
PROTOCOL FOR WORKING GROUPS

1 SUMMARY

- 1.1 This report invites Members to consider the introduction of a protocol for the establishment and operation of working groups.
- 1.2 The appointment of Working Groups is a discretionary activity. Once appointed, Working Groups form no part of the Council's formal decision making process.

2 INTRODUCTION

- 2.1 At the meeting of the Council held last October, it was agreed to refer the attached report on the introduction of a protocol for working groups to this Sub-Committee for further consideration.

3 UPDATE

- 3.1 At this year's Annual Meeting, Council appointed the following Working Groups

Cherry Orchard Country Park Working Group
Electoral Review Working Group
Foulness Working Group
Hockley Town Centre Working Group
Park School Working Group
Rayleigh Town Centre Working Group
Rochford Town Centre Working Group
Stambridge Treatment Works Working Group
Tenant Involvement Steering Group

In addition, at the meeting of Council on 28 June, a Decriminalisation of Parking Enforcement Working Group was also established.

- 3.2 Annual Council this year also agreed that in future, copies of the agenda, reports and minutes of all working groups should be sent to every Member of the Council.
- 3.3 If Members are now minded to adopt a protocol along the lines of that suggested in the attached report, it would apply to all the Working Groups at paragraph 3.1 above and be subject to the decision of Council reported at paragraph 3.2 above - unless Members determine otherwise.

4 LEGAL IMPLICATIONS

- 4.1 The provisions of the Local Government Act 1972 that apply to meetings of the Council, its committees and sub-committees do not apply to Working Groups. Standing Orders also do not apply to Working Groups. The Council has power to regulate the operation of its Working Groups by adopting a protocol such as that now proposed.

5 RECOMMENDATION

- 5.1 It is proposed that the Working Group **RECOMMENDS** whether it wishes to see a protocol introduced for the establishment and operation of working groups and, if so, the form it should take. (HAMS)

Andrew Smith

Head of Administrative and Member Services

Background Papers:

None

For further information please contact Andrew Smith on (01702) 318135

Committee Report

To the Meeting of: COUNCIL

On: 19 OCTOBER 1999

Report of: CORPORATE DIRECTOR (LAW, PLANNING AND
ADMINISTRATION)

Title: PROTOCOL FOR WORKING GROUPS

Author: A. Smith

Purpose of Report

This report recommends that the Council adopt a protocol for the establishment and operation of Working Groups.

Background

The Corporate Resources Committee at its meeting on 28 September considered the status and titles of the Council's Working Groups, Working Parties and Panels. It was noted that, notwithstanding the titles, the majority of these bodies operated as sub-committees within the Council's decision making structure. However, the Blatches Farm Working Party, Rayleigh Town Centre Monitoring Group, Rochford Town Centre Group, Websters Way Working Party and the Stambridge Sewage Treatment Works Working Party all operate as working groups outside of the decision making process. As such, these bodies are not subject to the Council's Standing Orders and are presently entitled to determine their own procedural arrangements. The Sub-Committee was of the view that the lack of defined procedures may result in inconsistency and potential confusion in the way the bodies operate. Accordingly, the Sub-Committee requested that consideration be given to adopting a protocol that would lay down clear guidelines for how Working Groups of the Council are in future established and then operate. The Finance and General Purposes Committee endorsed this request.

Suggested Protocol for Working Groups

Attached at the Appendix to this report is a suggested protocol for Working Groups. If the Council is minded to accept this protocol, it could be implemented immediately with the procedural arrangements being applied to all existing Working Groups.

Crime and Disorder Implications

None

Environmental Implications

None

Financial Implications

None

Legal Implications

The provisions of the Local Government Act 1972 that apply to meetings of the Council, its committees and sub-committees do not apply to Working Groups. Standing Orders also do not apply to Working Groups. The Council has power to regulate the operation of its Working Groups by adopting a protocol such as that now proposed.

Parish Implications

None

Proposed that this Council RESOLVES

That the protocol for Working Groups set out at the appendix to this report be adopted and implemented with immediate effect. (HAMS)

Background Papers

None

Protocol for Working Groups

This protocol sets out arrangements for the establishment and operation of Working Groups.

1. The Council or any of its committees and sub-committees (referred to below as the “parent body”) may establish a Working Group. At the time it is established, the Working Group will be provided with clear terms of reference and the period of time for which it will continue to exist will also be specified.
2. A Working Group will not be given delegated decision-making powers and will exercise only a fact-finding, consultative or advisory role. As such, all Working Groups will operate outside of the Council’s usual decision making process.
3. The number and names of members of a Working Group will be agreed at the time the Group is established. The number and names of members will be reaffirmed or amended at the first meeting of the Group’s parent body held at the start of each municipal year. Any request for a change of membership of a Group during a municipal year must be notified to the Chief Executive who will place the request before the Group’s parent body for determination. No substitute member may be appointed.
4. Officers of the Council, representatives of other local authorities and organisations and individual members of the public may be appointed as equal members of a Working Group.
5. Each Working Group will elect a Chairman at its first meeting in each municipal year. The Chairman need not be an elected member of the Council. In the event of a Chairman not being present at a meeting, the Group will elect a temporary Chairman for the duration of the meeting.
6. The Chief Executive will convene meetings of a Working Group after consultation with the Chairman of the Group. Wherever practical, at least 3 clear working days notice will be given of a meeting.
7. Working Groups will hold their meetings at the Civic Suite, Rayleigh unless the Group decides on an alternative venue.
8. The Chief Executive will, wherever practical, issue an agenda for each meeting of a Working Group at least 3 clear working days before the day of the meeting. Copies of the agenda will be sent to all members of the Working Group, the Chairman and Vice Chairman of the parent body to which the Working Group would usually report and to each leader of a political group on the Council.
9. Any member of a Working Group may request that an item of business falling within its terms of reference be included on the agenda for a meeting. All such requests must be received by the Chief Executive at

least 7 working days before the day of the meeting.

10. Any member of the Council not appointed to a Working Group may attend a meeting of that Group to observe the proceedings. With the agreement of the majority of those members of the Working Group that may be present at the meeting concerned, non-members may speak but not vote.
11. Representatives of the media, other organisations and members of the public will not be admitted to meetings of Working Groups save where invited to attend by a majority of those members of the Group that may be present at the meeting concerned.
12. The quorum for a meeting of a Working Group will be a minimum of three.
13. Any formal proposal put to the meeting of a Working Group must be moved by one member of the Group and seconded by another. In the event that a vote should prove necessary, a show of hands will be taken. If there is an equality of votes, the Chairman may exercise a casting vote.
14. The Chief Executive will arrange for notes of the proceedings to be produced for each meeting of a Working Group. The notes will be circulated as soon as practical after each meeting to the members of the Working Group, the Chairman and Vice Chairman of the parent body and to the leader of each political group on the Council.
15. When a Working Group wishes to make a recommendation or report to its parent body or to a meeting of the Council, another committee or sub-committee, the Chief Executive will prepare the necessary report as appropriate. In any event, the Chief Executive will submit at least one report to a Working Group's parent body each year providing information on the Group's activities.