

Appendix 2: Report by the Monitoring Officer and Chief Financial Officer

1. When a decision is called in on the grounds that it is contrary to or not wholly in accordance with the Policy Framework and Council's budget, the Monitoring Officer and Chief Financial Officer are required under Policy Framework and Budget Procedure Rule 6.1 to issue a report that provides our opinion on the matter.
2. In this case, one of the grounds for call-in is that the decision in question conflicts with the Council's policy on tackling climate change, as articulated in Motion 836 which was passed by Council on 15 May 2019.
3. In coming to an opinion, we have considered two separate questions:
 - Firstly, does this Motion qualify as being a constituent part of the Council's Policy Framework
 - Secondly, does this decision conflict with the Policy Framework.
4. With regard to the first question, the Council's constitution defines a list of documents that together form the Council's Policy Framework as being:
 - Council Strategy
 - Medium Term Financial Strategy and Budget
 - Children and Young People's Plan
 - Youth Justice Plan
 - Community Safety Strategy
 - Local Transport Plan
 - Development Plan Documents
 - Library Services Plan
 - Pay Policy Statement
5. It goes on to prescribe a clear process by which the formal policy framework is developed and determined. We are therefore of the view that a Council Motion does not automatically qualify as being a formal part of the Council's Policy Framework.
6. However, we note that in the case of this particular motion it has gone on to be integrated into the Council Strategy. While the Strategy does not contain the full detail of the original Council motion, it does reiterate the Council's declaration of a climate emergency and makes a firm commitment to Carbon Reduction.
7. For that reason, we take the view that while the motion itself does not form part of the Council's Policy Framework, its purpose and intent has gone on to be incorporated into the Policy Framework by virtue of its inclusion in the Council Strategy.

8. With regard to the second question, the call-in notice argues that the decision was to defund cycling infrastructure in favour of infrastructure for motor vehicles. Both these schemes were already within the current capital programme; both remain within the capital programme; and the funding for both will extend beyond the life of the existing programme.
9. As such, it appears to us that the Council remains committed to delivering both schemes in full, albeit that this requires funding to be secured from a variety of sources, including developer contributions, Government grants and GCC capital funding. Some of these sources are already in place; others will need to be secured in coming years.
10. Our view is therefore that the virement of the funding between schemes was a matter of programme management and sequencing of the schemes, and does not indicate that the Council is assigning greater importance or priority to one scheme over the other.
11. Regarding the Council's Budget, the decision is within the Budget Framework as both schemes were agreed in the Council's Medium Term Financial Strategy Report in February 2021.
12. In summary, our opinion is that this decision is not contrary to the Council's Policy Framework or Budget on the basis that.
 - The Council remains committed to delivering both schemes in the same sequence that was previously intended;
 - As a result, the infrastructure scheme is being afforded no greater importance than the cycle track scheme. It is being prioritised only in the sense that it is being completed first, and that appears to be of no detriment to the subsequent delivery of the cycle track.

Rob Ayliffe, Monitoring Officer

Steve Mawson, Chief Financial Officer