

REPORT OF THE LEADER OF THE COUNCIL**REVIEW OF THE COMMITTEE SYSTEM****Purpose of the Report**

1. To seek approval for proposed amendments to the Council's Constitution following a review of the performance of the committee system.

Information and Advice

2. Nottinghamshire County Council has operated under the committee system form of governance since May 2012. A first review of the system was carried out in December 2012 and some minor amendments to the Constitution were made as a result. Some further amendments were made in May 2013 with the aim of better managing the business of the Council.
3. Some further amendments are now proposed, and details are set out in this report.

Committees

4. The Public Health Sub-Committee was established in December 2012. In order to recognise the importance of the Council's public health function, it is now proposed to make it a full committee rather than a sub-committee of Policy Committee. This will not affect the costs of running the Committee because the Deputy Leader is the Committee Chairman so no additional special responsibility allowance is payable. The Committee's terms of reference will remain unchanged.
5. Policy Committee currently has responsibility for all statutory overview and scrutiny powers except those delegated to a health scrutiny committee. It is now considered that some statutory scrutiny would be more effectively undertaken by the Community Safety Committee. It is therefore proposed that crime and disorder scrutiny and scrutiny of flood risk management be delegated to Community Safety Committee.
6. All committees have responsibility for approval of consultation responses in relation to their work areas. This is considered important as, even if a consultation is technical rather than policy-related, committee members should decide the stance the Council intends to take. However in practical terms there is often not enough time to bring a report to committee before the consultation deadline. It is therefore proposed to amend the wording of the terms of reference for each committee to state 'Approval of consultation responses except for

responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee.

Committee Procedure

7. In light of recent Government guidance encouraging local authorities to allow filming of meetings, the relevant provisions set out in the Council's meeting procedure rules have been reviewed. At present filming is allowed with the consent of the Chairman; the rules allow a vote to be taken in the event of objection by committee members. To ensure the Council has time to make practical arrangements for anybody wishing to record a meeting, it is proposed to add the wording, 'subject to sufficient notice'. A note to this effect will also be included with committee agendas. No further amendments are considered necessary.

Work Programmes

8. The December 2012 review concluded that further work was needed to ensure all committees receive sufficient reports on operational decisions by staff, the work of outside bodies and performance of services. Each committee has a work programme, and the most effective way to ensure sufficient reporting is for committees and senior officers to work together to ensure their programme is comprehensive. It is considered that improvements can still be made in this area and chairmen are encouraged to review their committee's programme.

Frequency of Meetings

9. Members will be well aware of the current financial situation affecting public bodies. When the committee system was introduced it was stated that the workload and frequency of meetings would be kept under review. It is proposed to pilot a reduction in the number of meetings for the following committees over the next 6 months with a view to monitoring the effect on democratic decision making by such a reduction :-

- Community Safety Committee;
- Culture Committee
- Environment and Sustainability Committee;
- Rights of Way Committee.

10. If the pilot proves successful the reduced meeting schedule will be confirmed in the next diary. Members will be notified of the relevant changes as soon as possible.

Co-opted Members of the Nottinghamshire Police and Crime Panel

11. We have been requested by the Police and Crime Panel to consider treating the current 2 but rising to 4 Independent Members of the Police and Crime Panel in the same category as statutory co-optees. This would entitle them to an annual allowance of £582 as set out in the current scheme of allowances.

12. Members should be aware there is no obligation on the County Council in its role as host authority to pay such allowances. The County Council receives the sum of £67,100 to assist in the running of the Panel. This sum can be used to pay expenses but not allowances. If the Council did not agree to pay an allowance the Independent Members would only be able to claim such things as travelling expenses. There is a considerable time commitment to fully participate in the Panel and the payment of an allowance would assist in the recruitment of high calibre candidates. Aside from the independent members, the other members of the Panel are all Councillors, all of whom are entitled to some form of allowance from their own authority. The maximum total cost to the Council in a full year of membership would be £2328 (£1746 in 2013/14) but this would be offset against the income which the Council receives as host authority.

Financial Regulations

13. A review of the Council's Financial Regulations is underway and a further report will be brought to Full Council in due course. Some consequential amendments to other parts of the Constitution will be proposed at that time.

Other Options Considered

14. Full Council could decide that no amendments to the Constitution are required at this time.

Reason/s for Recommendation/s

15. To enable the committee system to operate as effectively as possible and to recognise the importance of public health as a function of the County Council.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Public Health Sub-Committee be re-classified at the Public Health Committee
- 2) That responsibility for statutory crime and disorder and flood risk management scrutiny be allocated to the Community Safety Committee
- 3) That the terms of reference for each committee that currently has responsibility for consultation responses be amended to state, 'Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.'
- 4) That the procedure rules for Full Council and committees regarding the use of recording devices and cameras be amended to include the words 'subject to sufficient notice'

- 5) That the proposed pilot changes to the frequency of specified Committees be noted.
- 6) That the County Council, as host authority to the Nottinghamshire Police and Crime Panel, agrees whether to include the Independent Members of the Police and Crime Panel as equivalent to the statutory co-optees within the current scheme of allowances and pay such allowances accordingly.

Councillor Alan Rhodes
Leader of the Council

For any enquiries about this report please contact:

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Constitutional Comments (SLB 13/09/2013)

17. Full Council is responsible for approving any changes to the Constitution and is the appropriate body to consider the content of this report.

Financial Comments (SEM 13/09/2013)

18. The financial implications are set out in the report

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Report to Full Council dated 20 December 2012
- Report to Full Council dated 16 May 2013
- The Council's Constitution
- Guidance issued by the Department of Communities and Local Government is published - [https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207528/Your_councils_cabinet - going to its meetings seeing how it works.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207528/Your_councils_cabinet_-_going_to_its_meetings_seeing_how_it_works.pdf)

Electoral Division(s) and Member(s) Affected

All