



Committee: COUNCIL BUSINESS COMMITTEE

Date: WEDNESDAY, 24TH MAY 2006

Venue: LANCASTER TOWN HALL

Time: 2.00 P.M.

A G E N D A

1. **Apologies for absence**
2. **Items of Urgent Business authorised by the Chairman**
3. **Declarations of Interest**
4. **Appointment of Vice-Chairman**
5. **Terms of Reference (Pages 1 - 2)**

The Terms of Reference as agreed by Council on 12th April 2006 and set out in Part 3, Section 13 of the Constitution are attached for information.

6. **Corporate Plan 2006/07 - Priority Outcomes (Pages 3 - 18)**

Report of the Corporate Director (Finance & Performance)

7. **Filming and Recording of Meetings (Pages 19 - 28)**

Report of the Audit Committee.

8. **Functioning of the Forward Plan (Pages 29 - 42)**

Report of the Audit Committee.

9. **Process for Dealing with Consultation Papers (Pages 43 - 46)**

Report of the Head of Democratic Services.

10. **Timetable of Future Meetings (Pages 47 - 50)**

Report of the Head of Democratic Services.

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Susan Bray (Chairman), Evelyn Archer, Maggie Chadwick, Anne Chapman, Geoff Knight, Joyce Pritchard and Peter Robinson

(ii) Substitute Membership

Councillors Abbott Bryning, Gina Dowding and Alex Stone

(iii) Queries regarding this Agenda

Please contact Gillian Noall, Head of Democratic Services - telephone (01524) 582060 or email gnoall@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN
CHIEF EXECUTIVE
TOWN HALL,
LANCASTER LA1 1 PJ

Published on Monday 15th May 2006

SECTION 13 – COUNCIL BUSINESS COMMITTEE

Composition: 7 Members of the Council on a PR basis, Chairman and Members of the Committee appointed by Council annually. Changes can be made by Council during the course of the year.

Terms of Reference

1. To make appointments to Committees and outside bodies (other than those made at Annual Council).
2. To determine the method of response and where necessary ratify responses (on behalf of the Council) to requests for responses to consultations made to the Council.
3. To agree the agenda and make the arrangements for a 'special' Council meeting during the autumn on an annual basis for any of the following purposes:
 - Consideration of a single topic
 - Hearing an external speaker
 - Meeting in assembly or forum
 - Consideration of a local, regional or national issue
 - Or other purpose to be determined by the Council Business Committee.
4. To agree the annual timetable of Lancaster City Council meetings and any other timetabling issues which may arise.
5. To take urgent decisions on issues which fall within the Terms of Reference of Council, where it would not be practical to convene full Council, unless prohibited by statute.
6. To agree amendments to all parts of the constitution in accordance with Article 15, on a referral from the Audit Committee or Monitoring Officer other than the Articles (reserved to Council), Financial Regulations and Procedures and Contract Procedure Rules (reserved to Audit Committee) and Responsibility for Functions – Section 13 Council Business Committee and minor constitutional amendments which are the responsibility of the Monitoring Officer.
7. To manage issues relating to Elected Members including training and development
8. To agree civic and ceremonial matters in consultation with the Mayor.

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COUNCIL BUSINESS COMMITTEE

CORPORATE PLAN 2006/7 – PRIORITY OUTCOMES

24TH MAY 2006

Report of Corporate Director (Finance & Performance)

PURPOSE OF REPORT
To agree the Key Performance Indicators of the Priority Outcomes section of the 2006/7 Corporate Plan.
This report is public

RECOMMENDATIONS

- (1) **That the Committee agree the Key Performance Indicators of the Priority Outcomes as set out in Appendix A for inclusion in the 2006/7 Corporate Plan.**

1.0 Introduction

- 1.1 Council at its meeting on 12th April approved the 2006/7 Corporate Plan with the exception of the Key Performance Indicators (KPIs) within the Priority Outcomes section, minute 133(1) refers.

The process for concluding the Corporate Plan was also agreed at the meeting and set out below :-

Minute 133 (2)

“That in respect of the Key Performance Indicators, further work be done to make these more specific and time bound, without changing the Priority Outcomes”

Minute 133(3)

“That subject to the decision of Council on item 13 of the agenda, approval of the final version of KPIs be delegated to the Council's Business Committee. Failing that it be delegated to the Chief Executive in consultation with the Leader and that the results be reported to Council”

2.0 Proposal Details

- 2.1 Further work has now taken place to produce a set of KPIs that are more specific and time bound wherever possible, and these are set out in the attached **Appendix** for the Committee's consideration.
- 2.2 At the time of writing this report, there are a few outstanding KPIs, 5.1, 6.1 to 6.3, that are still requiring some outturn information before they can be finalised. Officers are working on these and details will be circulated as soon as possible.

3.0 Details of Consultation

- 3.1 All relevant Services have been involved in preparing this latest set of KPIs prior to their inclusion in this report

4.0 Options and Options Analysis (including risk assessment)

- 4.1 Option 1 is to agree the KPIs as included in the Appendix
 - 4.2 Option 2 is to agree an amended version of the KPIs included in the Appendix
- The Officer preferred option is Option1.

5.0 Conclusion

- 5.1 The Committee is asked to consider the Appendix and approve a set of KPIs for inclusion in the Corporate Plan.

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The Priority Outcomes section is an integral part of the Council's Corporate Plan which is a key document in the Policy Framework.

FINANCIAL IMPLICATIONS

None arising from this report. The 2006/7 budget and planning process provided for the development of the Corporate Plan and the Budget to be kept in line. As no amendments are to be proposed to the Priority Outcomes themselves, there will be no additional financial implications arising from the approval of the associated KPIs.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments to add

LEGAL IMPLICATIONS

Legal Services have been consulted and have no comments to add

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments to add

BACKGROUND PAPERS

None

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Ref: RCM/PriorityOutcomes/May

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Appendix A

CORPORATE PLAN PRIORITY**To deliver value-for-money customer-focused services**

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
1. To keep the annual council tax increase to a minimum whilst offering high quality services (IB)	Keep annual council tax increases below 4.9% Achieve the targets set out in our Medium Term Financial Strategy Achieve our annual Gershon efficiency targets	1.1 2007/8 council tax increase below 4.9% 1.2 £625,000 of MTFs target savings by Mar '07 1.3 £1.168m cumulative Gershon efficiency savings by Mar '07.	Medium Term Financial Strategy VFM Strategy Star Chamber
2. To develop more effective community engagement to ensure the views of our citizens are taken into account during our decision making processes. (GD, PQ, IB)	Develop an annual Consultation Plan Develop a Citizens Panel Develop Annual Forward Plan Take account of public response to the Planning Development Framework 'Core Strategy' consultation	2.1 The number people responding to our consultations. (In this first year we will establish a baseline figure.) 2.2. Publish Core Strategy - October 2006	Consultation Strategy Forward Plan Planning Development Framework documents.

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>3. Refocus services around the needs of our citizens and other customers and improve customer satisfaction with both the Council and the services it provides. (AS)</p>	<p>Continue to integrate council services into our customer contact centres</p>	<p>3.1 All Phase 1 services integrated into our Customer Service Centres by Mar '07</p> <p>3.2 Increased overall customer satisfaction from 48% to 56% by Dec '06</p>	<p>Access to Services Review</p> <p>Best Value General Household Survey</p> <p>Corporate Property Strategy</p>
<p>4. Provision of high quality accessible public toilets (JB)</p>	<p>Refurbish Clock Tower and Armdale Toilets; review and rationalise public toilet provision in the district</p>	<p>4.1 Refurbished Toilets in opened by March 2007</p>	<p>Poulton Neighbourhood Management Board</p>

CORPORATE PLAN PRIORITY

To make our District a cleaner, healthier place

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>5. Cleaner streets and public open spaces (JB, EB)</p>	<p>Improving street cleanliness</p> <p>Running the 'Put Litter in its Place' Campaign</p> <p>More enforcement; work with the Community Support Officers</p>	<p>5.1 Reduce the amount of litter on the streets from 2.2% to 1.5% by 2008 (BV 199 & LAA Stretch Target)</p> <p>5.2 Improve levels of customer satisfaction with street cleanliness from 55% in 2003/04 to 72% in 2006/07 (BV89)</p> <p>5.3 Increase the number of fixed penalty notices (relating to environmental anti social behaviour) issued from 19 in 2005/06 to 150 in 2006/07</p>	<p>Lancashire Local Area Agreement</p> <p>Litter Strategy</p> <p>Litter Charter/ Chamber of Trade</p> <p>Police</p> <p>Community Safety Partnership</p> <p>Community Safety Strategy</p>
<p>6. Reduce waste in the district by recycling and re-use (JB)</p>	<p>Complete planned phases of the introduction of wheeled bins and kerbside recycling</p>	<p>6.1 Increase % of household waste recycled from 2.2% in 2005/06 to 18% in 2006/07 (BV82a)</p> <p>6.2 Increase % of household waste composted from 2.2% in 2005/06 to 2.2% in 2006/07 (BV82b)</p>	<p>Community Strategy</p> <p>Waste Management and Recycling Strategy</p> <p>Furniture Matters</p>

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>7. To improve the health of residents through the provision of sporting and leisure activities</p> <p>(RS, JH, PQ)</p>	<p>Special collection service delivered through Bulky Matters Partnership</p> <p>Provide leisure opportunities to all sections of the community that aim to promote healthier lifestyles</p> <p>Offer all under 11's attending the schools swimming programme a body mass index (BMI) test and a programme of activity to reduce BMI</p> <p>Sustain rural sporting/leisure facilities</p>	<p>6.3 Reduce the Kg of household waste collected from ??? in 2005/06 to ??? in 2006/07 (BV 84)</p> <p>6.4 Increase % of bulky waste recycled from 0% in 2005/06 to 40% in 2006/07</p> <p>7.1 Increase the number of children who receive coaching per week from an average of 22 to 25 by March 2007</p> <p>7.2 Increase % of children under 11 in schools swimming programme taking up the offer of a BMI test and the recommended subsequent activity programme from 0 to 20 by March 2007</p> <p>7.3 Increase usage at Hornby Pool from 8185 to 8266 by March 2007</p>	<p>Community Strategy</p> <p>Sport England</p> <p>North West on the Move</p> <p>County Sport Partnership</p> <p>Every Child Matters</p> <p>Youth Matters</p> <p>Extended Schools</p> <p>City Council Cycling Strategy</p>

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
	Deliver the Cycle England demonstration town project	7.4 25% Increase cycle trips in 2006/07 with 100% increase by 2008 (from a baseline of 693 trips in 2005)	Economic Development Zone

CORPORATE PLAN PRIORITY

To reduce crime and the fear of crime

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
8. To reduce Crime and the Fear of Crime and to help residents feel safer in their communities. (EB)	Work with our partners to reduce the number of crime and disorder incidents within the district. (In 2003/04 the Community Safety Partnership set a target to reduce all crime in the District. Current indications are that this stretching target is unlikely to be achieved)	8.1 Reduce all crime in District by between 16% -19% by 2008 (PSA1)	Community Safety Partnership Community Safety Strategy Local Area Agreement
9. Reduce alcohol related violence and harm; reduce alcohol related anti-social behaviour. (EB)	Work with the Police, Primary Care Trust and other agencies within the Community safety partnership to address issues around alcohol related violence and harm Work with the Police and other agencies to ensure that under the Licensing Act 2003 licensable activities are properly licensed and that licence conditions are complied with	9.1 Develop a strategy to reduce alcohol related crime 9.2 Fully comply with all requirements of the Licensing Act	Community Safety Partnership Trading Standards Community Safety Strategy Licensing Strategy

CORPORATE PLAN PRIORITY

To lead the regeneration of our District

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>10 To make best use of European ERDF and other funding within the Economic Development Zone to provide new and refurbished individual and commercial space</p> <p>(AB)</p>	<p>Delivering Luneside East</p> <p>Providing new workspace</p> <p>Providing new industries space</p>	<p>10.1 Completion of Transco off-site works and demolition of gas holder by October 2006</p> <p>10.2 Completion of 1500m² of new/refurbished office space at 4/5 Dalton Square by July 2006</p> <p>10.3 Development Agreement in place for 50% of the Port of Heysham offer by March 2007</p>	<p>EDZ Action Plan</p> <p>Lancaster SRB Delivery Plan</p> <p>Regeneration Strategy</p> <p>Morecambe Action Plan</p> <p>West End Masterplan</p> <p>Local Area Agreement</p>
<p>11 To regenerate the West End of Morecambe</p> <p>(JH)</p>	<p>Establish Neighbourhood Management in the West End of Morecambe</p> <p>Progress implementation of the West End masterplan</p>	<p>11.1 To achieve agreement of the West End delivery plan by June 2006</p> <p>11.2 A 10% increase in resident satisfaction 12 months on from the baseline survey (April 2007)</p>	<p>Community Strategy</p> <p>Lancashire Local area Agreement</p> <p>West End Masterplan</p> <p>Poulton and West End Neighbourhood Management Delivery Plans</p> <p>Local Development Framework</p>

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>12. A varied programme of festivals and events throughout the district (RS)</p>	<p>To continue to work with both the private sector and other organisations to develop a successful programme Green Flag status for Happy Mount Park</p>	<p>12.1 90% of agreed Innovation Fund projects to be successfully implemented 12.2 Green Flag status achieved by Mar 2008</p>	<p>Festivals Innovation Fund English Heritage</p>
<p>13. To improve the retail, leisure and residential offering in Lancaster city centre (AB,PQ)</p>	<p>Take forward development plans for the Canal Corridor in Lancaster</p>	<p>13.1 To publicise an indicative masterplan and achieve a signed development agreement between the Council and the developer Centros Miller by December 2006</p>	<p>Local Development Framework</p>
<p>14. To regenerate Camforth and its rural hinterland (PQ)</p>	<p>Implement the Camforth Market Towns Initiative Action Plan</p>	<p>14.1 "increase overall satisfaction with effectiveness of the Camforth Area Regeneration Partnership and with opportunities for participation and involvement" (baseline year) 14.2 Through MTI: <ul style="list-style-type: none"> ▪ Create 6 new jobs in 2006/07 ▪ Create 3 new businesses in 2006/07 ▪ Hold 12 Farmers Markets </p>	<p>CARP MTI Action Plan</p>

CORPORATE PLAN PRIORITY

To support sustainable communities

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>15. To reduce the amount of energy used by both the Council and households across the district (AS, GD)</p>	<p>Undertake all works in the Council's Energy Management Action Plan (in 05/06 our energy policy resulted in total savings of 29.83 tonnes of CO2)</p> <p>Energy efficiency measures at Salt Ayre Sports Centre.</p> <p>Implement national / EU sustainability policies through planning decisions and implementation of Building Regulations</p>	<p>15.1 Reduce overall energy use in Council buildings from 6,563,842kwh (05/06) to 5,328,114kwh in 08/09</p> <p>15.2 Reduce CO2 emissions from Council buildings from 0.0666 (05/06) to 0.057 in 908/09)</p> <p>15.3 Increase the % of energy the Council uses from sustainable sources from 9.90% in 05/06 to 60% in 08/09</p>	<p>Energy Forum</p> <p>Corporate Property Strategy</p> <p>Climate Change Strategy to be developed over the coming year</p> <p>Planning Development Framework</p>
<p>16. To increase the provision of more affordable housing, especially in rural areas (JG, PQ)</p>	<p>Increase the number of units provided in both the rural and urban areas</p>	<p>16.1 Increase total number of affordable housing units in district as a whole by 35 in 2006/07 and ensure that 18 of these are in rural areas of the district</p>	<p>Housing Strategy</p> <p>Housing Associations</p>
<p>17. Reduce levels of homelessness (JG)</p>	<p>Reduce both the numbers presenting themselves as homeless and those accepted</p>	<p>17.1 Increase the number of homelessness cases successfully resolved from 1.42% in 05/06 to 1.75% in 06/07 (BV 213)</p>	<p>Homelessness Strategy</p> <p>Homelessness Organisations</p> <p>YMCA</p>

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
	Reduce the numbers of HMO's operating in the district	<p>17.2 Maintain the level of repeat homelessness cases at 0 in 2006/07 (BV214)</p> <p>17.3 10 % reduction in numbers achieved</p>	West End Masterplan

CORPORATE PLAN PRIORITY

To continue to improve the Council

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>18. Council continues to improve; external assessment validates that improvement.</p> <p>(IB)</p>	<p>Deliver the targets included in the Council's Improvement Plan</p> <p>To reduce the average days lost to sickness</p> <p>Undertake a pay and grading review of the workforce</p>	<p>18.1 % of Imp Plan targets achieved (Target 100%)</p> <p>18.2 To reduce the average days lost to sickness to 10 days per employee by Mar 2007</p> <p>18.3 Completion of the review by Mar 2007</p>	<p>Improvement Plan</p> <p>Direction of Travel judgement</p> <p>Annual Audit Letter</p> <p>HR Strategy</p> <p>Sickness Absence Mgt Policy</p> <p>Workforce Strategy</p>
<p>19. To improve the council's performance monitoring, management and reporting arrangements</p> <p>(IB)</p>	<p>Establish revised performance monitoring and reporting arrangements as set out in the Performance Management Framework</p> <p>Implement the <i>Escendency</i> performance management system across all Council Services.</p>	<p>19.1 Quarterly reporting through new framework in place by July 2006</p> <p>19.2 75% of services reporting performance through <i>Escendency</i> by Mar '07.</p>	<p>Performance Management Framework.</p> <p><i>Escendency</i> Partnership arrangement</p>

Priority Outcomes	What we will do this year	Key Performance Indicators	Key Joint Strategies and Partnerships
<p>20. To increase the awareness of equal opportunities and diversity issues. (GD)</p>	<p>Progressing the Equality Standard for local government Action Plan</p>	<p>20.1 Achieve level 2 of the Equality Standard for local government by March 2007</p>	<p>Equality Standard for Local Government</p>

COUNCIL BUSINESS COMMITTEE**Filming and Recording of Council Meetings****24th May, 2006****Report of the Audit Committee****PURPOSE OF REPORT**

To advise the Council Business Committee of the recommendations made by the Audit Committee with regard to filming and recording of council meetings, in order that the constitution can be amended.

This report is public

RECOMMENDATIONS

That Business Committee agree to amend the constitution as set out in Appendix B, and that the Monitoring Officer be authorised to make consequential changes to the Media Guidelines and Protocol in line with the recommendations of Audit Committee as set out in (1), (2) and (3) below.

1. Report

The Audit Committee has considered the current procedures with regard to the filming and recording of meetings and at its meeting on 26th April 2006 Audit Committee agreed the following recommendations – a copy of the original report to Audit Committee is attached at Appendix A:

- (1) That filming/recording be allowed at meetings of Council, Cabinet, Audit, and Overview and Scrutiny Committee, so long as notice is given, via the Communications Officer, in advance.**
- (2) That filming and webcasting of meetings be included within the remit of the Access to Services Review, in particular with regard to the meeting room facilities at either refurbished or new Town Halls**

Since the meeting officers have reviewed the list of meetings originally set out in the officer report identifying two omissions from the list and would suggest the additional inclusion of Council Business Committee and Budget and Performance Panel.

- (3) That additionally filming/recording be allowed at meetings of Council Business Committee and Budget and Performance Panel, so long as notice is given, via the Communications Officer, in advance.**

RELATIONSHIP TO POLICY FRAMEWORK

None directly.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None directly.

FINANCIAL IMPLICATIONS

None arising from this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments to add.

LEGAL IMPLICATIONS

The only reference in local government legislation to the filming or recording of meetings is contained in Section 1(7) of the Public Bodies (Admission to Meetings) Act 1960, which provides that nothing in the Act requires a body to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings.

Filming and Recording of meetings has in the past been prohibited under the Council's constitution and previously standing orders. Amendment to the Constitution is therefore required in order to implement the decision of the Audit Committee.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments to add.

BACKGROUND PAPERS

None

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**Broadcasting and Recording of Council Meetings
26th April 2006**

Report of Head of Democratic Services

PURPOSE OF REPORT

To advise Members of the options, costs and benefits with regard to the broadcasting, recording and filming of meetings.

This report is public

RECOMMENDATIONS

- (1) That the Committee consider which, if any option they wish to adopt with regard to the filming/ broadcasting of meetings of full Council.**
- (2) That filming and webcasting of meetings be included within the remit of the Access to Services Review, in particular with regard to the meeting room facilities at either refurbished or new Town Halls.**

1.0 Introduction

At the end of 2004 the Media Guidelines Protocol was revised and agreed by the Audit Committee. At the time consideration was given to allowing filming and/or recording of Council meetings which has been resisted in the past in order to avoid disruption. Members were minded to consider allowing filming and recording at Council meetings but requested some further analysis of the risks involved and how they would be overcome. This further report had been held back pending the future operation of full Council, which has now been agreed and has resulted in some proposals in terms of a 'special' Council meeting and changes to public speaking which are likely to result in increased public participation and increased interest in Council meetings, which will inevitably lead to more requests from the media to capture the interaction between the public and Members.

The current position is that journalists are currently able to record any exchanges in writing but are not permitted to record on tape. Filming has been refused at meetings for a number of reasons which are discussed later in this report; however, filming and recording has been allowed prior to meetings of Council.

2.0 Proposal Details

Different Types of meetings

Whilst filming and recording would be possible at all meetings there are a number of meetings where there would be difficulties with filming, particularly where there is a high degree of exempt material such as Appeals and Personnel Committee, or where evidence is being gathered from external sources and Members of the public such as Overview and Scrutiny Task Groups. Also there is a strong case to resist filming at meetings where the council is acting in a quasi-judicial role such as at Planning and Licensing Committees, where it can be argued that the same restrictions should apply as to those currently in force in a court of law.

In light of this it is recommended that at this stage discussion of filming in meetings is limited to consideration of full Council, Cabinet, Overview and Scrutiny and Audit Committee, all of which meet in the Council Chamber of Morecambe Town Hall, (with the exception of Cabinet which alternates between Morecambe and Lancaster Town Halls).

2.1 Meeting Location

There are a number of problems with filming in the Council Chamber at Morecambe Town Hall. The Council Chamber was originally designed for far fewer Councillors than the current 60 elected Members and 7 Officers who attend Council meetings, requiring the use of fold away tables. During meetings there are very narrow walkways, which do not allow access by wheelchairs, prams, or pushchairs. Members will be aware that it is already very difficult for Councillors to move in the Chamber during meetings of Council and when this is necessary, disruption is caused to the meeting.

Currently the Council Chamber has no facilities for recording sound and does not have a sound system where a sound feed could be obtained for recording/ broadcast and no cameras.

2.2 Filming

In order to obtain broadcast quality pictures it would be necessary to use high quality expensive television cameras, due to this cost most television news organisations use large, portable cameras (shoulder or tripod mounted) and very few organisations such as the Houses of Parliament, National Assembly of Wales, and Scottish Parliament have fixed installations.

Filming would in the view of Officers cause a significant amount of disruption to Council meetings. Film crews would not wish to stay for a whole Council meeting and would inevitably cause disruption when joining/ leaving the meeting. Additionally they would have to reposition to film the Mayor and top table, or use multiple cameras, which is unlikely, due to cost. The only available space for filming would involve blocking a gangway, which in itself would cause disruption and block exits causing health and safety risks e.g. fire access, cables etc.

Members also need to be aware that there would be no control over how footage of Council meetings would be used and inevitably editing would take place to meet scheduling limitations and to provide the appropriate footage required for a story.

2.3 Webcasting

Many Councils have now adopted webcasting of meetings and Civic events as a way of widening the opportunity to participate in meetings. Web casting would offer a viable option for Lancaster City Council particularly given the accommodation difficulties of meetings in the Morecambe Council Chamber. Webcasting is normally provided by remotely operated webcams, which enable different speakers to be pictured as they are speaking. Cameras can be controlled by an operator, which can be resource intensive and still requires the meeting to have a microphone system. More commonly cameras are controlled by each Councillor having a microphone, which when turned on focuses a camera on the speaker.

There is a large financial outlay in terms of the equipment; infrastructure, software and hosting required to provide webcasting of meetings and this has not been identified within current budgets. The committee would need to be sure of the value of such an outlay in light of the proposals being put forward with regard to accommodation options as part of the Access to Services Review.

Whilst systems are relatively simple to use, from viewing various webcasts few Councils have to date managed it effectively.

Additionally there is little tangible evidence that webcasting has delivered real benefits to Councils that have purchased systems. It is questionable how many more people would view a webcast who would not attend a Council meeting. As a rule, individuals attend or view a meeting when there is an issue that interests them and few people ‘tune-in’ speculatively.

3.0 Details of Consultation

3.1 The Council’s Corporate Strategy, Legal, Finance, Information Services and Communications Officers have been consulted in the preparation of this report.

4.0 Options and Options Analysis (including risk assessment)

4.1

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
1	The principle of filming, recording and broadcasting Council meetings should be prohibited.	This would effectively ensure continuation of the present situation with no view to improved access to meetings and is not consistent with the principles of modernised decision making and the Access to Services Review
2	The principle of filming, recording and broadcasting meetings of Council, Cabinet, Audit, and Overview and Scrutiny Committee, should be endorsed but at present continue to be prohibited at Council meetings	This approach would support the principles of open government, modernised decision making and the Access to Services Review, but would reflect the current difficulties the Council would experience in allowing filming/ recording within its current meeting rooms.

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
	and should be reviewed as part of the Access to Services Review and Accommodation options outcomes.	
3	<p>Filming/recording be permitted where there is pre-arranged public participation at meetings of Council, Cabinet, Audit, and Overview and Scrutiny Committee. This will be permitted with the prior agreement from the Chief Executive and should be arranged through the Communications Officer.</p>	<p>This will provide television crews/radio stations with the same access to report public participation as their print colleagues.</p> <p>The arena is already a public one but also a controlled one in that there are rules which set out who can speak, for how long and that prior notification will be given.</p> <p>The very fact that there is public participation will mean that the meeting will be less cohesive than other meetings so any disruption film crews/radio stations cause may not be as visible as would normally be the case.</p> <p>To minimise disruption any items due to be filmed would be moved to the start of the Agenda and Members would need to be advised of this. For this reason film crews would need to inform the Council of their wish to do so at least 2 working days in advance of the meeting.</p> <p>All TV or radio crews would need to be managed. Neither Communications nor Administration currently have the resources to provide this service.</p> <p>It would be necessary for any companies filming/recording to provide the Council with a copy of the entire film to ensure that there are no inconsistencies between their recording and the published minutes.</p> <p>Rules provided to members of the public intending to speak at the meetings will also inform potential speakers that there is a possibility they will be filmed/record by television/radio.</p>

Option No.	OPTION	IMPLICATIONS AND RISK ANALYSIS
4	Filming/recording be allowed at any meeting of Council, Cabinet, Audit and Overview and Scrutiny Committee held in public so long as consent is obtained via the Communications Officer, in advance.	In addition to the above points this may mean that even where there is no public participation meetings could be open to a fair amount of disruption.
5	Filming/recording be allowed at meetings of Council, Cabinet, Audit, and Overview and Scrutiny Committee., so long as notice is given, via the Communications Officer, in advance.	This would cause significant disruption to meetings due to the meeting facilities currently available to the Council. Additionally there would be health and safety issues in terms of gangways being blocked etc. Members attention is particularly drawn to the issues set out in section 2.1 and the Legal implications of this report.
6	Any of the above options 3 – 5, with the inclusion of webcasting.	This would have to be the subject of a growth bid in the budget process and Members would need to ensure that this would achieve significant benefits to the Council, particularly in light of the Access to Services review proposals.

5.0 Officer Preferred Option and Comments

5.1 Officers would support Option 2 for the reasons as set out in the implications and risk analysis.

6.0 Conclusion

It is important that in addressing this issue the Committee considers the limitations of the current meeting rooms and balances this against the public involvement in the democratic process and the benefits to the Council of increasing this involvement.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None directly arising from this report.

FINANCIAL IMPLICATIONS

There are clear financial and human resource implications to the authority in providing, operating and maintaining a webcasting system. Whilst there may be merit in the future consideration of webcasting, at this time it would not be prudent for them to be pursued in light of the changes that will be necessary to the Town Hall accommodation as part of the Access to Services Best Review, regardless of which option is chosen.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

The only reference in local government legislation to the filming or recording of meetings is contained in Section 1(7) of the Public Bodies (Admission to Meetings) Act 1960, which provides that nothing in the Act requires a body to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings.

Filming and Recording of meetings has in the past been prohibited under the Council's constitution and previously standing orders. The published Minutes of a meeting are the formal record of the meeting, but the existence of a sound or visual recording of a meeting would be able to be used in court, in terms of action against the authority or Members of the authority.

It should be noted that Councillors unlike Members of Parliament do not have parliamentary privilege, which is absolute. Qualified privilege will generally apply to Council and Committee meetings, so that Members will generally be protected from claims of defamation in the absence of malice.

A further consideration that may be relevant to the issue of filming is the issue of child protection, and if the Council was to allow filming/ broadcasting of meetings it would need to revisit its policies with regard to children and young people being present at meetings. In making a decision on this issue Members would need to balance the risk to the authority against the benefits of allowing filming/ recording.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None

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E-mail: jdoble@lancaster.gov.uk

APPENDIX B

Proposed Constitutional Amendment to Part 4, Rules of Procedure, Section 1 Council

27 Filming and Recording of Council Meetings

The press and media will be allowed to film and record meetings of Council, Cabinet, Audit Committee, Council Business Committee, Overview and Scrutiny Committee and Budget and Performance Panel, which are open to the press and public, so long as notice is given in advance, via the Communications Officer, in accordance with the Council's Media Guidelines.

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COUNCIL BUSINESS COMMITTEE**Functioning of the Forward Plan****24th May, 2006****Report of the Audit Committee****PURPOSE OF REPORT**

To advise the Council Business Committee of the recommendations of the Audit Committee on the Functioning of the Forward Plan, in order that the constitution can be amended.

This report is public

RECOMMENDATIONS

That the Constitution be amended as set out in Appendix B, in line with the recommendations of Audit Committee as set out in (1) and (2) below.

1. Report

The Overview and Scrutiny Committee has been considering the functioning of the Forward Plan and at its meeting on 8th March, 2006, made the following recommendations which were subsequently endorsed by Audit Committee on 26th April 2006, they are now presented to the Council Business Committee in order for the Constitution to be amended as required – a copy of the original report to Overview and Scrutiny is attached at Appendix A:

- (1) That a 12 month Forward Plan, with monthly updates, be recommended to the Audit Committee for the reasons set out above, with Officers being advised that Rule 15 may only be used in exceptional circumstances and with the approval of the Chief Executive, or in his absence, the relevant Corporate Director. The 12 month Forward Plan to be introduced at the commencement of the new municipal year (May) so that Key Decisions can be fed into the process.**
- (2) That an additional section be introduced into the Forward Plan Decision Form to be completed by the author stating the reasons for urgency.**
- (3) That linkages are made between the Forward Planning process and the Council's Consultation Strategy, as outlined above, creating a consultation culture within and outside the Council and also in accordance with good practice.**

- (4) That it be noted that the Forward Plan remains the responsibility of the Leader of the Council.
- (5) That it be noted that an additional section has already been added to the report template to indicate when an issue was published in the Forward Plan module.
- (6) That it be noted that the Committee Management System Forward Plan will be rolled out and is included in Service Business Plans for implementation as soon as possible.
- (7) That the electronic submission of Forward Plan items be introduced with the above mentioned information contained within the submission form.

<p>RELATIONSHIP TO POLICY FRAMEWORK</p> <p>None directly.</p>	
<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None directly.</p>	
<p>FINANCIAL IMPLICATIONS</p> <p>None arising from this report.</p>	
<p>SECTION 151 OFFICER'S COMMENTS</p> <p>The Section 151 Officer has been consulted and would add that the introduction of a 12 month Forward Plan may also help strengthen financial planning, through the earlier identification of any issues or proposals that may have financial implications for the future.</p>	
<p>LEGAL IMPLICATIONS</p> <p>None arising from this report.</p>	
<p>MONITORING OFFICER'S COMMENTS</p> <p>The Monitoring Officer has been consulted and has no comments to add.</p>	
<p>BACKGROUND PAPERS</p> <p>None</p>	<p>Contact Officer: James Doble Telephone: 01524 582057 E-mail: jdoble@lancaster.gov.uk</p>

OVERVIEW & SCRUTINY

**FUNCTIONING OF THE FORWARD PLAN
8TH MARCH 2006**

**REPORT OF THE CORPORATE DIRECTOR (CENTRAL
SERVICES)**

PURPOSE OF REPORT

To report upon and advise the Overview and Scrutiny Committee, of the function of the Forward Plan in order to identify areas where the Plan may be failing to meet member expectations and ensuring there is transparency in the decision making process.

This report is to be considered in the public part of the meeting.

RECOMMENDATIONS

- (1) That Members consider the report.**
- (2) That Members consider what recommendations, if any, they wish to make to the Audit Committee with regard to the efficiency and functioning of the Forward Plan process and amendments to the Constitution in this respect.**
- (3) That Cabinet, and in particular the Leader of the Council, be informed of the recommendations to allow their comments to be included in the report referred to in (2) above.**

1.0 Introduction

1.1 At its meeting, held on 8th June 2005, the Committee considered a report of Councillor Stuart Langhorn, Pre-decision Scrutiny Champion, regarding the functioning of the City Council's Forward Plan (Minute 5 refers). After considering the report the Committee resolved: -

- That the Forward Plan process be reviewed and that consideration be given to replacing the current system (four month rolling Forward Plan) with a rolling 12-month Forward Plan updated on a monthly basis.
- That all Services be requested to review their Business Plan to provide details of forthcoming Key Decisions.
- That performance monitoring data be collected on compliance with the Forward Plan, that this be made available to Members and that Management intervention take place for services that repeatedly fail to publish Key Decisions in advance.
- That a review takes place of the Forward Plan form and that Officer contact details be included.

- That all Services ensure arrangements are in place to brief Cabinet Members on Key Decisions which are added to the Forward Plan.
- That all of the following should be justified on grounds of urgency and an explanation given why they were not included earlier.
 - All Key Decisions not included in the Forward Plan (at the time of publication) and sent out after publication under a separate cover.
 - Urgent Key Decisions to which no notice has been given.
 - All decisions where only a months notice is given.

1.2 In view of the above previous resolutions the following actions have been undertaken: -

Committee resolution	Action taken
That the Forward Plan process be reviewed and that consideration be given to replacing the current system (four month rolling Forward Plan) with a rolling 12-month Forward Plan updated on a monthly basis.	Report produced for consideration by Members of this Committee, prior to submission to the Audit Committee.
That all Services be requested to review their Business Plan to provide details of forthcoming Key Decisions.	To be actioned if agreed by the Audit Committee. Members attention is also drawn to proposals regarding linkages between Forward Plan information and the Council's Consultation Strategy.
That performance monitoring data be collected on compliance with the Forward Plan, that this be made available to Members and that Management intervention take place for services that repeatedly fail to publish Key Decisions in advance.	This process has commenced and data provided since the last report is set out within Appendix 1 to this report. There is also increased Management Team focus on the Forward Plan.
That a review takes place of the Forward Plan form and that Officer contact details be included.	Report and Appendix produced for consideration by Members of this Committee, prior to submission to the Audit Committee.
That all Services ensure arrangements are in place to brief Cabinet Members on Key Decisions which are added to the Forward Plan.	To be incorporated within the Council's procedures rules as good practice. This largely happens now but there have been exceptions and by formalising this in procedure rules will strengthen the position.
That all of the following should be justified on grounds of urgency and an explanation given why they were not included earlier. <ul style="list-style-type: none"> ▪ All Key Decisions not included in the Forward Plan (at the time of publication) and sent out after publication under a separate cover. ▪ Urgent Key Decisions to which no notice has been given. ▪ All decisions where only a months notice is given. 	Amended Key Decision Form attached with Section referring to "Urgency". The Appendix has been produced for consideration by Members of this Committee, prior to submission to the Audit Committee.

Members are also advised that there has been an increased Management Team focus on the Forward Plan, with the Team considering the Plan at their meetings to ensure that each Cabinet cycle receives decision reports identified for that meeting or an explanation as to why it will not be presented to that meeting.

2.0 Details

2.1 Forward Plan process:

Officers have carried out a review of the Forward Plan and the options available to the City Council regarding the operation of the Forward Planning process. These are set out below for Members' consideration.

2.2 Key Decision Process:

Members of Overview and Scrutiny Committee requested consideration of the Forward Plan process, particularly a 12 month Forward Plan updated on a monthly basis. A number of other local authorities already have a 12 month Forward Plan, where additional items can be added as required in order to ensure that the process complies with the Regulations brought about by the Local Government Act 2000. One of the main advantages of adopting such an approach is that Officers will be aware at the stage of formulating their Service Business Plans, of cyclical and major issues to be considered by the City Council in the forthcoming Municipal Year and how they contribute to the Corporate Plan priorities. Therefore, when Service Plans are agreed, Key Decisions should be identified and entered into the 12 month Forward Plan at that stage. This process would assist in focusing the minds of Service Heads on the decisions to be taken in the forthcoming year and would aid the City Council's forward planning process, increase awareness of the matters that require a decision, enable pre-scrutiny of Cabinet decisions and ensure that the decision-making process is transparent and operates in a more cohesive manner.

Service Business Plans will be available from the commencement of each financial year (April). Therefore, it would seem appropriate for the 12 month Forward Plan to be introduced at the commencement of the new municipal year (May) so that Key Decisions can be fed into the process. Members attention is also drawn to the "Groups Identified for Consultation" section of the Key Decision Notice. In order to ensure that the Key Decision Notice is adequately completed, effective consultation should take place in accordance with the principles of Best Value and the Government's Agenda for Modernising Local Government. It is, therefore, suggested that linkages are made between the Forward Planning process and the Council's Consultation Strategy. This would also assist in creating a consultation culture both within and outside the Council and would also be in accordance with good practice.

A further issue regarding the current process is the additional Officer time that is currently required to ensure that late items are published after the publication of the Forward Plan, particularly where a particular Service has not planned ahead and provided the relevant notice within the published timescales. Currently this can mean that reports are published later than expected giving Members less time to consider reports in order to make informed decisions, causing additional workload for Officers and effectively preventing scrutiny.

Issues which occur after the formulation of the 12 month Forward Plan could be added, with the City Council's electronic Committee Management System being used to place such items on the City Council's website and Members being informed via e-mail (see below) in accordance with prescribed deadlines, usually at least 14 days prior to the commencement of the statutory three month period covered by the Forward Plan, therefore enabling pre-decision scrutiny. It is recommended that these

rolling amendments are the exception as opposed to the rule and should not be used for cases where Service Business Plans have not been adequately prepared.

Members are also advised of Rule 15 of the constitution – General Exception (Part 4, Section 2 - Access to Information Procedure Rules), where the Notice has not been included in the original Forward Plan, or monthly update and notice (as referred to in the previous paragraph) cannot be given. It is suggested, that in order to ensure that Regulation 15 is not used unnecessarily, it is proposed to introduce an additional section into the Forward Plan Decision Notice Form to be completed by the author stating the reasons for urgency.

A 12 month Forward Plan will enable Officers to make the necessary arrangements to ensure that reports are provided for and cleared by the statutory Officers in plenty of time to enable compliance with relevant legislation and submitted in accordance with the City Council's Agenda deadlines. Members of the City Council will have more time to consider issues and their implications prior to a decision being required.

Members are reminded that the Forward Plan is the responsibility of the Leader of the Council and the Plan is submitted to him for approval and copied to the remaining Cabinet Members prior to publication. These current arrangements would still remain under this proposal with the Leader being provided with the 12 month Forward Plan for approval, together with any further Notices provided after the publication of the Plan.

Appendices 2 and 3 show the current and proposed Forward Plan Key Decision Notices.

Officer Recommendations:

- (1) That a 12 month Forward Plan, with monthly updates, be recommended to the Audit Committee for the reasons set out above, with Officers being advised that Rule 15 may only be used in exceptional circumstances and with the approval of the Chief Executive, or in his absence, the relevant Corporate Director. The 12 month Forward Plan to be introduced at the commencement of the new municipal year (May) so that Key Decisions can be fed into the process.**
- (2) That an additional section be introduced into the Forward Plan Decision Form to be completed by the author stating the reasons for urgency.**
- (3) That linkages are made between the Forward Planning process and the Council's Consultation Strategy, as outlined above, creating a consultation culture within and outside the Council and also in accordance with good practice.**
- (4) That it be noted that the Forward Plan remains the responsibility of the Leader of the Council.**

2.3 Report Template:

To ensure that there is a check on issues being included in the Forward Plan an additional section has been added to the report writing template. The additional section is headed "Forward Plan" and the report authors are now required to complete the section with the month when the Notice was published in the Forward Plan. This will assist in ensuring that items are not considered prematurely by Members, where inadequate notice has been given. This amendment has already been implemented by Officers and is now used by report authors when producing reports for Cabinet and its Committees.

2.4 **Committee Management System and Key Decision Form:**

The Committee Management System provides a Forward Plan module. It is intended to take this opportunity to role out this module. In doing so this will provide for an effective means for Officers to submit Forward Plan items on-line and directly into the System, using a revised proforma to take account of the recommendations as set out above.

Instead of filling in a template, in future Officers will complete a form on the Council's intranet, directly in to the Committee Management System.

The electronic form will allow submission of the following information: -

- Additional space for areas that require more of a description, i.e. consultations etc.
- Greater detail of the proposals and the likely suggested Officer recommendations in the forthcoming report.
- Confirmation that the Cabinet Member with Special Responsibility has been briefed upon the matter.
- Identification and contact details of the author of the Notice.
- Additional requirement for the reason to be stated why a report has not been included in the original Forward Plan and why it is now urgent.

Officer Recommendations:

- (1) That it be noted that an additional section has already been added to the report template, as outlined above.**
- (2) That it be noted that the Committee Management System Forward Plan will be rolled out of a module included in Service Business Plans for implementation as soon as possible.**
- (3) That the electronic submission of Forward Plan items be introduced with the above mentioned information contained within the submission form.**

2.5 **Analysis of decisions taken:**

The table set out at Appendix 1 shows the number of decisions contained within the Forward Plan and also urgent decisions published in accordance with the Regulations since the last report to this Committee (8th June 2005) to date. If this were to be analysed in the same way as in the previous report to Overview and Scrutiny, it would read:

- There were 145 (137) Key Decisions since the last report in June 2005.
- 135 (101) Key Decisions were submitted in time to be included in the relevant months Forward Plan.
 - 109 (32) decisions had more than one months notice and therefore allowing pre-decision scrutiny to take place.
 - 26 (69) decisions, gave little or no opportunity for pre-decision scrutiny as only one months notice was given.
- 10 (34) items were submitted late, that is had to be published after the Forward Plan and resulted in less than one months notice being given and realistically prevented pre-decision scrutiny.
- Only 3 (2) decisions had to be considered as Urgent Key decisions, which is not felt to be excessively high or a cause for concern.

The figures shown above in brackets provide details from the previous report, which advised of statistics for the Municipal Year 2004/05. This report only covers the period from that report to date.

The analysis shows, to date:

- 8 more Key Decisions.
- 34 more Key Decisions submitted in time to be included in the relevant months Forward Plan.
- 77 more decisions that had more than one months notice and therefore allowing pre-decision scrutiny to take place.
- 43 fewer decisions, gave little or no opportunity for pre-decision scrutiny as only one months notice was given.
- 24 fewer items were submitted late, that is had to be published after the Forward Plan and resulted in less than one months notice being given and realistically prevented pre-decision scrutiny.
- 1 more decision had to be considered as Urgent Key decisions, which is not felt to be excessively high or a cause for concern.

These statistics suggest that the operation of the Forward Plan is settling down and improving as report writers become more familiar with it.

3.0 Conclusion

- 3.1 In order to improve and assist the City Council's Forward Plan process, providing a transparent decision-making process, the Committee is asked to consider the Officer recommendations, as set out within the report, and any other proposals which may be put forward at the meeting in order to recommend improvements to Cabinet.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) No direct implications arising from this report.</p>	
<p>FINANCIAL IMPLICATIONS There are no direct financial implications arising from this report.</p>	
<p>SECTION 151 OFFICER'S COMMENTS The S151 Officer has been consulted and has no further comments to add.</p>	
<p>LEGAL IMPLICATIONS Legal Services have been consulted and have no further comments to add.</p>	
<p>MONITORING OFFICER'S COMMENTS The Monitoring Officer has been consulted and has no comments to add.</p>	
<p>BACKGROUND PAPERS None.</p>	<p>Contact Officer: Stephen Metcalfe Telephone: 01524 582073 E-mail: smetcalfe@lancaster.gov.uk</p>

APPENDIX 1

ANALYSIS OF DECISIONS TAKEN

MONTH FORWARD PLAN PUBLISHED AND DURATION	NUMBER OF KEY DECISIONS PUBLISHED IN FORWARD PLAN ONE MONTH PRIOR TO DECISION	DECISIONS SUBMITTED WITH MORE THAN ONE MONTHS NOTICE	ADDITIONAL KEY DECISIONS WHERE AN ADDITIONAL NOTICE WAS PUBLISHED LESS THAN A MONTH BEFORE THE DECISION WAS MADE AND SERVICE RESPONSIBLE	ITEMS OF URGENT BUSINESS THAT WERE KEY DECISIONS CONSIDERED BY CABINET
May 2005 (duration June – September 2005).	0	4	2 for June, 1 of which was undertaken in accordance with the Urgent Business Procedure. Both submitted by the Planning and Building Control Service.	-
June 2005 (duration July – October 2005).	5	7	2 for July, 1 submitted by Engineering and 1 by Property Services. N/a.	-
July 2005 (duration August – November 2005).	0 (No August meeting).	9	N/a.	N/a.
August 2005 (duration September – December 2005).	9	12	-	-
September 2005 (duration October 2005 – January 2006).	2	14	-	-
October 2005 (duration November 2005 – February 2006).	1	13	1 for November and December 2005, November meeting to be considered at the meeting as Urgent Business, submitted by Engineering Services.	1

November 2005 (duration December 2005 – March 2006).	6	15	3 for December, 1 submitted by Arts and Events and 2 submitted by Leisure Services.	1
December 2005 (duration January – April 2006).	1	16	-	1
January 2006 (duration February – May 2006).	1	14	1 for February, submitted by Economic Development and Tourism Service.	Not available at the time of writing the report.
February 2006 (duration March – June 2006).	1	5	1 for March submitted by CCS.	Not available at the time of writing the report.

APPENDIX 2

Current Forward Plan Notice

LANCASTER CITY COUNCIL

..... **2005**

**KEY DECISIONS TAKEN BY CABINET OR
KEY DECISIONS DELEGATED BY CABINET TO OFFICERS**

SERVICE:		REFERENCE:	
ITEM FOR DECISION:			
DECISION MAKER:	CABINET		YES/NO
	DELEGATED OFFICER		YES/NO
RESPONSIBLE CABINET MEMBER:	COUNCILLOR		
KEY DECISION CRITERIA:	EXCESS FINANCIAL THRESHOLD AS PER KEY DECISION CRITERIA	<u>YES/NO</u>	COMMUNITY IMPACT IE HAVING A SIGNIFICANT AND LASTING IMPACT ON: (i) REPUTATION OF COUNCIL (ii) ENVIRONMENT (iii) LOCAL ECONOMY (iv) COMMUNITY SAFETY (v) HUMAN RIGHTS, EQUAL OPPORTUNITIES OR RACIAL EQUALITY <u>YES/NO</u>
SUMMARY DESCRIPTION OF RELEVANT ISSUES:			
DATE OF CABINET MEETING/DATE FOR OFFICER DECISION <i>Delete not applicable</i>			
LIST OF BACKGROUND PAPERS FOR CONSIDERATION:			
GROUPS IDENTIFIED FOR CONSULTATION:			
PROCESS FOR MAKING REPRESENTATIONS TO DECISION MAKER:			
DATE FOR REPRESENTATIONS TO BE RECEIVED:			

APPENDIX B

Proposed Constitutional Amendment to Part 4 Rules of Procedure, Section 2 Access to Information

13. PROCEDURE BEFORE TAKING KEY DECISIONS

Subject to Rule 15 (general exception) and Rule 16 (special urgency), a Key Decision may not be taken unless:

- (a) a notice (called here a Forward Plan) has been published in connection with the matter in question, **where this is additional to the published Forward Plan or not included in a monthly update or less than four months notice has been given, reasons for urgency must be given on the notice;**
- (b) at least five days have elapsed since the publication of the Forward Plan; and
- (c) where the decision is to be taken at a meeting of the Cabinet or its committees, notice of the meeting has been given in accordance with Rule 4 (notice of meetings).

14. THE FORWARD PLAN

14.1 Period of Forward Plan

Forward plans will be prepared by the leader to cover a period of ~~four~~ **twelve** months, beginning with the first day of **the new municipal year** ~~any month~~. ~~They Updates~~ will be prepared on a monthly basis. ~~and subsequent plans will cover a period beginning with the first day of the second month covered by the update preceding plan.~~

14.2 Contents of Forward Plan

The Forward Plan will contain matters which the leader has reason to believe will be subject of a Key Decision to be taken by the Cabinet, a committee of the Cabinet, Officers, Area Committees or under joint arrangements in the course of the discharge of a Cabinet function during the period covered by the plan. It will describe the following particulars in so far as the information is available or might reasonably be obtained:

- (a) the matter in respect of which a decision is to be made;
- (b) where the decision taker is an individual, his/her name, title, if any and where the decision taker is a body, its name and details of membership;
- (c) the date on which, or the period within which, the decision will be taken;
- (d) the identity of the principal groups whom the decision maker proposes to consult before taking the decision;
- (e) the means by which any such consultation is proposed to be undertaken;

- (f) the steps any person might take who wishes to make representations to the Cabinet or decision taker about the matter in respect of which the decision is to be made, and the date by which those steps must be taken; and
- (g) a list of the documents submitted to the decision taker for consideration in relation to the matter.

The Forward Plan must be published at least fourteen days before the start of the period covered. The Proper Officer will publish once a year a notice in at least one newspaper circulating in the area, stating:

- (i) that Key Decisions are to be taken on behalf of the Council;
- (ii) that a Forward Plan containing particulars of the matters on which decisions are to be taken will be prepared on a monthly basis;
- (iii) that the plan will contain details of the Key Decisions to be made for the ~~four~~ **twelve** month period following its publication;
- (iv) that each plan will be available for inspection at reasonable hours free of charge at Lancaster Town Hall and Morecambe Town Hall;
- (v) that each plan will contain a list of the documents submitted to the decision takers for consideration in relation to the Key Decisions on the plan;
- (vi) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed in the Forward Plan is available;
- (vii) that other documents may be submitted to decision takers;
- (viii) the procedure for requesting details of documents (if any) as they become available; and
- (ix) the dates on each month in the following year ~~on which each~~ **when the** Forward Plan **and updates** will be published and available to the public at the Council's offices.

Exempt information need not be included in a Forward Plan and confidential information cannot be included.

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COUNCIL BUSINESS COMMITTEE

Process for Dealing with Consultation Papers 24th May 2006 Report of Head of Democratic Services

PURPOSE OF REPORT

To consider the options for dealing with consultation papers and agree a process for implementation.

This report is public

1. RECOMMENDATION

That a process for responding effectively to consultation papers be agreed for immediate implementation.

2. CURRENT PROCESS FOR RESPONDING TO CONSULTATION PAPERS

- 2.1 Prior to May 2004 decisions had been taken by the Chief Executive and relevant Review Board Chairman on whether or not the Council should respond to consultation papers and if so whether this should be referred to Political Groups and non-aligned Members to respond individually or to officers to prepare a draft response for Council's consideration.
- 2.2 With the introduction of the new Overview and Scrutiny structure however a change was required which provided the opportunity to consider further options to improve the effectiveness of the process and in June 2004 the following process was introduced: (Council Minute 27(2004/05) refers).
- (1) That on receipt of any consultation papers, the Chief Executive, Chairman of Overview and Scrutiny Committee, Vice-Chairman of Overview and Scrutiny Committee and Leader of the Council decide whether the Council should respond and how a response should be agreed.
 - (2) That, if it is decided that a response should be made, the consultation paper be either referred to political groups and non-aligned Members to respond individually, to officers to prepare a draft response for Council's consideration, for officers to respond directly or other variation at the discretion of those consulted.
 - (3) That, where there is no agreement between the Members consulted, the Chief Executive act on the majority view.
- 2.3 The process to decide whether or not a response is required is managed by a Senior Officer in Democratic Services who also then co-ordinates the preparation of a response by the most appropriate officer for approval in accordance with Member instructions. Where the consultation paper is mostly related to technical issues an

officer response is usually agreed with the approval of the relevant Cabinet member being sought where there is reference to matters of policy.

- 2.4 It should be noted that there are a large number of consultation papers published particularly by central government and resources do not always permit a worthwhile response to be prepared in the time allowed and it is often therefore necessary to prioritise and respond only where the Council has particularly strong views.
- 2.5 It has now been agreed that responsibility for consultation papers should fall to the Council Business Committee and it is necessary to consider the options for managing this process.

3. OPTIONS TO MANAGE THE PROCESS FOR RESPONDING EFFECTIVELY TO CONSULTATION DOCUMENTS

- 3.1 There are 2 stages to the process to respond to consultation papers:

Stage One

To determine if a response should be made and if so which of the options in Stage Two should be pursued to prepare and approve a response

Stage Two

To approve the response.

The options available for each stage are listed below:

- 3.2 Stage One – options -

- i. The Committee makes the decision at a meeting
- ii. The decision is delegated to the Chief Executive in consultation with all Committee Members – this would be undertaken electronically with strict deadlines for response
- iii. The decision is delegated to the Chief Executive in consultation with a small number of Committee Members such as the Chairman, the Chairman and Vice-Chairman or a small number of members nominated by the committee for the purpose – this would be undertaken electronically with strict deadlines for response
- iv. The decision is delegated to the Chief Executive

- 3.3 Stage Two – options –

- i. The Committee approves a draft response prepared by officers submitted to a meeting
- ii. The Chief Executive approves a response having consulted all Members of the Committee electronically
- iii. Approval of a response is delegated to:
 - a small sub-committee of say 3 Members of the Committee
 - the Chairman of the Committee
 - the relevant Cabinet Member
 - the Chief Executive

- iv. Refer the preparation of the response to individual political groups if required

4. OPTIONS ANALYSIS

4.1 Stage One – options -

- i. The timescales required to submit a report to a meeting of the Committee even if this were to meet frequently make this option unrealistic to enable responses to be prepared to meet deadlines.
- ii. The use of electronic methods of consultation mean that this option can be utilised on a regular basis with additional urgent contact where particularly short deadlines are imposed. It would rely upon all Members of the Committee reading and responding to emails on a regular basis and a strict time limit for response would need to be imposed. The method has the advantage of allowing Member views to be taken into account on a PR basis. A regular report would be submitted to the Committee on decisions made.
- iii. Whilst consulting a smaller number of Members could be seen as a benefit, the advantage of the involvement of Members on a PR basis would be lost.
- iv. The Chief Executive is in a position to be aware of or to take advice from the appropriate officer on the relevance to the Council of particular consultation papers. He can also take a view as to whether resources are readily available to prepare the necessary response. However there would be no member involvement in deciding whether or not a response was required.

4.2 Stage Two – options –

- i. The Committee approves a draft response prepared by officers submitted to a meeting
- ii. The Chief Executive approves a response having consulted all Members of the Committee electronically
- iii. Approval of a response is delegated to:
 - a small sub-committee of say 3 Members of the Committee
 - the Chairman of the Committee
 - the relevant Cabinet Member
 - the Chief Executive
 - any other relevant individual or body of the Council

It would be possible for any of the above options to be available as a choice in deciding that a response should be prepared. Option (i) could only be utilised where there was sufficient time available, although for the type of issues where members may wish to debate a response this is often the case. Options (ii) and (iii) would both involve consultation by email which as in Stage One, option (ii) above would rely upon all Members of the Committee reading and responding to emails on a regular basis and a strict time limit for response would need to be imposed. The method has the advantage of allowing Member views to be taken into account on a PR basis. This is more likely to be important in matters of policy rather than the more technical consultation papers often published.

A report on consultation responses could be submitted to the Committee meeting on a regular basis, resulting in the Council's responses being made publicly available via the Committee Management system on the internet.

5 OFFICER PREFERRED OPTION

5.1 In Stage One, Option (ii) allows the involvement of Members on a PR basis, giving the opportunity for all Groups to request that a response be prepared. Provided that Members respond to the email consultation and/or accept that there needs to be a quick turnaround and cut off date for their response this option can be readily managed by Democratic Services.

5.2 In Stage Two, all the options listed can be available as choices once it has been determined that a response is required. Members should be aware however that on occasions resources may not be available in the relevant service to prepare a response without affecting other work and it will be for the Chief Executive to prioritise should this occur.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>There are no direct implications as a result of this report.</p>	
<p>FINANCIAL IMPLICATIONS</p> <p>There are no direct financial implications as a result of this report.</p>	
<p>SECTION 151 OFFICER'S COMMENTS</p> <p>The S151 Officer has been consulted and has no comments to add.</p>	
<p>LEGAL IMPLICATIONS</p> <p>There are no direct legal implications as a result of this report.</p>	
<p>MONITORING OFFICER'S COMMENTS</p> <p>The Monitoring Officer has been consulted and has no comments to add.</p>	
<p>BACKGROUND PAPERS</p> <p>None</p>	<p>Contact Officer: Gillian Noall Telephone: 01524 582060 E-mail: gnoall@lancaster.gov.uk Ref:</p>

COUNCIL BUSINESS COMMITTEE

**Timetable of Meetings
24th May 2006
Report of Head of Democratic Services**

PURPOSE OF REPORT

To consider a timetable of meeting for the Council Business Committee for the forthcoming Municipal Year.

This report is public

1. RECOMMENDATION

That a timetable of Council Business Committee meetings for 2006/07 be agreed.

2. REPORT

- 2.1 The Council produces an annual timetable of meetings in advance of each Municipal Year.
- 2.2 The timetable for 2006/07 was approved by Council on 8th February 2006 prior to the decision to establish the Council Business Committee and no dates have therefore been included for this Committee in the timetable.
- 2.3 Members are requested to consider whether they wish to set a regular series of meetings throughout the year for the Council Business Committee or whether they would prefer that meetings are called on an ad hoc basis.

3. OPTIONS AND OPTIONS ANALYSIS

- 3.1 Option 1 – to include regular meetings within the annual timetable. This is the recommended course of action so that Members can plan accordingly. It is suggested that meetings be arranged on a relatively frequent basis on the understanding that they can be cancelled if there is insufficient business to warrant a meeting. The nature of the terms of reference would indicate that there should not be an undue delay to consideration of the committee's business, but experience over the next six months will enable proper consideration of the frequency in determining the timetable for 2007/08.
- 3.2 Option 2 - to arrange ad hoc meetings as required. Whilst this would mean that meetings were held whenever required it is often difficult to find dates convenient to all Members at short notice.
- 3.3 The current timetable of meetings is attached for ease of reference in determining future dates for the Council Business Committee.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no direct implications as a result of this report.

FINANCIAL IMPLICATIONS

The cost of any additional meetings can be met by the existing Democratic Representation budget.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no comments to add.

LEGAL IMPLICATIONS

The Constitution requires Council to publish an annual timetable of scheduled meetings prior to each Municipal Year. Notice of any additional meetings must be published at least 5 clear days prior to any meeting in accordance with Access to Information legislation, which also requires an agenda listing all proposed business to be published at least 5 clear days prior to any meeting.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments to add.

BACKGROUND PAPERS

None

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Ref:

2007

MEETINGS TIMETABLE 2006/2007

2006

	May	June	July	August	September	October	November	December	January	February	March	April	May
Mon	1 Bank Hol								1 Bank Hol				
Tue	2	1							2				1 Budget and Performance Panel
Wed	3	2					1 Council		3				2
Thur	4	3					2		4 Licensing Reg	1	1		3 ELECTIONS
Fri	5	4			1		3		5 Will Pk Bd	2	2		4
Sat	6	5	1	2	2		4		6	3	3		5
Sun	7	6	2	3	3	1	5		7	4	4	1	6
Mon	8	7	3	4	4	2	6 Planning SV		8	5	5	2	7 Bank Hol
Tue	9	8	4	5	5	3	7 Personnel		9 Budget and Performance Panel	6	6	3	8
Wed	10 Annual Council	9	5	6	6	4	8	6 Council	10	7	7	4	9
Thur	11 Council	8	6	7	7	5	9		11	8	8	5	10
Fri	12	9	7	8	8	6	10		12	9	9	6	11
Sat	13	10	8	9	9	7	11		13	10	10	7	12
Sun	14	11	9	10	10	8	12		14	11	11	8	13
Mon	15 Planning SV	12	10	11	11	9	13	11	15	12	12	9	14
Tue	16	13	11	12	12	10	14	12	16	13	13	10	15
Wed	17	14	12	13	13	11	15	13	17	14	14	11	16
Thur	18	15	13	14	14	12	16	14	18	15	15	12	17
Fri	19	16	14	15	15	13	17	15	19	16	16	13	18
Sat	20	17	15	16	16	14	18	16	20	17	17	14	19
Sun	21	18	16	17	17	15	19	17	21	18	18	15	20
Mon	22 Planning SV	19	17	18	18	16	20	18	22	19	19	16	21
Tue	23 Cabinet	20	18	19	19	17	21	19	23	20	20	17	22
Wed	24	21	19	20	20	18	22	20	24	21	21	18	23
Thur	25 Licensing Act	22	20	21	21	19	23	21	25	22	22	19	24
Fri	26	23	21	22	22	20	24	22	26	23	23	20	25
Sat	27	24	22	23	23	21	25	23	27	24	24	21	26
Sun	28	25	23	24	24	22	26	24	28	25	25	22	27
Mon	29 Bank Hol	26	24	25	25	23	27	25	29	26	26	23	28
Tue	30 Personnel	27	25	26	26	24	28	26	30	27	27	24	29
Wed	31	28	26	27	27	25	29	27	31	28	28	25	30
Thur		29	27	28	28	26	30	28		29	29	26	31
Fri		30	28	29	29	27		29			30	27	
Sat			29	30	30	28		30			31	28	
Sun			30	31	31	29		31				29	
Mon			31			30						30	
Tue						31							

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