

## **MODERNISING AGENDA – FURTHER DEVELOPMENT OF THE NEW COMMITTEE STRUCTURE AND CONSTITUTION**

### **1 SUMMARY**

- 1.1 This report seeks Members' decisions on further detailed aspects of the new political structure prior to its implementation in 2002.

### **2 INTRODUCTION**

- 2.1 Following approval by Extraordinary Council on 31<sup>st</sup> July 2001 (Min. 287/2001), details of the Council's proposed new committee structure were submitted to Central Government in early August. The Department of Transport, Local Government and the Regions acknowledged receipt and advised that it would be considering the proposals within a two month timeframe, with the proviso being that if there were any concerns/issues likely to be raised by the Department, they would be conveyed to the District Council within that period. At the time of writing, there has been no further correspondence received from the Department. Consequently, it appears that the Department is satisfied with the Council's submission.
- 2.2 On that basis, it is thus now appropriate to consider further matters of detail in connection with the development of the new political arrangements. Members have already considered Parts 1, 2 and part of Part 3 of the Model Constitution. Work is still in preparation in connection with the remainder of Part 3 on delegations/functions, and Part 4 Standing Orders/Financial Regulations. Part 5 on Member and Officer Codes and Protocol is still awaiting detailed guidance from Central Government. Part 6 which deals with Members' remuneration, is being considered by the Independent Members Remuneration Panel, which has just been set up. That Panel will be considering Members' remuneration over the coming months. Part 7, the final part, is simply a description of the organisational structure.

### **3 DETAILED CONSIDERATIONS**

- 3.1 Those matters put forward for Members' consideration and decision this evening relate to the chairmanship of committees, the creation of sub-committees and working groups, the composition of the Standards Committee (in the light of further guidance received from Central Government), parish involvement, and a suggested committee timetable.

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CHAIRMANSHIP OF COMMITTEES

- 3.2 Government advice is that under any new revised committee structure, the composition of committees should reflect the political balance of the Authority. However, in the case of Overview and Scrutiny Committees, Government advice is that even where there is a majority group, Members might like to consider it appropriate to have one or more of these committees chaired by Members outside of the majority group. Authorities should attempt to reach a balance whereby overview and scrutiny is not simply there to rubber stamp decisions, or always to oppose decisions. The function of overview and scrutiny should be as constructive as possible.
- 3.3 In the light of this advice and guidance, Members views are sought as to whether under the new system they would wish the chairmanships of one or more of the 3 Overview and Scrutiny Committees to be chaired by Members outside of the majority party. Given the proposed functions agreed for Overview and Scrutiny Committees, in officers' opinion there would be merit in adopting this approach if possible, both in terms of demonstrating the independence of the scrutiny function and enabling a wider Member input into the policy development and review process.

SUB-COMMITTEES AND WORKING GROUPS

- 3.4 Given that under the proposed new arrangements sub-committees and working parties (except on an area fora basis) are regarded as 'task and finish' groups, it is considered that in the first instance under the new structure the Council should attempt to incorporate the functions carried out by the existing raft of sub-committees and working groups through the Overview and Scrutiny Committee process. The majority of the existing sub-committees and working groups are working in a policy or project development role or are monitoring and/or looking into past/current Council decisions and actions. These are functions which should be transferable to an Overview and Scrutiny context. It is considered that in the first instance efforts should be directed to making the overview and scrutiny process work, with new sub-committees and working parties only being set up if workloads or subject matter specifically require it.

COMPOSITION OF THE STANDARDS COMMITTEE

- 3.5 In the arrangements which Members have agreed the composition of the Standards Committee is set at 6 Members plus 1 parish member, plus 1 voting co-optee. In August 2001 the government published regulations dealing with the size and composition of Standards committees which preclude this arrangement. At least 25% of the Standards committee must now comprise independent members. In the light of this legislation officers suggest that the composition of the

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Committee should be reduced to four in total, comprising 2 Members of the Council, 1 parish member (not a member of the Council) and 1 independent member.

- 3.6 This will require amendment of Article 8 and Part 3 of the Constitution already considered by Members. Amendments in italics are shown attached at Appendix 1.

#### PARISH INVOLVEMENT

- 3.7 Parishes will be involved with the District Council through their representation on the Standards Committee. They will also have the opportunity for involvement through the Overview and Scrutiny process whereby Overview and Scrutiny Committees can invite representatives from one or more parishes to attend their meeting(s) and provide an input into the matter under consideration. Within the planning process, it is assumed that Members would still wish for parishes to be allowed to make direct representations to Planning Services Committee on the night, as is allowed under the current District/Parish Protocol. However, Members' views are sought as to whether any additional mechanisms to facilitate parish involvement are required at this stage.

#### COMMITTEE TIMETABLE

- 3.8 It is proposed that in terms of developing a timetable under the new political arrangements, the Council should attempt to model this around the current 8 week cycle. Avoiding Mondays and Fridays, this would effectively allow for 2 policy committees and 2 overview and scrutiny sessions per cycle, as well as 2 planning services committees. There would also be sufficient space within the timetable to allow for the Standards Committee and the Appeals/Licensing Panel to meet as and when required. A suggested draft timetable is outlined in Appendix 2.

### **9 RESOURCE IMPLICATIONS**

- 9.1 There are clearly resource implications in terms of both Member and officer time in the development and introduction of any new political structure. However, the overall cost of the exercise is unlikely to be apparent until the system has been introduced and has been operating for a period.

### **10 LEGAL IMPLICATIONS**

- 10.1 The Council is required to introduce a new decision making structure under the Local Government Act 2000 and subsidiary regulations.

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**11 RECOMMENDATION**

Members' view are sought on the matters outlined under the Detailed Considerations section of the report, so that these can be incorporated within the working arrangements associated with the new political structure. (CEX)

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