

Forest Heath District Council

(This report is not a key decision. This report has been subject to appropriate notice of publication under the Council's Access to Information Rules)

Report of the Cabinet Member for Resources, Governance and Performance

CABINET

27 MAY 2014

CAB14/147

ANNUAL REVIEW AND APPOINTMENT OF THE CABINET'S WORKING GROUP, JOINT COMMITTEES/PANELS AND OTHER GROUPS (Decisions Plan Reference: MAY14/03)

1. Summary and reasons for recommendation(s)

- 1.1 The Cabinet is requested to review and appoint the membership of its Working Group, Joint Committees/Joint Panels and other Groups for the year 2014/2015.
- 1.2 An overarching review of the Council's democratic processes is also currently being undertaken, which aims to further simplify and align the decision making structures of Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC), where appropriate, over the longer term. This review will require the input of all councillors in relation to the wider decision making processes of the Councils and approval by full Council. However, the Cabinet is able to review its own processes. Therefore, some initial proposals, consistent with the aims of the wider review, are being made now as part of this Annual Review so that they can be implemented in 2014/2015.

2. Recommendation(s)

2.1 It is recommended:-

2.2 FHDC Local Plan Working Group

(a) To note the future direction of the FHDC Local Plan Working Group (paragraph 4.3.2).

(b) To confirm the membership of the FHDC Local Plan Working Group for 2014/2015 (paragraph 4.3.3).

(c) To elect the Chairman and appoint the Vice Chairman for 2014/2015.

2.3 Anglia Revenues and Benefits Partnership Joint Committee

(a) To note that the Partnership may wish to revise the number of Members it currently has on its Joint Committee. Therefore, in the meantime, to continue with the Council's current allocation until notified otherwise.

- (b) To confirm the Forest Heath District Council membership for 2014/2015 (paragraph 4.3.8)
- 2.4 Joint Development Management Policies Committee**
 (a) To confirm the Forest Heath District Council membership for 2013/2014 (paragraph 4.3.13).
- 2.5 West Suffolk Waste and Street Scene Services Joint Committee**
 (a) To note that, with the agreement of the respective Portfolio Holders, the West Suffolk Waste and Street Scene Services Joint Committee was formally dissolved in January 2014 (paragraph 4.3.15).
- 2.6 Forest Heath District Council/St Edmundsbury Borough Council Shared Services Steering Group**
 (a) To note that, following both Cabinets' decisions to dissolve this Steering Group, this was actioned by Forest Heath District Council on 15 October 2013 (paragraph 4.3.17).
- 2.7 West Suffolk Joint Emergency Planning Panel**
 (a) To confirm the Forest Heath District Council membership for 2014/2015 (paragraph 4.3.22).
- 2.8 West Suffolk Joint Health and Safety Panel**
 (a) That the amendments to the West Suffolk Joint Health and Safety Panel's Terms of Reference be approved (paragraph 4.3.24).
 (b) To confirm the Forest Heath District Council membership for 2014/2015 (paragraph 4.3.25).
- 2.9 West Suffolk Joint Staff Consultative Panel**
 (a) To confirm the Forest Heath District Council membership for 2014/2015 (paragraph 4.3.29).
- 2.10 West Suffolk Joint Growth Steering Group**
 (a) To confirm the Forest Heath District Council membership for 2014/2015 (paragraph 4.3.34).
- 2.11 Joint Diversity Working Party**
 (a) To confirm the Forest Heath District Council membership for 2014/2015 (paragraph 4.3.38).

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3. Strategic priorities

3.1 The recommendations meet the following, as contained within the West Suffolk Strategic Plan:

- (a) Strategic Priority 1: Increased opportunities for economic growth
- (b) Strategic Priority 2: Resilient families and communities that are healthy and active
- (c) Strategic Priority 3: Homes for our communities

4. Key issues

4.1 Under the arrangements for the administration of a Leader/Cabinet political management structure, the following Working Group, Joint Committees/Panels and other Groups, either report to the Cabinet or exercise Executive functions:

- (a) Exercise Executive Functions on behalf of the Cabinet
 - Anglia Revenues and Benefits Partnership Joint Committee
 - Joint Development Management Policies Committee
 - West Suffolk Waste and Street Scene Services Joint Committee (dissolved in January 2014 (see paragraph 4.3.15 below))
- (b) Report to the Cabinet
 - Local Plan Working Group
 - Forest Heath District Council/St Edmundsbury Borough Council Shared Services Steering Group (dissolved in October 2013 (see paragraph 4.3.17 below))
 - West Suffolk Joint Emergency Planning Panel
 - West Suffolk Joint Health and Safety Panel
 - West Suffolk Joint Staff Consultative Panel
 - West Suffolk Joint Growth Steering Group
 - Joint Diversity Working Party

4.2 Under Article 11 (Joint Arrangements) of the Council's Constitution, it states that:-

"11.2 Joint Arrangements

11.2.3 "... ..the Cabinet may only appoint Cabinet Members to a joint committee and those members need not reflect the political composition of the Council as a whole."

4.3 The Cabinet is requested to review and confirm the membership of the following Working Group, Joint Committees/Panels and other Groups for the year 2014/2015 as follows:

4.3.1 FHDC Local Plan Working Group

4.3.2 The Working Group continues to work on the Site Specific Allocations and the Single Issue Review Local Plan documents for adoption in 2015/2016. The Joint Development Management Policies Document is currently also being developed for adoption via the Joint Development Management Policies Committee (see paragraph 4.3.10 below). Once all of these documents have been adopted, consideration would then

be given to the production of a West Suffolk Local Plan in 2016/2017. The roles of the FHDC Local Plan Working Group and the SEBC Sustainable Development Working Party may, therefore, need to be reviewed at this time, as common joint planning issues would develop through the West Suffolk Joint Growth Steering Group (see paragraph 4.3.32 below). However, it is suggested that the Local Plan Working Group continues to operate and meetings be arranged as substantive business dictates.

4.3.3 The proposed membership of the FHDC Local Plan Working Group for 2014/2015 is set out below. This Working Group is constituted under the political balance rules (8 Conservatives / 1 Opposition Group)

W J Bishop	Mrs C F J Lynch
Mrs R E Burt	R J Millar
W Hirst	W E Sadler
R D S Hood	T Simmons
M J Jefferys	

4.3.4 Anglia Revenues and Benefits Partnership Joint Committee

4.3.5 The membership of the Anglia Revenues and Benefits Partnership Joint Committee comprises of 2 Members and 2 Substitutes appointed from each of the Councils represented on the Partnership (Forest Heath District Council, St Edmundsbury Borough Council, Breckland Council, East Cambridgeshire District Council and Fenland District Council (with effect from 1 April 2014)).

4.3.6 The Partnership has indicated that it may wish to revise the number of Members it currently has on its Joint Committee, particularly, now Fenland District Council has joined the Partnership. Therefore, it is considered prudent to continue with the Council's current allocation until notified otherwise.

4.3.7 To comply with the Council's Constitution, as this Joint Committee exercises executive functions on behalf of the Cabinet, the Forest Heath District Council membership of this Joint Committee has to be comprised of Cabinet Members.

4.3.8 The proposed Forest Heath District Council Members on this Joint Committee for 2014/2015 are:

S J Edwards
N A Roman (to replace R J Millar)
Substitutes: - J E Waters and Vacancy

4.3.9 Joint Development Management Policies Committee

4.3.10 Adoption of the Joint Development Management Policies Document is unlikely to take place until December 2014. Therefore, there is still a requirement for this Committee to meet on occasions during 2014/2015.

- 4.3.11 The membership of the Joint Development Management Policies Committee comprises of 3 Members and 2 Substitutes appointed from both Forest Heath District Council and St Edmundsbury Borough Council.
- 4.3.12 To comply with the Council's Constitution, as this Joint Committee exercises executive functions on behalf of the Cabinet, the Forest Heath District Council membership of this Joint Committee has to be comprised of Cabinet Members.
- 4.3.13 The proposed Forest Heath District Council Members on this Joint Committee for 2014/2015 are:**
- Mrs R E Burt**
D W Bowman
W Hirst
Substitutes: - R J Millar and J E Waters
- 4.3.14 West Suffolk Waste and Street Scene Services Joint Committee**
- 4.3.15 The West Suffolk Waste and Street Scene Services Joint Committee was a Joint Committee between FHDC and SEBC. In January 2014, in consultation with the respective Portfolio Holders for both authorities, the Operating Agreement for the Joint Committee was amended to dissolve the Joint Committee as its primary purpose and function for providing governance arrangements for the partnering Waste and Street Scene Service was now operated by the same West Suffolk team under its shared service staffing structure. Matters requiring Cabinet approval will now, therefore, be considered separately by the respective Cabinets.
- 4.3.16 Forest Heath District Council/St Edmundsbury Borough Council Shared Services Steering Group**
- 4.3.17 Following both Cabinets' decisions to dissolve this Steering Group, this was actioned by Forest Heath District Council on 15 October 2013, with any residual issues emanating from the Steering Group being presented directly to both Cabinets.
- 4.3.18 West Suffolk Joint Emergency Planning Panel**
- 4.3.19 The West Suffolk Joint Emergency Planning Panel has not met in 2013/2014, largely because it has not had any substantive business to consider that has required Cabinet approval of its recommendations. Information relating to Emergency Planning issues has, however, been circulated to Members across both authorities to keep them informed. However, given flooding events over the winter, the Panel is expected to meet later in the year to consider any changes to policy required and this demonstrates the value of retaining this body.
- 4.3.20 Recommendations from the Panel in relation to any policy matters will still require the sign-off of Cabinet and/or Council. Therefore, it is

suggested that this Panel continues to operate in its current form for such matters. However, as previously suggested in Report No CAB13/089 to Cabinet in May 2013, it may be worthwhile to increase the role of the Panel in relation to promoting emergency preparedness and community resilience within existing policies and budgets.

4.3.21 The membership of the West Suffolk Joint Emergency Planning Panel comprises of 4 Members and 1 Substitute appointed from both Forest Heath District Council and St Edmundsbury Borough Council.

4.3.22 The proposed Forest Heath District Council Members on this Joint Panel for 2014/2015 are:

D W Bowman

Mrs R E Burt

A Drummond

N A Roman

Substitute:-

A J Wheble

4.3.23 West Suffolk Joint Health and Safety Panel

4.3.24 On 24 February 2014, the West Suffolk Joint Health and Safety Panel met and considered an amendment to its Terms of Reference as one of its substantive items. The amendments proposed by the Panel at the meeting (shown below in bold and italics below) were largely to enable membership of the 'Employees' Side to be drawn from either employing authority of the West Suffolk shared services arrangements. Currently, three members drawn from each authority is required to form the Employees' Side. However, this is not always practical or conducive to the shared service arrangements, now that all staff have the same West Suffolk contractual terms and conditions. In addition, this amendment is in line with the Employer/Employee membership arrangements for the West Suffolk Joint Consultative Panel:

"2. Constitution

2.1 The ***West Suffolk*** Joint Health and Safety Panel shall comprise 12 Members. Three Councillors from both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC), to be the 'employers' side'. ***Six members of staff from across the two authorities to be the 'employees' side', drawn from the officer Joint Health and Safety Group.***

2.2 A substitute Member from each ***authority on the employer's side and two substitutes from the employees' side to provide a total of six full members and two substitute members on each 'side'*** shall be permitted."

4.3.25 The proposed Forest Heath District Council Members on this Joint Panel for 2014/2015 are:

**Mrs R E Burt
A Drummond
T Simmons
Substitute: - J W McGhee**

4.3.26 West Suffolk Joint Staff Consultative Panel

4.3.27 No changes are being proposed in relation to the West Suffolk joint Staff Consultative Panel.

4.3.28 The membership of the West Suffolk Joint Staff Consultative Panel comprises of 3 Members and 2 Substitutes, from both Forest Heath District Council and St Edmundsbury Borough Council, along with 6 staff members from across the two authorities.

4.3.29 The proposed Forest Heath District Council Members on this Joint Panel for 2014/2015 are:

**S J Edwards
G Jaggard
T Simmons
Substitutes:- W Hirst and M J Jefferys**

4.3.30 West Suffolk Joint Growth Steering Group

4.3.31 Following approval by both FHDC and SEBC's Cabinets for the West Suffolk Six Point Plan for Jobs and Growth in February 2014, the West Suffolk Joint Growth Steering Group wished to amend its Terms of Reference to include reference to the monitoring of the Six Point Plan. Approval was given for this amendment by both Cabinets and the Group's Terms of Reference are now:

1. *To advise the Cabinets of Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) on:*
 - (a) *creating the conditions to encourage and support sustainable growth across the whole of the West Suffolk area;*
 - (b) *common planning policy affecting both districts; and*
 - (c) *monitoring the delivery of the West Suffolk Six Point Plan for Jobs and Growth.*

4.3.32 This Steering Group is still in its infancy, having met only twice since its inception in late 2012. However, its role is continuing to grow and develop, particularly given its close association with all three West Suffolk Strategic Priorities and its flexibility to be able to co-opt external representatives to assist it with specific issues, or to provide particular areas of expertise. In addition, all common West Suffolk planning policies across the two districts will eventually be developed via this Group (see paragraph 4.3.2 above).

4.3.33 The membership of the Steering Group comprises 6 Members from both Forest Heath District Council and St Edmundsbury Borough

Council, with 2 substitutes from each. The membership of the Group to be:

- Politically balanced (5 Conservatives / 1 Opposition Group)
- The Development Control Committee to be represented
- The Local Plan Working Group to be represented
- The Cabinet to be represented

4.3.34 The proposed Forest Heath District Council Members, on this Joint Steering Group for 2014/2015, based on the requirements set out in paragraph 4.3.33 above, are:

- 1. C J Barker**
- 2. W J Bishop**
- 3. D W Bowman**
- 4. R Dicker**
- 5. R D S Hood**
- 6. T J Huggan**

Substitutes:

- 1. W Hirst**
- 2. C Noble**

4.3.35 Joint Diversity Working Party

4.3.36 This informal Working Party was established with St Edmundsbury Borough Council in April/may 2013 to replace the pre-existing separate groups looking at equality and diversity issues. It will continue to be needed for the foreseeable future.

4.3.37 The membership of the Working Party comprises of 2 Members from both Forest Heath District Council and St Edmundsbury Borough Council, one of whom may be a Cabinet member, along with Officers from across both authorities.

4.3.38 The proposed Forest Heath District Council Members on this Working Party for 2014/2015 are:

- G Jaggard**
R J Millar (Cabinet Member)

5. Other options considered

5.1 Not to undertake an annual review. However, it is considered sensible to review the purpose and remit of the Cabinet's Working Group, Joint Committees/Panels, Steering Groups and Working Party to ensure they remain productive and in line with the Council's strategic priorities.

6. Community impact

6.1 **Crime and disorder impact** *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 Not applicable to this report.

6.2 **Diversity and equality impact** *(including the findings of the Equality Impact Assessment)*

6.2.1 Not applicable to this report.

6.3 **Sustainability impact** *(including completing a Sustainability Impact Assessment)*

6.3.1 No applicable to this report.

6.4 **Other impact** *(any other impacts affecting this report)*

6.4.1 Not applicable to this report.

7. **Consultation** *(what consultation has been undertaken, and what were the outcomes?)*

7.1 Consultation has been undertaken with the Joint Leadership Team, Portfolio Holder and other Cabinet Members.

8. **Financial and resource implications** *(including asset management implications)*

8.1 This review has been undertaken within existing resources. Any changes required as a result of this review will also be borne from existing budgets.

9. **Risk/opportunity assessment** *(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Opportunities for joint working are missed		Consider the creation of joint panels and working parties wherever possible.	Low
Duplication of effort between member bodies		Carry out an annual review of working parties, etc to ensure that they are all still relevant and adding value and do not cross over with the activities or other bodies e.g. scrutiny committees or task and finish groups.	Low
The number of meetings and reviews cannot be accommodated with available member and officer time and resources	High	Carry out an annual review to disband any groups no longer required, and to optimise frequency of meetings. Keep under constant review.	Medium

10. **Legal and policy implications**

10.1 The Constitution states that:

10.1.1 Article 7: paragraph 7.5:

The Cabinet may appoint any advisory bodies such as working groups, task groups or policy development groups it deems necessary, comprising any members of the Cabinet, other members or persons. These bodies cannot exercise Cabinet functions.

10.1.2 Article 11: paragraph 11.2:

11.2 Joint Arrangements

11.2.3 "... ...the Cabinet may only appoint Cabinet Members to a joint committee and those members need not reflect the political composition of the Council as a whole."

10.2 Recommendations emanating from the various Joint Committees/Panels, Working Groups, Steering Group and Working Party established by the Cabinet, may result in changes to policies adopted across the Council.

11. Ward(s) affected

11.1 All.

12. Background papers

12.1 FHDC Cabinet – 14 May 2013 – Report No CAB13/089 (Appointment of the Cabinet’s Working Group, Joint Committees, Joint Panels, Steering Groups and Working Party)

12.2 FHDC Cabinet – 15 October 2013 – Report No CAB13/115 (Review of the Cabinet’s working Group, Joint Committees/Panels, Steering Groups and Working Party following the District Council By-Election for the Exning Ward)

12.3 FHDC Cabinet – 18 February 2014 – Report No CAB14/136 (West Suffolk Six Point Plan for Jobs and Growth)

12.4 West Suffolk Joint Health and Safety Panel – 24 February 2014 - Report No E288 (Proposed Amendments to Terms of Reference)

13. Documents attached

13.1 None.