

Cabinet



Forest Heath
District Council

Title of Report:	Annual Review and Appointment of the Cabinet's Working Group, Joint Committees/Panels and Other Groups	
Report No:	CAB/FH/17/023	
Report to and date:	Cabinet	16 May 2017
Portfolio holder:	Councillor James Waters Leader of the Council Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
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Purpose of report:	<p>The Cabinet is requested to review the membership and Terms of Reference of its Working Group, Joint Committees/Panels and other Groups for the year 2017/2018.</p> <p>The existing Terms of Reference (ToR) for each body are contained in Appendices A to E inclusive.</p> <p>Recommendations are contained within appropriate Sections of this report and further summarised in the recommendations listed below.</p>	

Recommendation:

It is RECOMMENDED:

Current Cabinet Working Group: Forest Heath District Council Membership only

(1) That:

- (a) The Local Plan Working Group continues to operate at the present time in accordance with its current Terms of Reference, as detailed in Appendix A to Report No CAB/FH/17/023.**
- (b) The future direction of the Local Plan Working Group, as outlined in Section 1.2.2 of Report No CAB/FH/17/023, be noted.**

Current Joint Panels and Steering Group: Joint Membership with St Edmundsbury Borough Council

(2) That the West Suffolk Joint Growth Steering Group continues to operate in accordance with its amended Terms of Reference contained in Appendix B to Report No: CAB/FH/17/023.

(3) That:

- (a) The West Suffolk Joint Emergency Planning Panel be disbanded.**
- (b) Relevant updates be provided to all councillors on emergency planning matters via the intranet and e-mail as required, and to use normal Cabinet or scrutiny mechanisms to input to, and adopt, any work by the Suffolk Joint Emergency Planning Policy Panel.**

(4) That:

- (a) The West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate in accordance with their current Terms of Reference contained in Appendices D and E to Report No: CAB/FH/17/023 respectively.**
- (b) Periodical meetings of the Joint Panels continue to be scheduled as and when required, but with regard to the discussion outlined in Section 1.3.16.**

Political Balance

(5) That:

- (a) The Service Manager (Democratic Services) and Monitoring Officer be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, Members and Substitute Members to the Local Plan Working Group, West Suffolk Joint Growth Steering Group, West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel for 2017/2018, on the nominations of the Group Leaders.**

- (b) Such re-appointments/appointments be made on the basis of political balance requirements, where applicable and identified in Report No CAB/FH/17/023.**

Joint Committees: Anglia Revenues and Benefits Partnership Joint Committee

- (6) That the Service Manager (Democratic Services) and Monitoring Officer be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, one full Cabinet Member and two Substitute Cabinet Members to the Anglia Revenues and Benefits Partnership Joint Committee for 2017/2018, on the nomination of the Leader of the Council.**

Other Informal Working Groups

(7) That:

- (a) The Cabinet's existing informal Working Groups be retained as indicated in Section 1.6.2 of Report No: CAB/FH/17/023.**

- (b) Provided that resources are available to support them, further informal task-and-finish working groups continue to be established to consider specific issues as required throughout 2017/2018.**

Re-appointment of Representatives to Outside Bodies

- (8) The Members stated in Section 1.7.2 of Report No: CAB/FH/17/023 be re-appointed as 'Observers' to the respective outside bodies listed and to NOTE the Leader or ex-**

		officio appointments to the project or partnership groups listed in Section 1.7.3.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i>			
Consultation:		<ul style="list-style-type: none"> • Consultation has been undertaken with the Leadership Team, Portfolio Holders and other Cabinet Members. 	
Alternative option(s):		<ul style="list-style-type: none"> • Not to undertake a review. However it is considered sensible to review the purpose and remit of the Cabinet's Working Groups, Joint Committees/Panels and other Groups to ensure that they remain productive and in line with the Council's strategic priorities. 	
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> • The review has been undertaken within existing resources. Any changes required as a result of the review will also be borne from existing budgets. 	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • See Sections 1.1.1 and 1.1.2 below 	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Opportunities for joint working are missed	Medium	Consider the creation of joint committees, panels and working parties wherever possible.	Low
Duplication of effort between member bodies	Medium	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	Low

		other bodies eg scrutiny committees or task and finish groups.	
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
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Terms of Reference: <ul style="list-style-type: none"> • Appendix A – Local Plan Working Group • Appendix B – West Suffolk Joint Growth Steering Group • Appendix C – West Suffolk Joint Emergency Planning Panel • Appendix D – West Suffolk Joint Health and Safety Panel • Appendix E – West Suffolk Joint Staff Consultative Panel 	

1. Key issues and reasons for recommendation(s)

1.1 Background

1.1.1 Under Article 6 (The Cabinet) (paragraph 6.6.2) of the Council's Constitution, it states that:

"The Cabinet may carry out its functions:

d. by delegating power to a joint committee, area committee or another local authority".

1.1.2 Under Article 10 (Joint Arrangements and Working Groups) of the Council's Constitution, it states that:-

"10.2 Joint Arrangements

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

"10.3 Working Groups

10.3.1 The Council, Cabinet or Committees may appoint from time to time such working groups as they think fit, including joint working groups with St Edmundsbury Borough Council...."

1.1.3 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
- (b) Report to the Cabinet
 - Local Plan Working Group
 - West Suffolk Joint Emergency Planning Panel
 - West Suffolk Joint Health and Safety Panel
 - West Suffolk Joint Growth Steering Group
 - West Suffolk Joint Staff Consultative Panel
 - Other informal working groups, as detailed in Section 1.6 below

1.1.4 The Cabinet is requested to review the membership and the terms of reference for its Working Group, Joint Committees/Panels and other Groups for the year 2017/2018 as set out below.

1.2 Current Cabinet Working Group: District Council Membership only

1.2.1 The following Cabinet Working Group currently operates in accordance with Appendix A attached:

FHDC Working Group	Members	Terms of Reference
Local Plan Working Group <i>(Membership is appointed with regard to the political balance – see Section 1.4 below)</i>	9	Appendix A

1.2.2 As the Council’s Local Plan is not due to be adopted until the end of 2017, it is recommended that the Local Plan Working Group (LPWG) continues to remain in operation and meetings be arranged, if and when, substantive business dictates. Following adoption of the Local Plan it would then be the intention for the Working Group to be disbanded as its primary purpose would no longer be required.

1.2.3 Due to the diminished workload of the St Edmundsbury Borough Council’s (SEBC) Sustainable Development Working Party (SDWP), the SEBC Cabinet are being recommended that this Working Party be disbanded, as common joint growth objectives and developing of planning policies are already being taken through the West Suffolk Joint Growth Steering Group. It is also considered that this Steering Group should take on all of the current responsibilities of the SDWP and the LPWG (including the individual Council specific items such as Masterplans etc.) (see Sections 1.3.2 to 1.3.7 and Appendix B for proposed revised Terms of Reference for the West Suffolk Joint Growth Steering Group).

1.2.4 It is **RECOMMENDED** that:

(a) The Local Plan Working Group continues to operate at the present time in accordance with its current Terms of Reference, as detailed in Appendix A.

(b) The future direction of the Local Plan Working Group, as outlined in Section 1.2.2, be noted.

1.3 **Current Joint Panels and Steering Group: Joint Membership with St Edmundsbury Borough Council**

1.3.1 The following Joint Panels and Steering Group have been established with St Edmundsbury Borough Council:

Joint Panels and Steering Group	District Council Members	Substitutes	Terms of Reference
West Suffolk Joint Growth Steering Group <i>(Membership is appointed with regard to the political balance – see Section 1.4 below)</i>	6	2	Appendix B
West Suffolk Joint Emergency Planning Panel	4	1	Appendix C
West Suffolk Joint Health and Safety Panel	3	1	Appendix D
West Suffolk Joint Staff Consultative Panel	3	2	Appendix E

1.3.2 **West Suffolk Joint Growth Steering Group**

1.3.3 This Steering Group has further developed its role in 2016/2017, 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. Amongst other items, the following joint West Suffolk topics are currently scheduled for the Steering Group's future work programme in 2017/2018:

- Consideration of Government Consultations
- Monitoring delivery of the West Suffolk Six Point Plan for Jobs and Growth
- Progress update on Suffolk Planning and Infrastructure Framework (SPIF)
- Progress updates on highways, transport and other infrastructure proposals and aspirations
- Progress updates on emerging and adopted masterplans
- Progress updates on strategic developments
- Developer/Skills/Employer/Public Sector relationships and other partner collaborations on specific planning and growth projects
- Sector programme updates
- Progress updates on delivery of commercial/business land and premises
- Update on RAF Mildenhall/RAF Lakenheath
- Development of West Suffolk Local Plan

1.3.4 An example of the Group's role was when it considered the contents of the Government's Housing White Paper, 'Fixing our Broken Housing Market' in February and March 2017. The White Paper sets out a broad range of improvements that Government plans to introduce to help reform the housing market and increase the supply of new homes. In order to implement the vision set out in the White Paper, the Government is consulting on a range of changes to planning policy and legislation needed to implement the proposals. Consideration by the Steering Group on the strategic and operational impact of the proposals on West Suffolk provided a significant contribution to the Councils' response to this important consultation. The Group's input into the shaping of the consultation response was therefore of particular value.

1.3.5 In addition and to place further emphasis on the future significance of this Steering Group, it is expected that all common West Suffolk planning policies across the two districts will be developed via this Group with a view to creating a new West Suffolk Local Plan (see Section 1.2.3).

1.3.6 As it has been identified that the remit of the WSJGSG is developing in significance, the following other issues have been identified to be considered as part of this review:

- (a) membership of the WSJGSG, which as part of its existing Terms of Reference has regard to the political balance, to be appropriately reviewed by Group Leaders;
- (b) following consideration by the Steering Group, matters requiring a decision will be recommended to Cabinet (and Council, where appropriate) in the normal manner. Reports for information, the purpose of which will be to provide a brief summary to Cabinet of the outcomes from the Group, are also proposed to be included on the next available Cabinet agenda following each meeting of the Steering

Group;

- (c) for monitoring purposes, that future West Suffolk Joint Growth Steering Group agendas should include its Work Programme as a 'Standing Item';
- (d) the frequency of the meetings, to take into account the increased workload of the Group moving forward (see Section 1.3.2); and
- (e) the times/days of meetings (currently set at Tuesdays: 10.00 am) and whether to move these to late afternoon/early evening to take account of the public interest that this Group is expected to attract, moving forward.

Together with other amendments to reflect the proposed disbanding of the SEBC Sustainable Development Working Party and the FHDC Local Plan Working Group, the proposals outlined in (b), (c) and (d) above have been incorporated into its Terms of Reference, as shown in Appendix B attached.

1.3.7 It is **RECOMMENDED** that the **West Suffolk Joint Growth Steering Group continues to operate in accordance with its amended Terms of Reference contained in Appendix B.**

1.3.8 **West Suffolk Joint Emergency Planning Panel**

1.3.9 This Joint Panel considers matters relating to emergency planning policy and implementation, and has not met since February 2015. At the last of these reviews in 2016 it was specifically noted that, even on a bi-annual cycle, meetings of this Panel would not often be required and key information would be circulated electronically instead.

1.3.10 Emergency planning in Suffolk is co-ordinated by the Joint Emergency Planning Unit, which is funded by all eight local authorities. To support this arrangement there is also a Suffolk Joint Emergency Planning Policy Panel, which has the role to:

- Act as a link with each council's administration to allow joint debate of civil protection issues, both current and emerging, that affect Suffolk.
- Develop common approaches to civil protection strategy and policy, including elected member emergency preparedness training and exercising.
- Represent agreed changes in civil protection direction and policy, as appropriate, in each council's administrative process to embed/gain agreement for any change.
- Consider recommendations from Suffolk Policy Review activity on civil protection capability.
- Agree Suffolk civil protection inputs to any Local Area Agreement (or equivalent)

1.3.11 Membership of the Suffolk Panel comprises the lead councillor in each authority for emergency planning i.e. the Portfolio Holder. For this reason, it is now unusual for Suffolk councils to have their own local emergency planning meetings. However, it is also still recognised that engaging all 72

district councillors in West Suffolk on emergency planning is important and, for this reason:

1.3.12 It is **RECOMMENDED** that:

(1) the West Suffolk Joint Emergency Planning Panel, be disbanded; but

(2) relevant updates be provided to all councillors on emergency planning matters via the intranet and e-mail as required, and to use normal Cabinet or scrutiny mechanisms to input to, and adopt, any work by the Suffolk Joint Emergency Planning Policy Panel.

1.3.13 **West Suffolk Joint Health and Safety Panel and West Suffolk Joint Staff Consultative Panel**

1.3.14 It is suggested that the West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate to consider policy matters for recommending to Cabinet/Council for approval, in accordance with the remit of each Panel's Terms of Reference.

1.3.15 Where recommendations to Cabinet and/or Council are not required, the greater use of electronic means is exercised to keep Members informed of issues that would usually be noted by these Joint Panels. With greater emphasis now placed on Members' use of electronic devices, such information can be accessed more easily by e-mail, or within dedicated areas on the West Suffolk intranet. This practice has been exercised in previous years, however the importance of maintaining positive face-to-face engagement between employer (council) and employee (staff) representatives on both of these Panels is recognised.

1.3.16 It is therefore suggested that this arrangement continues to operate for 2017/2018. However, subject to the agreement of the relevant Chairman of each of the Joint Panels, this does not preclude Members suggesting that meetings be convened to discuss a specific topic that may arise from information provided electronically.

1.3.17 It is **RECOMMENDED** that:

(a) The West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel continue to operate in accordance with their current Terms of Reference contained in Appendices D and E respectively.

(b) Periodical meetings of the Joint Panels continue to be scheduled as and when required, but with regard to the discussion outlined in Section 1.3.16.

1.4 **Political Balance**

1.4.1 The formula for the allocation of seats to the political groups of the Council will not be approved until the Annual Meeting of Council on 10 May 2017. It

is therefore suggested that the allocation of seats to the Working Group/Steering Group that have historically been calculated with regard to the political balance be considered following this meeting and re-appointments/appointments made under delegation, as reflected in the following recommendation.

1.4.2 It is **RECOMMENDED** that:

- (a) **The Service Manager (Democratic Services) and Monitoring Officer be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, Members and Substitute Members to the Local Plan Working Group, West Suffolk Joint Growth Steering Group, West Suffolk Joint Health and Safety Panel and the West Suffolk Joint Staff Consultative Panel for 2017/2018, on the nominations of Group Leaders.**
- (b) **Such re-appointments/appointments be made on the basis of political balance requirements, where applicable and identified in Report No CAB/FH/17/023.**

1.5 **Joint Committees**

1.5.1 To comply with the Constitution, the Council's Joint Committees exercise executive functions on behalf of the Cabinet. Forest Heath District Council's membership of the Joint Committees indicated in Section 1.5.2 below is therefore required to comprise Cabinet Members:

Joint Committee	FHDC Full Members	FHDC Substitutes
Anglia Revenues and Benefits Partnership Joint Committee	1	2

1.5.2 **Anglia Revenues and Benefits Partnership Joint Committee**

Following agreement in December 2015 by each of the seven Councils represented on the Partnership (Forest Heath District Council, St Edmundsbury Borough Council, Breckland Council, East Cambridgeshire District Council, Fenland District Council, Suffolk Coastal District Council and Waveney District Council), the Anglia Revenues and Benefits Partnership Joint Committee now comprises one Member and two Substitutes appointed from each of the partner Councils represented, with the option for one of the Substitutes to attend and take part in debate (but not vote).

1.5.3 This has since had a positive impact on the functionality of the Joint Committee.

1.5.4 It is **RECOMMENDED** that **the Service Manager (Democratic Services) and Monitoring Officer be requested to exercise their existing delegated authority to re-appoint or appoint as applicable, one full Cabinet Member and two Substitute Cabinet Members to the Anglia Revenues and Benefits Partnership Joint Committee for 2017/2018, on the nomination of the Leader of the Council.**

1.6. **Other Informal Working Groups**

1.6.1 The Cabinet also sets up from time to time informal Member/Officer Working Groups to consider specific issues usually on a task-and-finish basis and often as joint groups with St Edmundsbury Borough Council. These groups make recommendations directly to Cabinet or the appropriate Committee in the form of reports and it is proposed that the practice of setting up such informal groups to look at specific issues should continue as required, provided there are resources available to support them.

1.6.2 In relation to the groups currently operating, the situation going into 2017/2018 is as follows:

- (a) **Joint Member Development Group:** This is a joint group with St Edmundsbury Borough Council which was established in December 2012 as an informal group to contribute to and support member development opportunities. It has met reasonably frequently in 2016/2017 and has recently been reviewing the current member development programme and exploring alternative means of delivery to encourage greater engagement. **Retain.**

1.6.3 It is **RECOMMENDED** that:

- (a) **The Cabinet's existing informal Working Groups be retained as indicated in Section 1.6.2.**
- (b) **Provided that resources are available to support them, further informal task-and-finish working groups continue to be established to consider specific issues as required throughout 2017/2018.**

1.7 **Re-appointment of representatives to outside bodies**

1.7.1 The Council is required by the Constitution at each Annual Meeting to:

- (1) Receive, or arrange the delegation of, nominations of Councillors to serve on any outside body for which a new appointment or re-appointment is required; and
- (2) Appoint to those outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.

1.7.2 Council has delegated the appointment or re-appointment of 'Observers' to the Cabinet. The following Members are currently appointed by the District Council as 'Observers' to the following outside bodies:

- (a) Home of Horseracing Trust: Councillor Andy Drummond (*supported by Councillor Chris Barker*)
- (b) National Horseracing Museum: Councillor Andy Drummond (*supported by Councillor Chris Barker*)

- 1.7.3 The Leader, or a substitute appointed by the Leader, also represents the Cabinet on the informal partnership group which examines the 'One Public Estate' programme in West Suffolk (the West Suffolk Property Board). This is an ex-officio appointment, as the partnership arrangements require the Leaders of St Edmundsbury Borough Council and Forest Heath District Council to attend.
- 1.7.4 Cabinet is **RECOMMENDED** to re-appoint the Members stated in Section 1.7.2 above, as 'Observers' to the respective outside bodies listed and to **NOTE THE** Leader or ex-officio appointments to the project or partnership groups listed in Section 1.7.3.