

Report for: Standards Committee 4 February 2025

Title: Revision of the list of documents in the Policy Framework

Report authorised by: Fiona Alderman, Assistant Director for Legal and Governance (Monitoring Officer)

Lead Officer: Fiona Alderman, Assistant Director for Legal and Governance (Monitoring Officer)

Ward(s) affected: N/A

**Report for Key/
Non-Key Decision:** N/A

1. Describe the issue under consideration

- 1.1 The Constitution sets out the Council's governance arrangements and procedures. From time to time, changes are required to correct inaccuracies and reflect legislative changes. This report sets out proposed amendments to the Budget and Policy Framework which currently contains references to two obsolete plans along with an obsolete reference to the Cabinet Advisory Board.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 The Standards Committee is asked to consider the contents of this report and:
- a) Delete reference to the Annual Library Plan
 - b) Insert footnote as shown in Appendix 1 to show reasons why Annual Library Plan no longer referenced.
 - c) To consider whether the prospective Library Strategy should be added to the Policy Framework.
 - d) Delete reference to Best Value Performance Plan.
 - e) Delete reference to Cabinet Advisory Board
- 3.2 Subject to approval of 3.1 above, delegate authority to the Monitoring Officer to prepare the dispensation for publication on the Council's website.

4 Reasons for decision

- 4.1 Due to changes in the law and statutory guidance, there is no longer a legal requirement for a Best Value Improvement Plan nor an Annual Library Plan. The Budget and Policy Framework therefore needs to be updated to reflect these changes. Article 14 of the

Constitution requires the Monitoring Officer to review the operation of the Constitution to ensure the aims and principles of the Constitution are given full effect.

5 Alternative options considered

- 5.1 Not to update the policy framework. This option is not appropriate as it will not ensure that the Constitution is kept up to date and fit for purpose.

6. Background

- 6.1 Article 4 of the Constitution currently sets out the Policy Framework which are those plans and strategies which must be reserved to the full Council for approval:

- Annual Library Plan
- Best Value Performance Plan
- Crime and Disorder Reduction (community safety) Strategy
- Development Plan documents
- Youth Justice Plan
- Statement of Gambling Policy
- Statement of Licensing Policy
- Treasury Management Strategy

Any other policies the law requires must be approved by full council

The deletion of the reference to the Annual Library Plan

- 6.2 The Local Government Act 2000 together with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended ('2000 Regulations'), identify which functions are to be treated as executive functions and non-executive functions. Regulation 4 and Schedule 3 to the Regulations set out which functions which are not to be the sole responsibility of the executive and are treated as the joint responsibility of Cabinet and Council. These are referenced in Article 4 of the Council's Constitution as the 'Policy Framework' which is a list of plans and strategies which are required to be decided by Full Council, usually on the recommendation of the Cabinet.
- 6.3 The Policy Framework should be updated to reflect changes in legislation and guidance issued by the Secretary of State.
- 6.4 The 2000 Regulations still includes reference to 'Annual Library Plan - Section 1(2) of the Public Libraries and Museums Act 1964'. However, section 1(2) of the Public Libraries and Museums Act 1964 does not specifically mention the requirement to produce an Annual Library Plan and instead states "Every library authority shall furnish such information and provide such facilities for the inspection of library premises, stocks and records, as the Secretary of State may require for carrying out his duty under this section".
- 6.5 The Department of Digital, Culture, Media and Sport ('DCMS') confirms that the Annual Library Plans were first introduced in 1998 and Public Library Standards were implemented in 2001. They were intended to provide a focus for library managers to gather information and manage library services. At that time local

authorities were required to submit an annual library plan to DCMS by the end of September each year. In February 2003, DCMS published "Framework for the Future" setting out the comprehensive performance assessment process instead of requiring an Annual Library Plan from each library authority. This has since been replaced by the Comprehensive Area Assessment and the Public Library Standards have been withdrawn. There is no longer a requirement from DCMS that an Annual Library Plan be submitted to the Department for approval or otherwise and the expectation is that planning the delivery of their library service is best decided at a local level.

The deletion of the Best Value Performance Plan

- 6.6 There is no longer a statutory requirement to produce a Best Value Performance Plan. The Council is required to have regard to the Best Value standards and intervention: a statutory guide for best value authorities. Under the 1999 Act, local authorities must legally deliver what is termed 'Best Value' – a council must be able to show that it has arrangements to secure continuous improvement in how it carries out its work. This guidance provides more clarity on the use of powers under the Act where this Best Value Duty is not, or is at risk of not, being met. And where these standards are not upheld, it sets out the models of statutory and non-statutory intervention available, with stages of escalation.

The deletion of the words ' Cabinet Advisory Board'

- 6.7 Article 4, paragraph 4.01 (b) sets out the budget framework and currently states that the determination of the Council Tax Base is delegated to the Chief Financial Officer in consultation with the Cabinet Member for Finance and the Cabinet Advisory Board. The Cabinet Advisory Board no longer exists.
- 6.8 The Constitution Working Group considered this report on the 29th of January 2025 and discussed the following:
- That the Policy Framework set out the plans and strategies that were required according to the LGA 2000 Act. They noted that the Council can add in policies to this list as they saw as important to the borough. For example, Haringey had added in the Housing Strategy. It was further noted that other North London borough Constitutions had similar list of policies.
 - With regards to adding the libraries strategy to the list of Policy Framework documents this could be done further to considering the content and seeking a steer from Cabinet and having the required political discussions on this strategy.
 - Noted that, if the Libraries' Strategy was added to the Policy Framework, this would mean that Cabinet recommends the strategy for full Council adoption. The Constitution Working Group noted that Full Council only had 3 ordinary meetings per year and therefore the pros and cons of awaiting a Council meeting to adopt the strategy may be a consideration.

- 6.9 The Constitution Working Group endorsed the recommendations outlined in paragraph 3.1. In relation to recommendation 3.1b they agreed that the foot note show reasons why the Annual Library Plan was no longer referenced. They further agreed that the foot note also include wording that provides assurance that consideration can be given to in adding in a Libraries strategy to the Policy Framework list of documents when developed. This wording has been added in Appendices 1 and 2 and for ease of reference is as follows:

The 2000 Regulations still specify that the Council's Annual Library plan needs to be part of the Policy Framework. The Council is not currently required to produce an Annual Library Plan by statute in relation to s1(2) of the Public Library and Museums Act 1964. The Annual Library Plan has been removed from the Policy Framework on 5 February 2025. This is a similar approach taken by other local authorities. A Library Strategy is currently being developed and it is open to the Council to include this in the Policy Framework when it is ready for approval.

7. Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes

- 7.1 Ensuring good governance within the Council and by councillors supports all strategic priorities.

8. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)

Finance

- 8.1 There are no direct financial implications arising from the recommendations in this report.

Legal

- 8.2 This is a report of the Assistant Director of Legal and Governance (Monitoring Officer). Their comments are included in the body of this report.

Equality

- 8.3 There are no direct equalities implications arising from the recommendations in this report.

9 Use of Appendices

- 9.1 Appendix 1 - Haringey Constitution - Part 2 Articles - Track Changes

Appendix 2 - Haringey Constitution Part 3 – Responsibility for Functions
Section B – Full Council & Non-Executive Bodies – Track Changes

10 **Background Papers**

10.1 The Council Constitution.