold decision-makers to account, as well as review and develop policies for the Council. Decision making powers in respect of licensing and planning matters were delegated to the appropriate committees and officers also received certain delegated powers with the aim of making the decision-making process more efficient.

The Local Government Act 2000 with associated guidance and regulations gives the full Council responsibility for approving the policy framework and budget. The Council, as a whole, retains responsibility for regulatory functions and has a role in holding the Cabinet to account. The functions of the Council are those assigned by that legislation and the Local Government Act 1972. Article 4 of the Council's Constitution details the functions which are specifically reserved to the full Council:-

- adopting and changing the Constitution;
- subject to the urgency procedure contained in the Access to Information Procedures Rules in Appendix 4 of the Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- appointing the Leader and members of the Cabinet;
- agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them;
- appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;
- adopting a members' allowances scheme;
- changing the name of the area, conferring the title of Honorary Alderman or Freedom of the Borough;
- confirming the appointment of the Head of Paid Service;
- making, amending revoking, re-enacting or adopting bylaws and promoting or opposing the making of legislation or personal Bills;
- all local choice functions set out in Appendix 2 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet; and
- all other matters, which, by law, must be reserved to Council.

The terms of reference of the Council include matters reserved by statute to be discharged by the Council; appointing the Leader and Cabinet; appointing Members to committees; and appointing representatives to outside bodies.

There is also provision within the Constitution for the Council to meet in Committee, which has the authority to determine any matter referred to it by the Cabinet or any Committee of the Council and not otherwise reserved to Full Council. The Committee of the Council has not met since September 2006 and used to meet to consider and debate the strategic documents in a way that is not always possible within the full Council meeting.

The full Council cannot:-

- take or change decisions on Cabinet functions
- decide which Cabinet functions should be delegated to individual members or officers
- delegate any of its own functions to the Cabinet (although it can, if it wishes, appoint committees consisting partly or exclusively of Cabinet portfolio holders)
- determine policies other than those listed in the policy framework (although the Cabinet can, if it wishes, refer such matters to the Council for full debate)

The procedural rules of the Council are found at Appendix 5 of the Constitution and are mainly derived from the provisions within the Modular Constitution for English Local Authorities; however certain parts have been tailored to our own local circumstances. The procedure rules detail how the meetings of the full Council should be managed and processes to be followed by Members.

The agenda for full Council meetings details the business to be undertaken, which is usually in this order:

1. Consideration and approval of the minutes of the previous meeting
2. Mayor's Announcements
3. Reports of the Executive Management Team requiring a decision
4. Reports of the Committee for Members to make comment on
5. Receipt of petitions under Procedure Rule 17
6. Any urgent business under Procedure Rule 18

Research and Practice of other Local Authorities

From our research it appears that the majority of local authorities are frustrated by the lack of purpose and direction in meetings of the full Council since the introduction of new Executive arrangements. Professor John Stewart, an acclaimed commentator on local government, has taken the view that the Local Government Act 2000 has actually presented local authorities with the perfect opportunity to re-examine the role of the full Council and redefine its role as the community leader.

Organisations such as the Local Government Association and the IDeA (Improvement and Development Agency) have published several articles since the Local Government Act 2000 was introduced citing examples of best practice and innovation at other local authorities which have improved their full Council meetings.

The former Office of the Deputy Prime Minister (now the Department of Communities and Local Government) commissioned several academic studies of the impact of the modernisation agenda. One such study was undertaken by Professor Steve Leach of De Montfort University in 2003 which found that full Council meetings had not been given sufficient attention following the Local Government Act 2000, however research had also highlighted ways in which some authorities were trying to respond:

“The modernisation of the full Council has received scant attention compared to that given to the executive, overview and scrutiny and area committees. Ideas generated early on in the modernisation process illustrated how the full Council could develop as a more effective forum for debate on issues affecting the community, deliberation about the policy framework and for holding the executive to account. Current developments include:

- *public question time;*
- *a “state of the borough, district or county” debate;*
- *single issue council meetings and the “council in committee” to enable deliberative debates of a policy problem or proposal; and*
- *regular sessions for members to question portfolio holders*

Other ways to develop the potential of the full Council include individual members having the power to initiate a council debate on a particular subject, parliamentary procedure involving first, second and third readings for reports or proposals, opposition days (where debates take place on a subject chosen by the opposition(s)) and time set aside for ward or divisional issues.”

Our objective in Newcastle-under-Lyme is to increase Member ownership and involvement in the full Council, particularly in view of the impending changes to the

democratic framework. So how have other local authorities approached this challenge when reviewing their own arrangements for meetings of the full Council?

Birmingham City Council undertook a review of the role of Members and the Full Council during the 2004/2005 Municipal Year and explored the nature and effectiveness of the above innovations which had been implemented by other authorities. One of the most interesting recommendations from their review was to re-instate a provision for each Council meeting to have a standard motion along the lines of:

“That the City Council consider city-wide issues of the moment raised by individual Members and notified to the Lord Mayor by 10.00a.m. of the day before this meeting of the City Council.”

This recommendation has been implemented by the Council and has had the effect of making Members feel that they can easily participate in full Council. This is particularly important given the complex layout of business on an agenda for the Council meeting which may deter full Member participation. Birmingham also demonstrated a high regard for the policy framework and the need for Member involvement early in policy development through the establishment of a timetable and process for approving documents. This process is bolstered by the effective use of Overview and Scrutiny as a forum for policy development and review.

Following the adoption of its Constitution in 2002, Stoke-on-Trent City Council made provision for questions from the public to be submitted to the Elected Mayor and Council Manager (“the Executive”) at their full Council meetings. Citizens of Stoke-on-Trent could ask the Executive up to two questions as long as they:

- are in writing;
- are no more than 150 words;
- are about a service or issue which the City Council is responsible or an issue that affects the Stoke-on-Trent area;
- do not repeat a question asked in the last six months;
- must not insult people or waste time

Questioners have a written reply to their question but at the Council may ask a supplementary question that the Executive will respond to. Councillors do not have the opportunity to express a view about the issue raised by the questioner. In response to the Governance of Britain Green Paper, which expects local authorities to enable people to become active citizens and be engaged in local decision-making, Stoke-on-Trent City Council has recently established a ‘Council Assembly’ to give citizens more opportunity to engage in dialogue with Councillors on issues in more depth than the ‘public question time’ at Council meetings permits. The arrangement is being trialled for one year until January 2008 when the arrangements will be re-visited. It may be worthwhile monitoring the new arrangements at our neighbouring authority for future deliberation in respect of increasing public involvement in the full Council meeting

West Lancashire District Council holds a ‘Council meeting as an Assembly’ in January each year. All Members of the Council attend, along with representatives of local organisations, and all residents of West Lancashire are invited to attend and give their views. There are usually two items on the agenda, which are announced six weeks prior to the event, which are presented by the appropriate officers or other representatives of public agencies. Following the presentations there is an opportunity to debate the topics which is compered by a local BBC television journalist. The purpose of the Council meeting as an Assembly is to drive a public or state of district debate designed to focus discussion on the key issues facing the community. This is an example of a Council meeting which engages with communities and motivates local people to become involved in influencing decisions which affect the area in which they live. Following the meeting the Chief Executive publishes a report of the meeting including the results of the debate which are made publicly available within ten working days and sent to all organisations/persons that attended and indicated they wished to receive a copy. The report is also considered by the next available meeting of the Cabinet.

Kirklees Metropolitan Borough Council in West Yorkshire has received praise from external observers and achieved a high level of Member satisfaction with their arrangements for the full Council. Having established a Council Business Committee to plan the business considered by the full Council and ensure that there is follow-up of decisions of the full Council. The typical agenda at Kirklees is set out as follows:

1. Announcements by the Mayor and the Chief Executive

Non-contentious announcements to be made for the Council's information

2. Apologies

Group Business Managers will say if Members are unable to be present

3. Minutes of the previous meeting of the Council

To agree and authorise the Mayor to sign the minutes of the previous meeting as a true and correct record of the proceedings

4. Matters Arising

Any issues arising from the minutes of the previous meeting

5. Declarations of Interest

Members will say if they have any personal or prejudicial interests in items included on the agenda

6. Presentation of Petitions

Any Member of the Council can present a petition. In accordance with Council Procedure Rule 10 the Council will refer that petition to the appropriate Head of Service for investigation and report thereon to Cabinet or any appropriate Committee and Council

7. Council Information and Discussion Session

The Council will receive a presentation on a plan, strategy, policy or proposal and discuss/debate the content of the presentation before forming a collective view

8. Consideration of any matters referred by Cabinet, a Cabinet Committee, or a Committee to Council for approval/noting

The Council will be asked to approve, note or otherwise the proposals submitted

9. Minutes of meetings of Cabinet and Cabinet Committees

Minutes are presented for consideration and Members may comment or ask a question on specific matters referred to in the minutes submitted. The relevant portfolio holder can exercise their right to reply to any comment/question made in relation to those items in the minutes

10. Oral Questions to the Leader and Cabinet Members

Council will consider oral questions to Cabinet Members in alphabetical order as the portfolios appear on the agenda

11. Minutes of meetings of other Committees

Minutes are presented for consideration and Members may comment or ask a question on specific matters referred to in the minutes submitted. The Chair of the relevant Committee can exercise their right to reply to any comment/question made in relation to those items in the minutes

12. Oral Questions to the Chairs of other Committees

Council will consider oral questions to the Chairs of Committees upon any item within that Committees' terms of reference

13. Written Questions by Members and Oral Questions of an Urgent Nature

To consider any questions previously submitted to Cabinet or any Cabinet Committee which have not been answered at the meeting due to time constraints

To consider any written questions submitted by Members in accordance with Procedure Rule 13

To consider any oral questions of an urgent nature which comply with Council Procedure Rule 13(9)

14. Deputations

To receive deputations (of not more than five persons) on issues on which the Council has powers or duties or which affect the area of Kirklees. Only person shall speak and the speech will not exceed five minutes. There will be no discussions on the item but the relevant Cabinet Member shall respond to the deputation

15. Questions by Members of the Public

To answer any questions by members of the public pursuant to Council Procedure Rule 11.

16. Motions submitted in accordance with Standing Orders

To consider motions submitted in accordance with Procedure Rule 14

17. Responses to motions approved and adopted by Council

To inform the Council of the action taken following the approval and adoption of a motion at previous meetings.

Kirklees has received acclaim not only for having the above provisions but also because Members make full use of the opportunities that are available to hold decision-makers to account and to put motions before the Council. The incorporation of a follow-up mechanism demonstrates the value added by the Council agreeing to motions and provides evidence of the full Council being a community leader. This is further enhanced by the established annual State of the Borough Debate, which is managed by the Council Business Committee and aims to enable the widest possible public involvement and publicity. Workshops and other events prior to and during the State of the Borough debate are held to better inform the quality and outcomes of the session. The results of the debate are disseminated as widely as possible within the community and to agencies and organisations within the area. The Cabinet also has regard to the outcomes of the debate in proposing the budget and policy framework to the Council in the coming year.

There is a picture emerging from our research which suggests that local authorities have sought to redress the imbalances of Executive decision-making arrangements through strengthening the role of full Council to ensure that it remains at the heart of the local democratic framework. Whilst we are interested in the changes that they have implemented, we believe that there are a number of simple measures required to improve our own full Council meeting, some of which do not involve change of procedure, but more a change a culture

What needs to change?

The examples of other local authorities demonstrate that there is no correct way of holding a meeting of the full Council and most observers would concur that it works best when it fits the traditions and needs of the locality it serves. Most interested parties at this authority would agree that the role of the full Council requires development and there needs to be a change of culture at both Member and officer level so that it becomes the cornerstone and public face of democracy in action in our borough. So what really needs to change?

Civic and Ceremonial

There is firm agreement between all parties represented on the Working Party that the civic and ceremonial aspects of the full Council meeting need to be retained and their importance further recognised. The Mayor, as Chairman of the Council, plays a pivotal role in:-

- presiding over meetings so that the Council's business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community
- ensuring that the Council meeting is a forum for the debate of matters of concern to the local community
- ensuring that Cabinet members and committee chairs are held to account by other Members of the Council
- promoting public involvement in the Council's activities

The office of Mayor commands the respect of all Members of the Council and this should be reflected throughout the Council meeting by treating the forum, its procedures and members with the same level of respect. We believe that the conduct of the Council meeting can be improved by maintaining respect for the presence of the Mayor and the forum of which we are part. Exemplary conduct will demonstrate the importance of the full Council and will portray a good image of the Council and its Members, as well as encouraging more involvement and interest from our communities.



Whilst it is a matter for the Council to elect the Mayor as Chairman of the Council, we believe that training should be mandatory for those Members seeking to become Mayor so that they are able to manage meetings. It is also important that the senior officers, such as the Chief Executive and the Monitoring Officer, who support and guide the Mayor in meetings of the full Council, receive and provide regular training. It may be beneficial to consider holding a mock Council meeting in between the municipal elections and the Annual Meeting of the Council to enable a dry run for all participants. Such a measure will enhance the management of the meeting and will ensure that respect for the civic and ceremonial aspects of the Council are retained. It is felt that this would also be beneficial to new Members of the Council following municipal elections who may be unsure of what to expect and be unaware of the protocols of the Council meeting.

Holding the Cabinet to account

The Scrutiny Committee is currently the primary venue for holding the Executive to account with Members able to submit questions to Cabinet portfolio holders, review Cabinet decisions and examine the Forward Plan of Key Decisions. The proposed changes to the Overview and Scrutiny arrangements will retain those elements although they will be diluted amongst the specific committees, rather than being discussed in the all-Member forum of the full Council. We agree with the Government's view that a valuable role for the full Council is to hold the Cabinet to account. This authority can make better use of the existing provisions to ask questions of the Cabinet Members and Chairs of Committees which are set out in Procedure Rule 21 of the Standing Orders for Council meetings. Cabinet decisions should now be reported to full Council to enable Members to ask questions of the Leader and Cabinet portfolio holder on the key decisions that have been taken. By placing greater importance on this aspect of the Council meeting we will go some way to redressing the feeling that Members are removed from decision-making and will enhance the accountability and transparency of the decision-making process.

Procedure Rule 21 – Questions

(1) Questions without prior notice

A member of the Council may ask the Chair of the Cabinet or a committee any question upon a minute of the Cabinet or committee in question appearing on the agenda.

(2) Questions with prior notice

Provided a member has given not less than 24 hours notice in writing to the Chief Executive, he may ask the Leader, a Cabinet portfolio holder or the Chair of any committee any question on any matter in relation to which the Council have powers or duties or which affects the Borough.

(3) Other questions

Other questions may only be put to the Leader, a Cabinet portfolio holder or the Chair of any committee if the Mayor is satisfied that **either** the question relates to urgent business and advance notice including a copy of the question was given to the Chief Executive by 10 o'clock in the morning of the day of the meeting **or** the Chair is prepared to waive such notice.

(4) Every question shall be put and answered without discussion, but the Leader, Cabinet portfolio holder or the Chair may decline to answer.

(5) An answer may take the form of

- (a) a direct oral answer; or
- (b) a reference to a publication which is generally available; or
- (c) a statement that a written answer will be given (which shall be circulated to all members)

(6) The Leader shall, if he or she so desires, be entitled to reply to questions by members at meetings of the Council on matters of policy or the general business of the of the Council in addition to or instead of any answer given by the Cabinet portfolio holder the Chair of the appropriate committee.

(7) The member shall be entitled to put to the Leader, Cabinet portfolio holder or Chair of the Committee one supplementary question provided it is directly related to the original question.

The full Council has the authority to refer matters to the Overview and Scrutiny Committees for in-depth investigation if required. This will ensure that issues raised are followed up by Members and outcomes can be reported back. This proposition, which links the full Council to Overview and Scrutiny activity, serves to strengthen the Member role within the democratic framework and demonstrate the value added by a joined up approach to holding the Cabinet and decision-makers to account.

Ownership of Policy

Some concerns have been expressed about the lack of influence that non-Executive Members have in the determination of key Council policies and strategies. This is an aspect of local authority business over which the full Council can exercise responsibility. So how does it currently work in Newcastle-under-Lyme?

The Borough Council's Policy Framework comprises the policies, plans and strategies which are required, under our Constitution, to be approved or adopted by full Council. Together with the budget, which is also required to be approved each year by full Council, the Policy Framework defines the overall direction of the management of the

Council, and the exercise of its functions. The Cabinet is empowered under the Constitution to exercise the executive functions of the Council in accordance with the budget and Policy Framework.

Newcastle-under-Lyme's Policy Framework

- Best Value Performance Plan;
- Community Strategy;
- Crime and Disorder Reduction Strategy;
- Local Transport Plan;
- Plans and strategies which together comprise the Development Plan
- The plan and strategy which comprise the Housing Investment Programme;
- Local Agenda 21 Strategy

The requirement to establish a Policy Framework within the Constitution is set out in the Local Authorities (Functions and Responsibilities)(England) Regulations 2000, made under Section 13 of the Local Government Act 2000. The regulations provide that a number of specified items must be included in the Council's Policy Framework, and also enable the Council to include additional items, some of which are recommended by Government.

There is no established legal definition as to what can properly be termed a policy, plan or strategy; each item must be examined on its merits. The Council cannot, however, lawfully include within the Policy Framework any additional item which is not properly described as a policy, plan or strategy, so as to reduce or limit unduly the decision-making powers of the Cabinet. It is suggested that a policy, plan or strategy will normally relate to the exercise of one or more of the Council's functions, in relation for example to a major strategic or operational programme, the overall framework for the delivery of one or more services, or the overall criteria to be applied in relation to the management, allocation or deployment of significant resources. It is also possible for the Council to include in its Policy Framework a policy, plan or strategy which involves the exercise of strategic or major programme functions jointly with one or more partners.

Current guidance from the Department of Communities and Local Government indicates that Council should list all those plans and strategies that are relevant to their functions which form the policy framework. These fall into three separate groups:

- (i) **those required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and regulations proposed under Section 32 of the Local Government Act 2000 and as amended by the Local Authorities (Functions and Responsibilities) (England) Regulations 2006**

The requirement for local authorities to prepare and publish certain plans has been removed by various enactments and the 2006 Regulations amend the original Regulations by removing the references to those plans

- (ii) **those other plans and strategies which Chapter 2 of DETR Guidance recommends should be adopted by the Council as part of the Policy Framework:**

- (iii) **other plans and strategies which the Council may decide should be adopted by the Council as a matter of local choice.**

Overall we do not believe that the timescales set to complete this review would enable us to effectively recommend a way forward to deliver greater Member ownership of policy development. The impending changes to our Overview and Scrutiny structures will enable Members to become more pro-active in the development and review of new and

existing policy through effective work planning, as well as identifying a lead Overview and Scrutiny committee for each policy or strategy. There is much work to do in highlighting contradictions in existing policies and ensuring that their content remains compliant with legislation. Such examination should be undertaken by the Cabinet and officers and then Overview and Scrutiny could review the policies, plans or strategies following any amendments.

We would recommend that the Council agree to the principle of the Council having ownership of all policies where it is statutorily permitted to do so. We would also recommend that the Cabinet and officers compile a list of all the policies, plans and strategies that the authority produces along with a timetable of when these documents require approval. It is frustrating to receive a policy document requiring approval because of an impending statutory deadline without allowing Members to fully contribute to the document. From our position we believe that the democratic framework could be enhanced by a timetable for policy approval within the Council. Other authorities, such as Birmingham City Council, have developed such a timetable and it would be beneficial to both Members and officers to develop a locally based approach for Newcastle-under-Lyme.

Use of Existing Protocols and Procedures

As referred to earlier in this report, the Constitution details the procedures that are to be followed in meetings of the full Council. The Standing Orders at Appendix 5 of that document detail the way in which the business of the Council meeting is to be conducted and the procedures to be followed by Members within that forum. One of the issues that Members have with the current operation of the full Council is the lack of opportunity to influence what happens at the meeting. Having considered the contents of Appendix 5 it is worth noting that Members already have the opportunity to:-

- Move without notice motions and amendments;
- Give notice of any motion ten days prior to the meeting;
- Ask the Leader of the Council or Chair of a Committee any question upon a minute appearing on the agenda
- Give not less than 24 hours notice of a question to the Leader of the Council, a Cabinet portfolio holder or a Chair of any committee in relation to which the Council has powers or duties or affects the Borough
- Ask a question of the Leader of the Council, a Cabinet portfolio holder or the Chair of any committee if the Mayor is satisfied that either the question relates to urgent business and advance notice has been given to the Chief Executive by 10am on the day of the meeting or the Mayor is prepared to waive such notice
- Put a supplementary question provided it is directly related to the original question

Improving awareness of the availability of these mechanisms within the standing orders for Members to make better use of them will increase the effectiveness of the Council meeting. Officer support may be required to assist Members in ensuring that motions and questions are appropriately drafted and suitable for submission at a meeting of the Council.

To compliment this proposal we would like the officers to ensure that any questions that are unable to be answered at the meeting and any motions agreed by the Council are followed up and acted upon following the meeting and the outcomes of these actions are reported back to the Council. If such a process is not implemented it will undermine the purpose of having the above provisions and an important role of the full Council. As referred to previously, this measure is successfully employed in Kirklees and is said to be popular with Members.

Most Members would probably agree that there are aspects of the Council's Standing Orders and Rules of Debate which are not fully adhered to during meetings. We believe that this is not a result of wilful non-compliance but rather a lack of knowledge and understanding of the procedures within the Constitution for managing and making the most of meetings.

Both Members and officers would agree that the Constitution is not a user-friendly document. It is difficult to read and, in places, difficult to understand. Much of its content is taken from the Modular Constitutions for England which was produced by the former Office of Deputy Prime Minister to provide guidance to local authorities writing constitutions following the Local Government Act 2000. Whilst accepting it is a statutory document, requiring the use of legal and detailed terminology, there is no reason why the Constitution cannot be made easier to access and understand by Members, officers and the public. We believe that this can be facilitated through the inclusion of explanatory notes throughout the document and the production of a shorter guide to the Constitution written in plain English. It is clear that our Constitution does need to be more accessible and we must accept that not changing is not an option.

Given that Members have the opportunity to attend training and development events in respect of nearly all other aspects of the Council's democratic framework it may be worthwhile considering running specific training to develop our knowledge and understanding of the standing orders, protocols and procedures of the full Council meeting.

Increasing Public Interest and Enhancing Public Involvement

The proposed changes are necessary if we are to have any success in enhancing public involvement and increasing public interest in our activities as a full Council. It is our view, as well as the view of Government, that we are community leaders as elected representatives and sitting as a full Council we should be the community leader for the borough.

We have considered introducing a provision for receiving questions from members of the public, however research shows that the experience of other local authorities who have introduced such a measure has been mixed. At this stage the focus should be on enhancing Member involvement in the full Council meeting, however this may be an area which the Council may wish to develop in the future and it will be interesting to monitor the success or otherwise of Stoke-on-Trent's new approach. Nonetheless local people still have the opportunity to voice their concerns at meetings of the full Council through their local ward councillor who may ask questions on their behalf and thereby fulfil the community representative role within the Council.

In September 2007 the Council considered its Annual Report detailing the key achievements of the past year and priorities for the year ahead. This document, although it was not expressed in the supporting paperwork, was submitted with the intention of facilitating a debate at full Council on the state of the authority and present a real opportunity for Members to challenge the Cabinet. We believe that this should be

continued with the clear aim of promoting debate amongst all Members within the full Council setting to express their views on the performance of the authority and priorities for the future. It will be pleasing for many Members to have a platform for serious debate of the key issues in the Borough and will possibly attract more attention from the public and the media as a result of this meeting. The Borough Council could also use *The Reporter* to further publicise meetings by letting people know what is being discussed and the outcomes of those discussions.

Referring back to our comments on civic and ceremonial aspects of the meeting, Members must abide by the standing orders and rules of debate otherwise we will risk turning the public away from the meeting. Whilst we accept that there will always be an element of political point scoring, we need to ensure that we maintain the highest possible standards of behaviour and avoid creating an intimidating or uncivilised atmosphere. Our conduct in full Council meetings creates an image in the minds of the public which will inform their judgement of the Council and the borough as a whole.

There are a number of other measures which we consider may be of interest in developing public interest and involvement in the Council meeting. These include giving greater advance publicity to full Council meeting and giving full Council an enhanced web presence showing forthcoming topics for debate, questions asked and answers received. This would be easier to manage if the process for developing policies and other documents for the full Council were to be improved through the implementation of a work programme detailing the dates when approval to recommendations were required.

Conclusion

We have welcomed the opportunity to review the current arrangements for and operation of our full Council meetings. Many of the areas we would wish to improve already exist within our Constitution and our clear message is that we need to make greater and more effective use of the provisions to enhance our role as Members and the full Council. It is hoped that the suggested recommendations will go some way to improving the way in which our main civic and democratic forum operates.

However a number of other background issues were raised during this review and we believe that these should be examined further. We are concerned that the Council Meetings List for each Municipal Year is not as well planned as it could be and therefore we would wish to see a re-examination of the way in which the calendar is compiled for the 2008-09 Municipal Year. This follows on from our previous comments in respect of being forced into adopting policies at Council meetings because the proximity of statutory deadlines. This is in the interests of democracy and enhanced decision-making.

In making the observation in respect of planning the meetings list, it may also be necessary to revisit the timing of meetings and also the frequency of meetings. If full Council is to become a more pro-active forum and demonstration of democracy in our borough then we will clearly need to think about how we can better achieve those ends.

The final comment we would wish to make is that there are sixty Members of the Borough Council and it is only right and proper that the full Council is seen as the primary forum of the Council. Whilst the Cabinet is legislatively empowered to undertake executive decision-making, it is important that the full Council is seen as the overarching body where all Members are equal in stature. This is something that has been lost since the inception of Executive arrangements following the Local Government Act 2000. We would like to see respect for the full Council and we are sure that this will engender greater respect for the authority and for elected representatives.