

REPORTS SUBMITTED AFTER DEADLINES - UPDATE

1.0 EXECUTIVE SUMMARY

- 1.1** At its meeting on 26th January 2009, the Audit and Risk Management Committee considered a report produced by the Audit Commission on Data Quality. As a result of the discussion on this item, at its meeting on 31 March 2009, the Committee considered a report in relation to the number of late committee reports, which had been received by Committee Services for the cycle ended 9 February 2009. Members consequently requested the submission of further monitoring reports.
- 1.2** Further monitoring reports presented to the Committee on 25 November 2009 and 24 March 2010, which indicated that, overall, there had been a continuing decrease in the number of late reports. This report sets out a more up to date position.
- 1.3** The aim should always be to produce well-compiled agendas, which help focus the direction of meetings and ensure all necessary discussion points are covered within the time period available. Late reports and supplementary agendas are not helpful here.
- 1.4** The order in which items appear on an agenda is important since it can influence the duration and efficiency of a meeting. Items should be ordered logically and items with a similar theme grouped together. This will reduce the risk of revisiting the same ground.

2.0 BACKGROUND

- 2.1** The Council is required to ensure that Council and Committee agendas and reports are on deposit and available for inspection by members of the public for at least five clear days before a meeting (excluding the date of the meeting and the date on which notice is given). This period cannot include weekends. Members of the public must be able to see what items of business are to be considered at meetings and be able to access written reports. This is the so-called 'five day rule'.
- 2.2** Unless these requirements have been complied with, the business in question cannot normally be transacted. There are two exceptions to the 'five day rule'. Firstly, where the Chair of the meeting agrees that an item of business may be considered as a matter of urgency. In this situation, both the Chair's agreement to accept the report and the 'special circumstances' for its lateness must be recorded in the minutes. Secondly, where a meeting is convened on less than five clear days notice. Failure to observe the 'five day rule' may result in the decision in question being open to challenge in the courts. It is therefore essential that proper consideration is given to the procedure for the publication of agendas and reports.

- 2.3** Although a review of the overview and scrutiny structure had reduced the number of meetings, it should be noted that the number of meetings scheduled by the Council causes a large number of reports to be generated across the democratic process as a whole.
- 2.4** Deadlines for all Committee reports are circulated to all Chief Officers and report authors at the beginning of the Municipal Year (and are available on the Council's Intranet site). If these deadlines are adhered to, agendas and reports will be published in accordance with the 'five day rule'. Failure to submit reports on time runs the risk that publication will be less than the statutory period laid down.
- 2.5** Appendix 1 to this report sets out the number of late reports, by Committee, received by Committee Services and indicates also the number of reports approved as items of 'any other urgent business'. Meetings since the last monitoring report, up to 1 June 2010 have been used to provide this information. In some instances the reports may have been received after the agenda had been published and therefore a supplementary agenda may have been produced. Regular production of supplementary agendas is considered to be bad practice. They should only be used in an emergency.
- 2.6** For comparison purposes, Appendix 2 contains the information presented to Committee in March 2010.

3.0 FINANCIAL IMPLICATIONS

- 3.1** There are no financial implications.

4.0 STAFFING IMPLICATIONS

- 4.1** There are no staffing implications.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1** There are no equal opportunity implications.

6.0 COMMUNITY SAFETY IMPLICATIONS

- 6.1** There are no community safety implications.

7.0 LOCAL AGENDA 21 IMPLICATIONS

- 7.1** There are no Local Agenda 21 implications.

8.0 PLANNING IMPLICATIONS

- 8.1** There are no planning implications.

9.0 ANTI-POVERTY IMPLICATIONS

- 9.1** There are no anti-poverty implications.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 There are no human rights implications.

11.0 SOCIAL INCLUSION IMPLICATIONS

11.1 There are no social inclusion implications.

12.0 LOCAL MEMBER SUPPORT IMPLICATIONS

12.1 No specific wards are affected by the issues in this report.

13.0 BACKGROUND PAPERS

13.1 There are background papers.

14.0 RECOMMENDATION

14.1 That the report be noted.

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