

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Legal Services
TO: Civic Affairs Committee
WARDS: All

30/1/2013

DEVELOPER CONTRIBUTIONS, AREA COMMITTEES AND PROJECT APPRAISALS: AMENDMENT OF THE CONSTITUTION

1 INTRODUCTION

- 1.1 The Council's Executive has delegated powers and budgets to area committees to decide on how some developer contributions should be spent.
- 1.2 The scheme of delegation to officers in the Council's constitution needs updating to reflect the delegation to area committees. Specifically, the delegations relating to new capital schemes require Executive Councillors to approve capital project appraisals above a certain value. Where projects are initiated and funded by area committees, it makes more sense for this responsibility to be moved to area committee level.
- 1.3 As the report recommends amending the Council's constitution, Civic Affairs is asked to recommend the proposed changes to the Council meeting on 21 February.

2. RECOMMENDATION

- 2.1 That the Council approves the amendments to the Constitution set out in paragraphs 3.3 and 3.5 of this report.

3. BACKGROUND

- 3.1 Section 9.3.1 of the Constitution states:

In the case of new capital schemes the following approvals (together with approval to the necessary budget provision) must be obtained before any scheme may proceed.

- **For schemes where the estimated cost is £15,000 and below:** once included in the capital plan schemes may proceed without scrutiny committee consideration, provided that relevant Ward Councillors, have been consulted, where appropriate.
- **For schemes where the estimated total cost is over £15,000 and up to £75,000:** a capital project appraisal and procurement report proforma must be completed and referred to the relevant Executive Councillor for approval. The schemes may then proceed without scrutiny committee consideration, provided relevant Ward Councillors have been consulted, where appropriate.
- **For schemes where the estimated total cost is over £75,000:** a capital project appraisal and procurement report pro-forma must be completed for consideration by the relevant scrutiny committee and referral to the relevant Executive Councillor for approval.

3.2 In order to transfer this responsibility to area committees in cases where they have initiated schemes, members are recommended to approve the following amendments to the Constitution.

3.3 Amend the first paragraph of Section 9.3.1 by the insertion of the words shown in bold italics:

Subject to Section 9.3.1A, in the case of new capital schemes, the following approvals (together with approval to the necessary budget provision) must be obtained before any scheme may proceed.

3.4 Add new Section 9.3.1A

In the case of new capital schemes, responsibility for which has been delegated to Area Committees by the Executive, the following approvals (together with approval to the necessary budget provision) must be obtained before any scheme may proceed.

- **For schemes where the estimated cost is £15,000 and below:** once included in the Area Committee's programme, may proceed without further committee consideration, provided that relevant Ward Councillors, have been consulted, where appropriate.

- **For schemes where the estimated total cost is over £15,000 and up to £75,000:** a capital project appraisal and procurement report proforma must be completed and referred to the relevant Area Committee Chair, Vice Chair and Opposition Spokes for approval. The schemes may then proceed without Area Committee consideration, provided relevant Ward Councillors have been consulted, where appropriate.
- **For schemes where the estimated total cost is over £75,000:** a capital project appraisal and procurement report pro-forma must be completed for consideration and approval by the relevant Area Committee.

4. **CONSULTATIONS**

The report has been sent to the Chairs of Area Committees. Any comments will be reported to the Committee. There has been consultation with the Director of Planning and with Finance staff. The Executive Councillor for Arts, Sport and Public Places.

5. **OPTIONS**

The Council could decide to maintain the status quo. However, this would conflict with the delegation of responsibility to area committee level. The Council could decide that a greater or lesser level of scrutiny of project appraisals for capital schemes is appropriate.

6. **IMPLICATIONS**

- (a) **Financial Implications** There are no direct financial implications. However, the rules regarding approval of capital schemes are designed to ensure that there is appropriate and proportionate scrutiny of schemes before they are implemented.
- (b) **Staffing Implications** None.
- (c) **Equal Opportunities Implications** Any equal opportunities implications would be considered in relation to individual schemes.
- (d) **Environmental Implications** Nil.
- (e) **Procurement** Any procurement implications would be considered in relation to individual schemes.

- (f) **Consultation and communication** Covered in section 4.
- (g) **Community Safety** Any community safety implications would be considered in relation to individual schemes.

BACKGROUND PAPERS: There are no background papers to this report.

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