

Addendum



meeting	COUNTY COUNCIL
date	18 June 2009
	agenda item number

REPORT OF THE LEADER DESIGNATE

ADDENDUM TO THE REPORT ON GOVERNANCE ARRANGEMENTS

Further to the report of the Chief Executive I propose to make the following changes to the governance arrangements;-

Administration Committee

This Committee is to be re-established with the following terms of reference:-

1. The exercise of the powers and functions contained in this section are delegated by the County Council to the Administration Committee and are expressly excluded from the delegation of the authority to the Cabinet.
2. Approval for:
 - (a) expenditure to be incurred for Member attendance at conference and seminars;
 - (b) expenditure on accommodation and associated costs to be incurred and required by Members for the purposes of conducting County Council business or in connection with attendance at conferences, seminars or training courses;
 - (c) expenditure on travel and associated costs associated to be incurred in connection with the matters at (a) and (b) or any other expenditure reasonably required in connection with those matters and/or for which approval is required in accordance with the Council's Travel and Accommodation Policy and Member Training Policy.
3. Approval of officer travel outside the UK.
4. Appointments to outside bodies, relating to functions of Council.
5. Determining the level and nature of support services for Members of the County Council.
6. Authorising hospitality to be offered by the County Council.

7. Advising on electoral issues including revision of boundaries of and within the Council's administrative area.

The delegation to officers to take these decisions is to be revoked and the Monitoring Officer will be authorised to make the necessary changes to the Constitution.

The membership will comprise 9 members – Leader and Deputy Leader of the Council, Business Manager and one Deputy Business Manager of the Majority Group, the Cabinet Member for Finance and Property, Leaders of all three Opposition Groups and the Deputy Leader of the main Opposition Group.

Personnel Committee

Meetings of this Committee will be held as and when necessary to deal with the issues as set out in the Constitution. The membership will include elected members only.

Senior Staffing Sub Committee

The membership of this Sub Committee when considering issues relating to the Chief Executive and Corporate Directors will have a membership of 9 Members (5 Conservative Group , 2 Labour Group, 1 Independent Group and 1 Liberal Democrat Group). When the Sub Committee considers issues relating to other officers the membership will be 5 Members (3 Conservative Group, 1 Labour Group, 1 Independent Group)

Footpaths and Rights of Way Committee

It is felt that there needs to be more Member input into footpaths and rights of way issues and it is proposed to establish a Footpaths and Rights of Way Committee to consider these issues. The intended terms of reference are:-

1. to consider action on the extinguishment/diversion of footpaths, bridleways, byways open to all traffic, roads used as public paths and unclassified unsurfaced roads and the creation of footpaths or bridleways and the conversion of footpaths into cycle tracks where there are objections to proposals for orders or court applications.
2. to consider proposals for the modification of the definitive map and statement which could be the subject of appeal or orders.

This will necessitate some changes to the term of reference of the Planning and Licensing Committee which previously had some responsibility for these matters. As this is a new Committee it is proposed that further discussion take place between the Monitoring Officer, the Corporate Director and the Chair and that a further report be brought to Council as soon as possible on the practical operation of the Committee.

Corporate Parenting Panel

As part of the Corporate Parenting Policy the authority has a Corporate Parenting Panel which enables elected Members to make sure that the services provided for children in our care are effective. This Panel will be re established with its existing terms of reference but it is proposed that the Corporate Director Children and Young People review the current arrangements and bring forward appropriate recommendations as necessary.

Overview and Scrutiny

The Council will appoint 4 Overview and Scrutiny Committees to discharge the functions conferred by section 21 of the Local Government Act 2000, regulations under section 32 of the Local Government Act 2000 and/or sections 7 and 8 of the Health and Social Care Act 2001; the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006.

The first of these will be the Overview Committee which will coordinate the programme of scrutiny work and will also be responsible for considering call-in requests and the Councillor Call for Action. Any Member of the County Council will be able to put forward a topic for scrutiny through the new statutory councillor call for action which will be implemented as recommended by the Overview and Scrutiny Committee on 20 April 2009.

The other three Overview and Scrutiny Committees will allow Members to develop expertise and knowledge of services in particular areas. These standing committees will be able to set up sub committees or study groups to carry out in-depth, robust scrutiny reviews and will be able to make use of new statutory powers to scrutinise crime and disorder matters.

The standing committees will also follow up on scrutiny reviews allowing Members to ensure that their recommendations are acted upon.

For the first time a Member from an opposition group will be invited to be the Chair of the Overview Committee. This brings the County Council into line with the best practice joining the 62% of local authorities that share the role of chair across the political spectrum. The minority groups will also be invited to provide the Vice Chairs of the Overview Committee and 2 of the Standing Committees

Changes will need to be made to the constitution to give effect to these changes and the Monitoring Officer will be authorised accordingly.

Councillor Kay Cutts
Leader Designate

Legal Comments (JMF 17.6.09)

It is within the functions reserved to Council to decide the issues set out in this addendum to the report