



Proceedings of the Extraordinary Meeting of the Leeds City Council held
at the Civic Hall, Leeds on Wednesday 20th July 2005

PRESENT: The Lord Mayor Councillor William Schofield Hyde in the Chair

WARD

ADEL & WHARFEDALE

Barry John Anderson
John Leslie Carter
Clive Fox

ALWOODLEY

Ronald David Feldman
Ruth Feldman
Peter Mervyn Harrand

ARDSLEY & ROBIN HOOD

Karen Renshaw
Jack Dunn
Lisa Mulherin

ARMLEY

Alison Natalie Kay Lowe
James McKenna
Janet Harper

BEESTON & HOLBECK

Angela Gabriel
Adam Ogilvie
David Congreve

BRAMLEY & STANNINGLEY

Ted Hanley
Neil Taggart

BURMANTOFTS & RICHMOND HILL

Ralph Pryke
Richard Brett
David Hollingsworth

WARD

CALVERLEY & FARSLEY

Andrew Carter
Amanda Lesley Carter
Frank Robinson

CHAPEL ALLERTON

Sharon Hamilton
Mohammed Rafique
Jane Dowson

CITY & HUNSLET

Elizabeth Nash
Patrick Davey
Mohammed Iqbal

CROSSGATES & WHINMOOR

Suzi Armitage
Pauleen Grahame
Peter John Gruen

FARNLEY & WORTLEY

David Blackburn
Ann Blackburn
Claire Nash

GARFORTH & SWILLINGTON

Andrea Harrison
Mark Russell Phillips

GIPTON & HAREHILLS

Alan Leonard Taylor
Javaid Akhtar
Roger Harington

GUISELEY & RAWDON

Graham Latty
Stuart Andrew
John Bale

HAREWOOD

Ann Castle
Rachael Procter
Alec Shelbrooke

HEADINGLEY

Martin Hamilton

HORSFORTH

Christopher Townsley
Brian Cleasby
Andrew Barker

HYDE PARK & WOODHOUSE

Penny Ewens
Kabeer Hussain
Linda Valerie Rhodes-Clayton

KILLINGBECK & SEACROFT

Graham Hyde
Michael James Davey
Brian Michael Selby

KIPPAX & METHLEY

John Keith Parker
James Lewis
Keith Ivor Wakefield

KIRKSTALL

Elizabeth M Minkin
John Anthony Illingworth
Bernard Peter Atha

MIDDLETON PARK

Geoffrey Driver
Judith Blake
Stuart Bruce

MOORTOWN

Mark Daniel Harris
Brenda Lancaster
Richard Harker

MORLEY NORTH

Robert Finnigan
Stewart McArdle
Thomas Leadley

MORLEY SOUTH

Judith Elliott
Terrence Grayshon
Gareth Edward Beevers

OTLEY & YEADON

Grahame Peter Kirkland
Colin Campbell
Richard Downes

PUDSEY

Josephine Patricia Jarosz
Richard Alwyn Lewis
Mick Coulson

ROTHWELL

Donald Michael Wilson
Steve Smith

ROUNDHAY

Matthew Lobleby
Valerie Kendall
Paul Wadsworth

TEMPLE NEWSAM

David Schofield

WEETWOOD

Brian David Timothy Jennings
Susan Bentley
Barry Stewart Golton

WETHERBY

Gerald Wilkinson
John Michael Procter

31 Appointment of Honorary Aldermen

It was moved by Councillor Harris seconded by Councillor Wakefield and supported by Councillors A Carter, Finnigan and D Blackburn and

RESOLVED UNANIMOUSLY – That under Section 249(1) of the Local Government Act 1972, the Council admit the following former Councillors of the Leeds City Council, to be Honorary Aldermen of the City in recognition of the long and distinguished public service rendered by them:

Martin John Dodgson MBE JP
Leonard Grenville Fletcher
Graham Platt LLB
Stephen James Sadler
John M Sully



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WETHERBY

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John Michael Procter

32 Announcements

- (a) The Lord Mayor referred to the London bomb attacks of 7th July 2005 and indicated that Council would stand for two minutes of silent remembrance for those killed in the attacks.
- (b) The Lord Mayor reported the death of former Councillor and Lord Mayor Doreen Wood and that of Alan Theaker, former Members Services Officer.

Council stood in silent tribute for those killed in the bomb attacks and for the former Councillor and officer.

33 Minutes of Council

It was moved by Councillor Procter seconded by Councillor Gruen and

RESOLVED – That the minutes of the Council meeting held on 22nd June 2005 be approved.

34 Declarations of Interest

The Lord Mayor announced that a list of written declarations submitted by members was on display in the ante-room, on deposit in the public galleries and had been circulated to each member's place in the Chamber.

Following an invitation to declare further individual interests, declarations in accordance with the Council's Code of Conduct were made as follows:

- (a) The following Councillors declared personal interests in minute 42 of this meeting for the reasons indicated:

Councillors Kirkland and Congreve as members of, and Councillor Taylor as a life fellow of the Royal Society for the Protection of Birds.

Councillor McArdle as a governor of a Morley High School.

Councillor Harker as a trustee of the Thackray Museum and governor of the North West Specialist Inclusive Learning Centre.

- (b) Councillor Harker declared a personal interest in the White Paper motion relating to smoking in public places as a smoker.
- (c) Members of the School Organisation Committee indicated their intention to leave the meeting during discussion of the amendment relating to the Primary Review in the Richmond Hill area (minute 42) to avoid any perception of predetermination in the event of proposals in relation to the area being referred to the School Organisation Committee for determination.
- (d) Councillor A Carter indicated that his personal and prejudicial interest referred to in minute 24 of the Executive Board had been wrongly

recorded and that it should have referred to him as a Director of a company engaged in business with the parent company of ASDA.

35 Deputation

One deputation was admitted to the meeting and addressed Council as follows:

Residents of Carrholm Grove and Carrholm Drive seeking closure of the ginnel between the two streets to reduce criminal activity and anti-social behaviour.

RESOLVED – That the subject matter of the deputation be referred to the Executive Board for consideration.

36 Reports – Late Item

The Lord Mayor having agreed to the admission of the matter as a late item of business under Council Procedure Rule 2.2(f), for reason of expeditiously securing attendance at meetings, it was moved by Councillor J Procter seconded by Councillor Gruen and

RESOLVED – That Councillor Coulson be replaced by Councillor S Hamilton on the Scrutiny Board (Health and Wellbeing).

37 Variation in the Order of Business

It was moved by Councillor J Procter seconded by Councillor Gruen and

RESOLVED – That under the provisions of Council Procedure Rule 2.3 the order of business be varied to give precedence to item 9 on the agenda.

38 White Paper Motion – London Bomb Attacks

It was moved by Councillor Iqbal seconded by Councillor Hussain and

RESOLVED UNANIMOUSLY - That this Council expresses its anger at the terrible atrocities committed in London on the 7th of July 2005.

Our deepest condolences go to the loved ones of those who lost their lives and our heartfelt sympathies are with those who have suffered injuries.

Such actions have no place in our society and we strongly and unequivocally condemn these barbaric actions which are an attempt to damage our democracy, freedom and community relations.

The communities in Leeds, regardless of background or faith stand in solidarity with the government and the whole nation in these tragic times and will confront terrorism in whatever way possible.

39 Questions

1 Question 1 in the name of Councillor R Lewis was withdrawn.

2 Councillor Hollingsworth to the Leader of Council

Would the Leader of Council, after the first year of the Administration, care to comment on the budget out-turn for last year?

The Leader of Council replied.

3 Councillor Anderson to the Executive Member (Development)

Will the Executive Board Member for Development confirm that there are no plans to bridge 'the beck' at Abbey Mills, making a crossing to land to the rear of the former Allders site?

The Executive Member (Development) replied

4 Councillor A Blackburn to the Executive Member (Learning)

Would the Executive Board Member for Learning care to join with me in congratulating schools in Leeds on the improved attendance and exclusion performance during this academic year?

The Executive Member (Learning) replied

5 Councillor Driver to the Executive Member (Closing the Gap)

Will the Executive Member with specific responsibility for closing the gap please tell me what he is doing to protect low paid workers in the city?

The Executive Member (Closing the Gap) replied

6 Councillor Anderson to the Executive Member (Development)

Will the Executive Board Member for Development update members on the progress of the town and village centres regeneration project?

The Executive Member (Development) replied

7 Councillor Mulherin to the Executive Member (Children's Services)

Will the Executive Board member for Children and Young People tell the Council what measures are in place now to ensure that the statutory requirement to conduct Regulation 33 visits to Children's Homes is being met?

The Executive Member (Social Care and Health) in replying to the question also offered information intended to serve as an answer to question 12.

8 Councillor Harrison to the Executive Member (Social Care and Health)

Will the Executive Member for social care please tell me how much of the £300,000 budget allocated for social enterprise schemes in this year's social services budget has already been passed on to neighbourhood and other voluntary schemes in the city?

The Executive Member (Social Care and Health) replied

9 Councillor Illingworth to the Executive Member (Development)

When will public consultation take place on the Council's proposals for Abbey Mills and St Ann's Mills?

The Executive Member (Development) replied

10 Councillor Illingworth to the Executive Director (Development)

Will the Highway Safety Audits for the proposed access road at Abbey Mills be conducted according to the professional recommendations published by the Institution of Highways and Transportation and the Highways Agency, and when will the results of the stage one audit be made available to the public?

The Executive Director (Development) replied

11 Councillor Illingworth to the Executive Director (Development)

When will the Internal Audit report on the development proposals at Abbey Mills and St Ann's Mills be available to elected members?

The Executive Member (Development) replied

12 Councillor Mulherin indicated that the information provided in the response to question 7 negated the need to ask question 12.

40 Recommendations in Accordance with Council Procedure Rule 2.2(h)

It was moved by Councillor Harris seconded by Councillor A Carter and

RESOLVED - That the recommendations of the Executive Board as detailed in the report of the Director of Legal and Democratic Services be approved.

41 Recommendations in Accordance with Council Procedure Rule 2.2(k)

It was moved by Councillor Harris seconded by Councillor A Carter and

RESOLVED - That the recommendations of the Corporate Governance and Audit Committee as detailed in the report of the Director of Legal and Democratic Services be approved.

42 Minutes

It was moved by Councillor Harris seconded by Councillor J Procter That the minutes submitted to Council in accordance with Council Procedure Rule 2.2(l) be received.

An amendment was moved by Councillor Wakefield seconded by Councillor Lyons

To add the following words at the end of item 8:

"but to ask the Executive Board to reconsider the decision in relation to the primary review - Richmond Hill contained in minute 29 on page 49".

The amendment was lost and upon the minutes being put to the vote it was

RESOLVED – That the minutes submitted to Council in accordance with Council Procedure Rule 2.2(l) be received.

On the requisition of Councillors Taggart and Lowe the voting on the amendment to item 8 was recorded as follows:

YES

Armitage, Atha, Atkinson, Beevers, Blake, Bruce, Congreve, Coulson, M Davey, P Davey, Dowson, Dunn, Elliott, Finnigan, Gabriel, Grahame, Grayshon, S Hamilton, Hanley, Harington, Harper, Harrison, G Hyde, Illingworth, Iqbal, Jarosz, Leadley, J Lewis, R Lewis, Lowe, Lyons, McKenna, Mulherin, Murray, E Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, Wakefield

42

NO

Akhtar, Anderson, Andrew, Bale, Barker, Bentley, A Blackburn, D Blackburn, Brett, Campbell, A Carter, J L Carter, Mrs A Carter, Castle, Ewens, R D Feldman, Mrs R Feldman, Fox, Golton, M Hamilton, Harker, Harrand, Harris, Hollingsworth, Hussain, Jennings, Kirkland, Lancaster, Latty, Lobley, McArdle, Morton, Phillips, J Procter, R Procter, Pryke, Rhodes-Clayton, Robinson, Schofield, Shelbrooke, Smith, Taylor, Townsley, Wadsworth, Wilkinson, Wilson

46

(The following members of the School Organisation Committee left the meeting during consideration of the amendment : Councillors Cleasby, Downes, Gruen, Kendall and C Nash)

(Council Procedure Rule 4 providing for the winding up of business was applied prior to all notified comments on the minutes having been debated)

43 Suspension of Council Procedure Rule

Prior to Council Procedure Rule 4 being applied under the above minutes it was moved by Councillor Gruen seconded by Councillor Taggart

That under the provisions of Council Procedure Rule 22.1, rule 3.1 be suspended to allow the discussion of the minutes of the Executive Board to be concluded.

Upon being put to the vote the motion to suspend was lost.

44 Withdrawal of Motion – Smoking in Public Places

Under the provisions of Council Procedure Rule 14.10, consent of the seconder and of Council was given for Councillor Gruen to withdraw the motion in his name.

45 Withdrawal of Motion – Short Breaks and Holidays

Under the provisions of Council Procedure Rule 14.10, consent of the seconder and of Council was given for Councillor Wakefield to withdraw the motion in his name.

(Council rose at 5.50 pm)

REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

MEETING: COUNCIL

DATE : 14TH SEPTEMBER 2005

SUBJECT : APPOINTMENTS

Electoral Wards Affected :

Specific Implications For :

Ethnic Minorities	<input type="checkbox"/>
Women	<input type="checkbox"/>
Disabled People	<input type="checkbox"/>

1.0 COMMITTEE APPOINTMENTS

1.1 Appointments to Committees are reserved to Council

1.2 The relevant party whip has requested the following changes:

That Councillor Monaghan replace Councillor Rhodes-Clayton on the Scrutiny Board (Environment and Community Safety)

That Councillor Monaghan replace Councillor Brett on Plans Panel East

2.0 APPOINTMENTS TO OUTSIDE ORGANISATIONS

2.1 Appointments to West Yorkshire Joint Committees are reserved to the Council

2.2 The relevant party whip has requested that Councillor Fox be appointed in place of Councillor Feldman on the West Yorkshire Pension Fund Joint Advisory Group and the West Yorkshire Pension Fund and Investment Panel

3.0 RECOMMENDATION

That Council approve the appointments referred to in paragraphs 1.2 and 2.2.

REPORT OF: CHIEF DEMOCRATIC SERVICES OFFICER
REPORT TO: COUNCIL
DATE : 14TH SEPTEMBER 2005

SUBJECT : MEMBERS' ALLOWANCES

Electoral Wards Affected :

Specific Implications For :

Ethnic Minorities	<input type="checkbox"/>
Women	<input type="checkbox"/>
Disabled People	<input type="checkbox"/>

1.0 INTRODUCTION

- 1.1 This report advises Council of the receipt of a report from the Independent Remuneration Panel.

2.0 BACKGROUND

- 2.1 Council is required to determine a Members' Allowances Scheme, having regard to recommendations from an Independent Remuneration Panel.
- 2.2 In determining or varying its Members' Allowances Scheme, Council may modify, accept or reject any such recommendations from the Independent Remuneration panel as it considers appropriate.
- 2.3 Council is advised that the Independent Remuneration Panel has published a report, a copy of which is attached.

3.0 RECOMMENDATIONS

- 3.1 Council is asked to consider the recommendations of the Independent Remuneration Panel as detailed in the attached report.
- 3.2 Council is asked to authorise the Director of Legal and Democratic Services to make consequential changes to the Members' Allowances Scheme.

LEEDS CITY COUNCIL

Report of Panel on Members' Allowances

September 2005

Introduction

1. The Independent Panel on Members' Allowances was appointed by the Council to make recommendations on Members' Allowances in accordance with relevant Regulations and the Government's statutory guidance. The Panel comprises Rodney Brooke CBE (Chair), Trevor Nuttall and Carolyn Stephenson.
2. The Panel issued its first report in May 1999. It updated its recommendations in October 2002 following new Government guidance. The Council adopted those recommendations with modifications. It made further recommendations in October 2003 and June 2004, which again were accepted with modifications.
3. In May 2005, the Panel made a number of further recommendations, principally arising out of the transfer of alcohol licensing functions from the Magistrates to the Council by the Licensing Act 2003. The Council accepted the recommendations of the Panel on 23 May 2005

Background

4. The report of May 2005 set out the background to the present report. Applications to convert or vary an alcohol licence had to be made by 6 August 2005. This transitional phase of transfer of alcohol licensing is recognised nationally as being of crisis proportions, because of the number of applications that must be handled in a very tight timeframe. The problem is particularly acute in Leeds, given the City's pre-eminence as a regional centre of entertainment. The May report explained the very substantial workload that would fall on members of the Council's Licensing Committee as a result.
5. The 2003 Act restricts the number of councillors involved to fifteen. Licensing Sub-Committees (each consisting of three members of the Licensing Committee) must hold a hearing where representations are made in respect of applications. Their workload must be discharged over a very limited period, basically the last four or five months of 2005. In May it was expected that Licensing Sub-Committees would

have to sit on Mondays, Wednesdays and Fridays. It was planned that two sub-committees would sit simultaneously and that their meetings would last all day. They would be programmed to hold three hearings in the morning and three in the afternoon. Such a workload falls well outside what can reasonably be expected from councillors as part of the normal course of their duties.

6. Because of this wholly exceptional temporary workload, the Panel in May recommended the payment of a special responsibility allowance to all members of the Licensing Committee of £513. Bearing in mind the potential variation of workload between members of that Committee, the panel also recommended that any member attending Licensing Sub-Committees on between 11 and 15 days or part days be allocated an additional special responsibility allowance of £513; those attending on between 16 and 20 days or part days be allocated a further £513; and those attending on 21 or more days or part days be allocated a further £513. The Panel recommended that these special responsibility allowances should be paid during the 2005-06 municipal year only and that they be in addition to any other special responsibility allowances to which the members were entitled.

The present situation

7. With the expiry of the 6 August 2005 deadline, the actual extent of the workload imposed on the members of the Licensing Committee has become clearer. The majority of applications (92%) have now been made, 45% in the last two weeks. It is now apparent that even the intensive schedule planned will not be sufficient to cope with the number of hearings required. Licensing Sub-Committees have now been programmed on Tuesdays and Thursdays, as well as Mondays, Wednesdays and Fridays. They are now expected to deal with five applications in the morning and five in the afternoon.
8. Understandably not all members of the Licensing Committee can make a full input to such a punishing schedule. Members with employment or other commitments are often able only to set aside half days for their licensing duties. For other members, alcohol licensing has become almost a full-time, albeit temporary, commitment. The Chair of the Licensing Committee and others frequently fill in gaps to make the Sub-Committees quorate. They are obliged to set aside what is left of their spare time to their other Council duties.
9. Given its new knowledge of this extraordinary situation, the Panel believes that its original proposals on remuneration for those taking part in the alcohol licensing function must be extended. When it met in

May, it was not expected that any one member would have to sit on more than 25 days. It was not expected that the Chair would have to undertake the 'reserve' role that has fallen upon him: he has already (2 September) had to sit on fifteen days. There was in May incomplete recognition of the distinction between members who can set aside only half days and those who are able to make themselves more generously available.

10. To recognise that some members might well attend on more than 25 days, the Panel proposes that the incentive payments it recommends extend beyond 25 days. In particular – recognising the distinction between members able to offer only half days and those who can make themselves available for the whole day – it believes that, as from 5 September 2005, those who can offer an entire day be given a further incentive. This should be an additional 50% of the normal special responsibility allowance for between 16 and 20 whole days and double the normal special responsibility allowance for every further five whole days. Thus a member able to devote 35 whole days in the short time scale necessary (every weekday for seven weeks) would receive £4,873.50. The proposed commencement date of 5 September relates only to definition of 'whole days', ie days or part days worked before that date will be included in the cumulative total as whole days. The Panel also believes that the special contribution of the Chair to meeting this crisis should be recognised. The need for him to be such a constant member of Licensing Sub-Committees is not adequately recognised by his present special responsibility allowance of £6,380. Taking these considerations into account, the Panel recommends that the scheme for members of the Licensing Committee attending Licensing Sub-Committees be amended to read as follows:

11. Recommendations

- (a) A flat rate special responsibility allowance of £513 should be paid to members of the Licensing Committee (unchanged).**
- (b) In addition to the flat rate, members of the Licensing Committee attending Licensing Sub-Committees on between 11 and 15 days or part days should receive an additional special responsibility allowance of £513. Members attending Licensing Sub-Committees on between 16 and 20 days or part days should receive a further £513. Members attending Licensing Sub-Committees on between 21 and 25 days or part days should receive a further £513. For every additional five days or part days attended, members should receive a further £513.**
- (c) In addition to the special responsibility allowances set out in (a) and (b) above, as from 5 September 2005, members allocating between 16 and 20 whole days for attendance at the Licensing Sub-Committees (even if in the event meetings do not extend for**

the whole day) should receive a further additional special responsibility allowance of £256.50; for between 21 and 25 whole days a further additional special responsibility allowance of £513; and for every additional five whole days a further additional special responsibility allowance of £513.

- (d) In addition to his special responsibility allowance as chair of the Licensing Committee, the chair should receive an additional special responsibility allowance of £513 for attending Licensing Sub-Committees on between 16 and 20 days or part days; an additional special responsibility allowance of £513 for attending Licensing Sub-Committees on between 21 and 25 days or part days; and for every additional five days or part days attended, he should receive a further special responsibility allowance of £513.
- (e) The special responsibility allowances payable to members of the Licensing Committee should be made in the 2005-06 municipal year only but they should be additional to any other special responsibility allowances to which those members are entitled (unchanged).

Rodney Brooke
Trevor Nuttall
Carolyn Stephenson

5 September 2005

rgb1

REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

MEETING: COUNCIL

DATE : 14th SEPTEMBER 2005

**SUBJECT : CORPORATE GOVERNANCE & AUDIT COMMITTEE
RECOMMENDATIONS**

Electoral Wards Affected :

Specific Implications For :

Ethnic Minorities

Women

Disabled People

1.0 PURPOSE OF REPORT

1.1 This report presents a recommendation made by the Corporate Governance & Audit Committee with respect to amending the Constitution.

2.0 CONSTITUTIONAL CHANGES

2.1 The recommendation within this report relates to matters considered by the Corporate Governance & Audit Committee on 27th July 2005. The reports are attached here as appendices and the minutes are contained within item 8 of this agenda.

2.2 Council is asked to consider the following amendments to the Constitution, recommended by the Corporate Governance & Audit Committee:

- That all Area Committees be granted leave to appoint up to five non-voting co-opted members (report attached as appendix A).
- That Article 4 and Part 3, Section 2A – *Responsibilities for Council (non-executive) Functions* – be amended as detailed in the attached report (appendix B).

3.0 RECOMMENDATION

3.1 Council is recommended to approve the proposals referred to in paragraph 2.2 above.



AGENDA ITEM NO.:
Originator: Anna Turner
Tel: 21 44 44 6

REPORT OF: The Director of Neighbourhoods & Housing

REPORT TO: The Corporate Governance and Audit Committee

DATE : 27th JULY 2005

SUBJECT : Area Committees – Co-opted Members

Electoral Wards Affected : All Inner East Wards	Specific Implications For :
	Ethnic Minorities <input type="checkbox"/>
	Women <input type="checkbox"/>
	Disabled People <input type="checkbox"/>

1.0 Purpose of Report / Background

- 1.1 Under Article 10 of the Constitution, there is provision for Area Committees to appoint up to 4 non-voting Co-opted members. The figure of 4 is based on the fact that there are no more than 4 Wards in any Area Committee area.
- 1.2 This report seeks a variation to the above rule in respect of the East (Inner) Area Committee, as detailed in the amended version of Article 10, attached as appendix 1.

2.0 Community Fora in the Inner East Leeds

- 2.1 There are 5 Community Consultative Fora in the East (Inner) Area Committee area, to reflect the natural communities of the locality. These are: the Killingbeck and Seacroft Forum, Gipton Forum, Richmond Hill Forum, Burmantofts Forum and Harehills Forum.
- 2.2 Each have representation from the organisations active in the area and local residents, individuals and groups.
- 2.3 The Area Committee have made a commitment to invite a representative from each Forum on to the Committee and would like to afford all a formal status of a Co-opted Member. Alongside this formal arrangement, the Area Committee has advertised its meeting dates among all the Forum members, inviting all interested parties to attend meetings. Members of the public are positively encouraged to take part in discussions.

3.0 Recommendations

- 3.1 It is recommended that in respect of the East (Inner) Area Committee, they be allowed to co-opt up to 5 non-voting Co-optees, to reflect the local circumstances, instead of the prescribed 4.

ARTICLE 10 – AREA COMMITTEES

AREA COMMITTEES

- 10.1 The Council will appoint ten Area Committees to serve the inner and outer areas in the North West, North East, East, South and West of the City.
- 10.2 Each Area Committee will have a link with a District Partnership of the Leeds Initiative as set out below.
- 10.3 These provisions do not apply to the City Centre¹.

COMPOSITION

- 10.4 The membership of each Area Committee will comprise all Members who have been elected for Wards wholly within the area determined for the Committee as follows:

Name of Area Committee	Composition <i>All Members from the following wards</i>	Link with District Partnership
North West Inner	Weetwood, Kirkstall, Headingley, Hyde Park and Woodhouse	North West
North West Outer	Guisseley and Rawdon, Otley and Yeadon, Adel and Wharfedale, Horsforth	
North East Inner	Moortown, Roundhay, Chapel Allerton	North East
North East Outer	Wetherby, Harewood, Alwoodley,	
East Inner	Gipton and Harehills, Killingbeck and Seacroft, , Burmantofts and Richmond Hill	East
East Outer	Garforth and Swillington, Kippax and Methley, Temple Newsam, Cross Gates and Whinmoor	
South Inner	Beeston and Holbeck, Middleton Park, City and Hunslet	South
South Outer	Rothwell, Ardsley and Robin Hood, Morley South, Morley North	
West Inner	Armley, Bramley and Stanningley	West
West Outer	Calverley and Farsley, Farnley and Wortley, Pudsey	

- 10.5 Up to 4 co-opted Members may be appointed to each Area Committee.²

¹ A Map detailing the boundary of the City Centre is appended to this Article

² Except for the East (Inner) Area Committee, which may appoint up to 5 co-opted Members

Article 10 - Area Committees

10.6 A Member of the Executive may serve on an Area Committee if otherwise eligible to do so as a Councillor.

CHAIR

10.7 Each Area Committee will appoint its Chair.

10.8 The Chair of each Area Committee will be an Elected Member representative on the relevant District Partnership.

ROLE

10.9 Area Committees will:

- improve, co-ordinate and influence services at a local level;
- act as a focal point for community involvement;
- take locally based decisions that deal with local issues;
- provide for accountability at a local level;
- help Elected Members to listen to and represent their communities;
- help Elected Members to understand the specific needs of the community in their area;
- promote community engagement in the democratic process;
- promote working relationships with District Partnerships, Parish and Town Councils; and
- promote the well being of their area.

FUNCTIONS

10.10 The terms of reference for Area Committees are set out in Part 3 of the Constitution.

10.11 The Executive shall determine from time to time the executive functions³ that may be exercised by Area Committees. These functions will be exercisable concurrently by the Executive Board, and in accordance with the Officer Delegation Scheme (executive functions) by Directors

10.12 Area Committees will comply with:

- the Area Committee Procedure Rules⁴ and
- all other relevant procedure rules⁵.

ACCESS TO INFORMATION

10.13 Area Committees will comply with the Access to Information Procedure Rules⁶.

³ Part 3 Sections 3C and 3D of the Constitution provide details of the extent of the delegation determined by the executive.

⁴ These are in Part 4 of the Constitution.

⁵ These are the Council Procedure Rules, Executive Procedure Rules, Financial Procedure Rules, Contract Procedure Rules and Appointments to Outside Bodies Procedure Rules, in Part 4 of the Constitution.

Part 2 Article 10

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10.14 Agendas and notices for Area Committee meetings which deal with both Council and executive functions will state clearly which items are which.

CONFLICTS OF INTEREST

10.15 A Member of a Scrutiny Board involved in the consideration of a matter at a Scrutiny Board meeting or sub-committee, which relates to a decision made or action taken by an Area Committee of which s/he is also a Member, must regard him or herself as having a personal and prejudicial interest in the matter in accordance with Paragraph 11 of the Members' Code of Conduct.

⁶ These are in Part 4 of the Constitution.



REPORT OF: DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES
REPORT TO: CORPORATE GOVERNANCE AND AUDIT COMMITTEE
DATE: 27 JULY 2005

SUBJECT: AMENDMENTS TO THE CONSTITUTION

Electoral Wards Affected : All

Specific Implications For :

Ethnic Minorities

Women

Disabled People

1.0 PURPOSE OF THE REPORT

1.1 To consider recommendations to Full Council on proposed changes to the Constitution, resulting from amendments to the regulations which determine which functions must be carried out by the executive.

2.0 BACKGROUND

2.1 Part 2 of the Local Government Act 2000 provides for the discharge of a local authority's functions by the executive of the authority, unless those functions are specified as not being the responsibility of the executive.

2.2 The Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended set out which functions of a local authority are not to be the responsibility of the executive.

2.3 These regulations have recently been amended. This report proposes consequential amendments to the Constitution.

3.0 PLANNING AND COMPULSORY PURCHASE ACT 2004

3.1 The Planning and Compulsory Purchase Act 2004 has introduced reforms to the Development Plan system which will mean that over time Local Development Frameworks and Regional Spatial Strategies will replace the existing system of Unitary Development Plans and Regional Planning Guidance. The Local Development Framework is not a single plan but a portfolio of local development documents which is intended to provide the spatial planning framework for the use of land within the city and a means to deliver the land use objectives of the Community Strategy.

- 3.2 The local development documents include development plan documents that are part of the statutory plan, and supplementary planning documents which expand on these or provide additional detail.
- 3.3 Certain functions relating to development plan documents were previously specified by the regulations as being the responsibility of the Council. This was reflected in the table of Council functions set out in Section 2A of Part 3 to the Constitution. The amended regulations now prescribe that these functions are to be a shared responsibility of the Council and the executive. Section 2A therefore now needs to be amended accordingly, as detailed in appendix 1.

4.0 APPROVAL OF DEVELOPMENT PLAN DOCUMENTS

- 4.1 The regulations set out the documents which must be adopted by the authority as part of its budget and policy framework. The framework is set out in Article 4 of the Constitution. All documents within the framework must be approved in accordance with the procedure set out in the Budget and Policy Framework Rules.
- 4.2 As part of the transitional arrangements in moving from one Development Plan (i.e. The UDP) system to the new system under the Local Development Framework, the authority is now required to include development plan documents within its budget and policy framework. Article 4 therefore needs to be amended accordingly, as detailed in appendix 2. The approval of these documents will now therefore be subject to the provisions of the Budget and Framework Rules.

5.0 ADDITIONAL FUNCTIONS RELATING TO DEVELOPMENT PLAN DOCUMENTS

- 5.1 Under the new arrangements, development plan documents must be subject to rigorous procedures of community involvement, consultation and independent examination to test the soundness of the documents and to ensure that all the necessary legal requirements have been met.
- 5.2 The regulations as amended, now also designate the following to be functions of the Council:
- the approval of a development plan for the purpose of its submission to the Secretary of State for independent examination; and
 - actions following a recommendation from an independent examination of a development plan document.
- 5.3 These amendments also need to be reflected in the table of full Council functions set out at Section 2A of Part 3 of the Constitution, as detailed in appendix 1.

6.0 JOINT DEVELOPMENT PLANS AND JOINT COMMITTEES

- 6.1 Under Section 28 of the 2004 Act two or more local planning authorities may agree to prepare one or more joint local development documents. Under

Sections 29 one or more local planning authorities may agree with one or more county councils (in relation to any area of such a council for which there is also a district council), to establish a joint committee to be the local planning authority for a specified area in respect of specified matters. Sections 30 and 31 of the 2004 Act contain provisions relating to additional functions of joint committees, and their dissolution.

6.2 These were previously specified by the regulations to be council functions. The regulations as amended now specify that they are the shared responsibility of the Council and the executive, and the following functions are to be discharged by full Council:

- the making of an agreement to prepare one or more joint development plan documents;
- the making of an agreement to establish a joint committee to be the local planning authority;
- where the authority is a constituent authority to a joint committee, the making of any agreement that the joint committee is to be the local planning authority for any area or matter;
- the making of a request to the Secretary of State for the revocation of an order constituting a joint committee;

6.3 These provisions need to be reflected in Section 2A of Part 3 of the Constitution, although there are no joint arrangements currently in place, or under consideration. The proposed changes are detailed in appendix 1.

7.0 RECOMMENDATION

7.1 That Council be recommended to approve amendments to the Constitution to reflect the recent amendments to the Local Authorities (Functions and Responsibilities) Regulations 2000, as set out in paragraphs 3.3, 4.2, 5.3 and 6.3 of this report.

Summary of delegated functions (Council (non-executive) functions)

Council (non-executive) functions ¹	<u>Decision Making Body</u>	Delegation of functions to Officers (to the extent set out in Section 2C)
Functions relating to elections²	Full Council	The Chief Executive The Director of Legal and Democratic Services
Functions relating to local government pensions³	Full Council	Director of Corporate Services
Standing Orders To make and amend Standing Orders and Contract Standing Orders ⁴	Full Council	Director of Corporate Services in relation to Financial Procedure Rules Director of Legal and Democratic Services in respect of any other Rules
Appointment of Staff⁵ To appoint staff at director level and make recommendations regarding the appointment of Head of Paid Service; to take disciplinary action including dismissal and to deal with appeals relating to grievance, grading and discipline in respect of employees at director level and above.	Employment Committee	
Other		All Directors

¹ Under the Local Authorities (Functions and Responsibilities) Regulations 2000 (the 2000 Regulations) as amended.

² Items 2-5, 7-17 Para D of Schedule 1 of the 2000 Regulations

³ Item 1 of Para H of Schedule 1 of the 2000 Regulations

⁴ Items 36 and 38 of Para I of Schedule 1 of the 2000 Regulations

⁵ Item 37 of Para I of Schedule 1 of the 2000 Regulations

Responsibilities for Council (non-executive) Functions

Council (non-executive) Functions¹	<u>Decision Making Body</u>	Delegation of functions to Officers (to the extent set out in Section 2C)
<p>Maladministration To make payments or provide benefits in cases of maladministration⁶</p> <p>Statement of Accounts⁷</p>	<p>Corporate Governance and Audit Committee</p> <p>Corporate Governance and Audit Committee</p>	<p>All Directors</p>
<p>Functions relating to licensing⁸</p>	<p>Licensing Committee</p>	
<p>Taxi, gaming, entertainment, food and miscellaneous licensing Functions relating to licensing and registration⁹ (other than in relation to highways and under the Licensing Act 2003)</p> <p>Health and Safety¹⁰</p> <p>To make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption¹¹</p>	<p>Licensing and Regulatory Panel</p> <p>Licensing and Regulatory Panel</p> <p>Licensing and Regulatory Panel</p>	<p>Director of Neighbourhoods and Housing</p> <p>Director of Development</p> <p>Director of City Services</p> <p>Director of Learning and Leisure</p> <p>Director of Legal and Democratic Services</p> <p>All Directors</p>

⁶ Item 48 of Para I of Schedule 1 of the 2000 Regulations

⁷ Item 45 of Para I of Schedule 1 of the 2000 Regulations

⁸ Item 14A Para B of Schedule 1 of the 2000 Regulations

⁹ Item 1-18,20-25, 29-36, 39-40, 43-46,56-63, 66-67 and 71 of Para B of Schedule 1 of the 2000 Regulations

¹⁰ Para C of Schedule 1 of the 2000 Regulations

¹¹ Item 49 Para I of Schedule 1 of the 2000 Regulations

Responsibilities for Council (non-executive) Functions

Council (non-executive) Functions¹	<u>Decision Making Body</u>	Delegation of functions to Officers (to the extent set out in Section 2C)
Determination of terms and conditions¹² To determine employee and related appeals including those in respect of grading, grievance and discipline.	Personnel Panel^{12a}	
Town and country planning, development control and conservation¹³ Safety at Sports Grounds and Fire Certificates¹⁴ Common land or town and village greens¹⁵ Streetworks and Highways¹⁶ Public Rights of Way¹⁷ The preservation of trees and the protection of important hedgerows¹⁸	Plans Panels Plans Panels Plans Panels Plans Panels Plans Panels	Chief Planning and Development Services Officer Director of Development Chief Planning and Development Services Officer Director of City Services Director of Learning and Leisure Director of Learning and Leisure Chief Planning and Development Services Officer
Complaints about high hedges¹	Plans Panels	Chief Planning and Development Services Officer
See Terms of Reference, Section 2B	Standards Committee	

¹² Item 37 of Para I of Schedule 1 of the 2000 Regulations

^{12a} Hearings will not be commenced by this Panel after 31st August 2005 when alternative arrangements for appeals will be introduced

¹³ Items 5 to 31 of Para A of Schedule 1 of the 2000 Regulations

¹⁴ Items 26 to 28 of Para B of Schedule 1 of the 2000 Regulations

¹⁵ Items 37 and 38 of Para B of Schedule 1 of the 2000 Regulations

¹⁶ Items 41, 46A to 55 of Para B of Schedule 1 of the 2000 Regulations

¹⁷ Part I of Para I of Schedule 1 of the 2000 Regulations

¹⁸ Items 46 and 47 of Para I of Schedule 1 of the 2000 Regulations

¹ Item 47A of Para I of Schedule 1 of the 2000 Regulations

FUNCTIONS OF THE FULL COUNCIL

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
<p>Members' allowances³</p> <p>To make, amend, revoke or replace a Members' allowances scheme.</p> <p>To determine the amount of allowance payable for:</p> <ul style="list-style-type: none"> • Chairman's expenses • Vice-Chairman's expenses • financial loss allowance • allowances for attending conferences and meetings <p>To determine the rates at which payments are to be made for travelling and subsistence allowances.</p> <p>To determine the amount of any allowance payable under the Members' allowances scheme or the rates at which payments are to be made.</p>	
<p>Arrangements for the discharge of functions/appointments of committees⁴</p> <p>Subject to any provisions of regulations under section 20 Local Government Act 2000,</p> <p>(a) to make arrangements for the discharge of functions by a committee or officer under section 101(5) of the 1972 Act; and</p> <p>(b) to make appointments under section 102 (appointment of committees) of the 1972 Act.</p>	
<p>Functions to be discharged by the authority, by virtue of other enactments⁵</p> <p>To discharge any function which by virtue of any enactment passed or made before the making of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, may be discharged only by an authority.</p>	

² In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended (the 2000 Regulations).

³ Regulation 2(5) & (6) of the 2000 Regulations

⁴ Regulation 2(8) of the 2000 Regulations

⁵ Regulation 2(11) of the 2000 Regulations

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
<p>Formulating plans and strategies⁶</p> <p>In connection with the discharge of the function:</p> <ul style="list-style-type: none"> (a) of formulating or preparing a plan or strategy of a specified description⁷; (b) of formulating a plan or strategy for the control of the authority's borrowing, investments or capital expenditure; or (c) of formulating or preparing any other plan or strategy whose adoption or approval is a matter for determination by the authority⁸ <p>to the extent of the following actions:</p> <ul style="list-style-type: none"> (a) to give instructions requiring the Executive to reconsider any draft plan or strategy submitted by the Executive for the authority's consideration; (b) to amend any draft plan or strategy submitted by the Executive for the authority's consideration; (c) to approve, for the purposes of public consultation in accordance with Regulation 10 or 22 of the Town & Country Planning (Development Plans) (England) Regulations 1999, draft proposals associated with the preparation of alterations to or the replacement of a development plan; (d) to approve for the purpose of its submission to the Secretary of State or any Minister of the Crown for is approval any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted; (e) the approval, for the purpose of its submission to the Secretary of State for independent examination under section 20 of the Planning and Compulsory Purchase Act 2004, of a development plan document; and (e) to adopt (with or without modification) the plan or strategy. 	

⁶ Regulation 4(1),(2) and (3) of the 2000 Regulations

⁷ Specified in column (1) of Schedule 3 to the 2000 Regulations

⁸ By virtue of Regulation 5(1) of the 2000 Regulations

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
<p>Budget and Policy framework⁹</p> <p>To amend, modify, revise, vary, withdraw or revoke any plan or strategy detailed in the policy framework at Article 4 of this Constitution, or for the control of the authority's borrowing, investments or capital expenditure, save where such amendment, modification, revision, variation, withdrawal or revocation:</p> <p>(i) is required for giving effect to requirements of the Secretary of State or a Minister of the Crown in relation to a plan or strategy submitted for his approval, or to any part so submitted;</p> <p>(ii) is recommended by the person carrying out, under section 20 of the Planning and Compulsory Purchase Act 2004, an independent examination of a development plan document; or</p> <p>(iii) is authorised by a determination made by the authority when approving or adopting the plan or strategy as the case may be</p>	
<p>Applications for disposals of land¹⁰</p> <p>To authorise the making of an application</p> <ul style="list-style-type: none"> • under Sub-Section (5) of Section 135 (Programmes for Disposals) of the Leasehold Reform, Housing and Urban Development Act 1993, or for the inclusion of a disposal in a disposals programme • for consent to that disposal under Section 32 (power to dispose of land held for the purposes of Part II) or Section 43 (consent required for certain disposals not within Section 32) of the Housing Act 1985 <p>(The function of making the application is the responsibility of the Executive).</p>	

⁹ Regulation 4(4) of the 2000 Regulations

¹⁰ Regulation 4(5), 4(6) and 4(7) of the 2000 Regulations

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
<p>Financial calculations and precepts¹¹</p> <p>To</p> <ul style="list-style-type: none"> • make calculations in accordance with Sections 32-37, 43-49,52I,52J,52T,52U of the Local Government Finance Act 1992, whether originally or by way of substitute, or • issue a precept under Chapter IV of Part 1 of that Act <p>save to the extent of:</p> <p>(a) the preparation for submission to the authority for their consideration of:</p> <p style="padding-left: 40px;">(i) estimates of the amounts to be aggregated in making the calculation or other amounts to be used for the purposes of the calculation and estimates of the calculation; or</p> <p style="padding-left: 40px;">(ii) the amounts required to be stated in the precept;</p> <p>(b) the reconsideration of those estimates and amounts in accordance with the authority's requirements;</p> <p>(c) the submission for the authority's consideration of revised estimates and amounts.</p> <p>(which functions shall be the responsibility of the Executive)</p>	
<p>Deregulation authorisations/revocations¹²</p> <p>To authorise a person to exercise a function pursuant to an Order under Section 70 of the Deregulation and Contracting Out Act 1994, where the Section 70 function is not the responsibility of the Executive; and</p> <p>To revoke any such authorisation.</p>	

¹¹ Regulation 4(9),4(10) & 4(11) of the 2000 Regulations

¹² Regulation 4(12) & 4(13) of the 2000 Regulations

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
<p>Adoption of plans and strategies¹³</p> <p>To adopt or approve a plan or strategy (whether statutory or non-statutory) other than a plan or strategy</p> <ul style="list-style-type: none"> • for the control of the authority's borrowing, investments or capital expenditure; or • of a description referred to in Schedule 3 of the 2000 Regulations <p>where the Council determines that the decision whether the plan or strategy should be adopted or approved should be taken by them.</p>	
<p>Determinations about matters concerned with budget/borrowing/capital expenditure contrary to the Budget and Policy Framework etc.¹⁴</p> <p>To determine any matter in the discharge of a function which is</p> <ul style="list-style-type: none"> • the responsibility of the Executive; and • is concerned with the authority's budget, or their borrowing or capital expenditure, <p>where the individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made,</p> <p>(a) is minded to determine the matter contrary to, or not entirely in accordance with</p> <ol style="list-style-type: none"> (i) the authority's budget; or (ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and <p>(b) is not authorised by the authority's executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.</p>	
<p>The Determination of matters which are the responsibility of the Executive etc.¹⁵</p> <p>The determination of any matter in the discharge of a function-</p>	

¹³ Regulation 5(1) of the 2000 Regulations

¹⁴ Regulation 5(1) of the 2000 Regulations

¹⁵ Regulation 5(1) and (2) of the 2000 Regulations

Responsibilities for Council (non-executive) Functions

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
<p>(a) which is the responsibility of the Executive; and (b) in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority,</p> <p>where the individual or body by whom, by virtue of any of the sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made, is minded to determine the matter in terms contrary to the plan or, as the case may be, the strategy adopted or approved by the authority; <u>except</u> in relation to the discharge of a function where:</p> <p>(a) the circumstances which render necessary the making of the determination may reasonably be regarded as urgent; and</p> <p>(b) the individual or body by whom the determination is to be made has obtained from the Chair of a relevant Scrutiny Board, or if there is no such person, or if the Chair of every relevant Scrutiny Board is unable to act, from the Chair of the authority, or in their absence, from the vice-chair, a statement in writing that the determination needs to be made as a matter of urgency.</p>	
<p>Functions relating to licensing¹⁸</p> <p>To discharge functions relating to</p> <ul style="list-style-type: none"> • the statement of licensing policy;¹⁹ • establishing a licensing committee;²⁰ and • the exercise and delegation of functions;²¹ 	
<p>To appoint an electoral registration officer²²</p>	<p>The Chief Executive is appointed as Electoral Registration Officer</p>
<p>To appoint returning officer for local government</p>	<p>The Chief Executive is</p>

¹⁸ Item 14A of Para. A of Schedule 1 of the 2000 Regulations

¹⁹ Section 5 of the Licensing Act 2003

²⁰ Section 6 of the Licensing Act 2003

²¹ Section 7(3),(4),(5),(7) and (9) of the Licensing Act 2003

²² Item 1 of Para. D of Schedule 1 of the 2000 Regulations

²³ Item 6 of Para. D of Schedule 1 of the 2000 Regulations

Responsibilities for Council (non-executive) Functions

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
elections²³	appointed as the Returning Officer
To change the name of the district or parish²⁴	
To confer title of honorary alderman or to admit to be an honorary freeman of the district²⁵	
To make, amend, revoke or enact byelaws²⁶	
To promote or oppose local Bills in Parliament²⁷	
To make arrangements for proper administration of financial affairs etc²⁸	Director of Corporate Services is appointed as Section 151 Officer
To appoint officers for particular purposes (appointment of proper officers)²⁹	Each Director is appointed as the Proper Officer for matters within his/her remit.
To designate an officer as the head of the authority's paid service, and to provide staff etc³⁰	The Chief Executive is appointed as Head of Paid Service
To designate an officer as the Monitoring Officer, and to provide staff etc³¹	The Director of Legal and Democratic Services is appointed as the Monitoring Officer
Duty to provide staff, etc to person nominated by Monitoring Officer³²	
Powers relating to overview and scrutiny committees (voting rights of co-opted members)³³	
To appoint Members to police authorities³⁴	
To act as Appointing Body for the purposes of making appointments to³⁵: <ul style="list-style-type: none"> • West Yorkshire Joint Services Committee 	

²⁴ Items 1 and 2 of Para E of Schedule 1 of the 2000 Regulations

²⁵ Item 3 of Para E of Schedule 1 of the 2000 Regulations

²⁶ Para F of Schedule 1 of the 2000 Regulations

²⁷ Para G of Schedule 1 of the 2000 Regulations

²⁸ Item 39 of Para. I of Schedule 1 of the 2000 Regulations

²⁹ Item 40 of Para. I of Schedule 1 of the 2000 Regulations

³⁰ Item 43 of Para I of Schedule 1 of the 2000 Regulations

³¹ Item 44 of Para I of Schedule 1 of the 2000 Regulations

³² Item 44A of Para I of Schedule 1 of the 2000 Regulations

³³ Item 44B of Para I of Schedule 1 of the 2000 Regulations

³⁴ Para.2 to 4 of Schedule 2 Police Act 1996. This is a local choice function, under Schedule 2 of the 2000 Regulations.

Responsibilities for Council (non-executive) Functions

<u>Council (non-executive) functions²</u>	<u>Related appointments of Officers by full Council</u>
<ul style="list-style-type: none">• West Yorkshire Police Authority joint committee (appointments panel)• West Yorkshire Fire and Civil Defence Authority• West Yorkshire Passenger Transport Authority• Leeds Bradford Airport• West Yorkshire Debt Management Joint Advisory Group• West Yorkshire Pension Fund Investment Panel	

³⁵ This is a local choice function under Schedule 2 of the 2000 Regulations. Other appointments have been delegated to Member Management Committee.

ARTICLE 4 – THE FULL COUNCIL

4.1 MEANINGS

• Policy Framework

The Policy Framework means the following plans and strategies:

- (i) those required by the Local Authorities (Functions and Responsibilities) (England) 2000 to be adopted by the Council:
- Annual Library Plan ¹
 - Best Value Performance Plan
 - Children's Services Plan²
 - Community Care Plan
 - Community Strategy
 - Crime and Disorder Reduction Strategy
 - Development plan documents³
 - Early Years Development Plan
 - Education Development Plan
 - Local Transport Plan
 - Plans and alterations which together comprise the Development Plan
 - Youth Justice Plan
- (ii) other plans and strategies adopted by the Council in accordance with ODPM guidance which recommends adoption by the Council as part of the Policy Framework⁴:
- Food Law Enforcement Service Plan
 - The Plan and Strategy which comprise the Housing Investment Programme
 - Corporate Plan
- (iii) other plans and strategies adopted by the Council⁵:
- Children's Residential Care Strategy 2003-2005
 - Children's Strategy 2002-2005
 - Council Plan⁶

Additional plans and strategies may be approved or adopted as part of the Policy Framework from time to time.

¹ Plan no longer required, retained on the Constitution until the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 are amended

² Plan no longer required, retained on the Constitution until the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 are amended

³ Section 15 Planning and Compulsory Purchase Act 2004

⁴ In accordance with Schedule 4 of the Regulations

⁵ In accordance with Schedule 4 of the Regulations

⁶ This is comprised of the annual review of the Council's Corporate Plan and the Best Value Performance Plan.

- **Budget**

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and setting of virement limits.

- **Housing Land Transfer**

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

4.2 FUNCTIONS OF THE FULL COUNCIL

Only the Council will exercise the following functions:

- adopting and changing the Constitution;
- appointing the Leader;
- all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Executive, except where those functions have been delegated by the Council;
- all those functions of the full Council set out in Section 2A of Part 3 of the Constitution; and
- all other matters which, by law, must be reserved to the Council.

4.3 COUNCIL MEETINGS

There are three types of Council meeting:

- The annual meeting
- Ordinary meetings
- Extraordinary meetings

and they will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

4.4 RESPONSIBILITY FOR FUNCTIONS

Article 4 - The Full Council

The Council will maintain the documents in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive.