

Annual Review and Appointment of the Cabinet’s Joint Committee, Panel and Other Working Groups

Report number:	CAB/WS/22/030	
Report to and date:	Cabinet	21 June 2022
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Decisions Plan: The decision 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.

Wards impacted: All wards

Recommendations:

- 1. It is recommended that the Leader of the Council nominates:**
 - a. Councillor Sarah Broughton, Deputy Leader and Portfolio Holder for Resources and Property, to be re-appointed as the full member representing West Suffolk Council on the Anglia Revenues and Benefits Partnership Joint Committee in 2022 to 2023.**
 - b. Councillor Sara Mildmay-White, Portfolio Holder for Housing and Strategic Health, to be re-appointed as a substitute member representing West Suffolk Council on the Anglia Revenues and Benefits Partnership Joint Committee in 2022 to 2023.**
 - c. It be noted that on the nomination of the Leader of the Council, the Monitoring Officer may exercise their delegated authority to appoint appropriate Cabinet membership (full and substitute members) to the above joint committee during 2022 to 2023, as necessary.**

It is recommended that the Cabinet:

- 2.**
 - a. Continues to operate the Staff Consultative Panel in 2022 to 2023 in accordance with the Terms of Reference (ToR) contained in Appendix A to Report number: CAB/WS/22/030.**
 - b. Periodical meetings of the above Panel be scheduled as and when required but with regard to the discussion outlined in Section 2.2.2 of Report number: CAB/WS/22/030.**
- 3. Continues to operate the West Suffolk Grant Working Party in 2022 to 2023 in accordance with the ToR contained in Appendix B to Report number: CAB/WS/22/030.**
- 4. Continues to operate the West Suffolk Local Plan Working Group in 2022 to 2023 in accordance with the ToR contained in**

**Appendix C to Report number:
CAB/WS/22/030.**

- 5. It be noted that should it become necessary and on the nominations of Group Leaders, the Monitoring Officer may exercise their delegated authority to appoint appropriate membership (full and substitute members) to the above Panel, Working Party and Working Group during 2022 to 2023 in accordance with their Terms of Reference.**

- 6. Provided that resources are available to support them, informal task-and-finish working groups or taskforces be established to consider specific issues as required throughout 2022 to 2023.**

1. Context to this report

1.1 Under Article 6 (The Cabinet) (paragraph 6.5.2) 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".

1.2 Under Article 9 (Joint Arrangements and Working Groups) of the Council's Constitution, it states that:

"9.2 Joint Arrangements

9.2.3 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."

"9.3 Working Groups

9.3.1 The Council, Cabinet or Committees may appoint from time to time such Working Groups as they think fit. The Working Groups which have been appointed are identified in Part 3 of this Constitution."

1.3 The following joint committee, panel and other informal working 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**
 - Staff Consultative Panel
 - West Suffolk Grant Working Party
 - West Suffolk Local Plan Working Group
 - Other informal working groups / taskforces

1.4 The Cabinet is requested to review and appoint membership in accordance with the terms of reference for its joint committee, panel and other working groups for the year 2022 to 2023, as set out in section 2. below.

2. Joint committee, panel and other working groups

2.1 Anglia Revenues and Benefits Partnership Joint Committee

2.1.1 The Anglia Revenues and Benefits Partnership Joint Committee comprises membership of each of the councils represented on the partnership (West Suffolk Council, Breckland Council, East Cambridgeshire District Council,

Fenland District Council and East Suffolk Council). To comply with the Constitution, the Council's Joint Committee exercises executive functions on behalf of the Cabinet. West Suffolk Council's (WSC) current membership of the Joint Committee is indicated below and is required to comprise Cabinet members:

WSC full member (1)	Sarah Broughton
WSC substitutes (2)	Sara Mildmay-White Vacancy

2.1.2 The constitution, partnership agreement and terms of reference for the Anglia Revenues and Benefits Partnership Joint Committee was last fully reviewed and approved by the partner councils in January 2020. Due to the size of the document, it is **not** attached to this report, but can be viewed electronically at [CAB.WS.20.003 Appendix 1 - Review of the ARP Constitution.pdf \(westsuffolk.gov.uk\)](https://www.westsuffolk.gov.uk/CAB.WS.20.003%20Appendix%201%20-%20Review%20of%20the%20ARP%20Constitution.pdf)

2.1.3 The Anglia Revenues and Benefits Partnership Joint Committee continues to work effectively, with the member representation from each partner authority jointly managing the administration and performance of the five councils' respective statutory functions relating to the collection of council tax and non-domestic rates, and the payment of housing and other relevant benefits. It has also successfully administered and distributed payments for the COVID-19 related grant and relief support schemes; and most recently, the Council Tax Energy Rebate Scheme, on behalf of the partner authorities.

2.1.4 It is **recommended** that:

- 1. Councillor Sarah Broughton, Deputy Leader and Portfolio Holder for Resources and Property, be re-appointed as the full member representing West Suffolk Council on the Anglia Revenues and Benefits Partnership Joint Committee in 2022 to 2023.**
- 2. Councillor Sara Mildmay-White, Portfolio Holder for Housing and Strategic Health, be re-appointed as a substitute member representing West Suffolk Council on the Anglia Revenues and Benefits Partnership Joint Committee in 2022 to 2023.**
- 3. It be noted that on the nomination of the Leader of the Council, the Monitoring Officer may exercise their delegated authority to appoint appropriate Cabinet membership (full and substitute members) to the above joint committee during 2021 to 2022, as necessary.**

2.2 **Staff Consultative Panel**

- 2.2.1 The Staff Consultative Panel provides a positive environment through which to engage on the development of employment policies and practices. Some of the policies are referred to Cabinet or Council (as appropriate) to approve, whilst other papers are presented to the Panel to keep them informed on employment related matters within the Council. Panel members may also be consulted on / informed of items through e-mail notification.
- 2.2.2 Having regard to the political balance of the Council, the Panel was established in 2019 when adopting the Constitution for the new West Suffolk Council and is made up of councillors and representatives of the staff (usually through representatives from Unison, the Council's recognised staff union). The Panel has its own work programme, but additional items or meetings can be called on request. The terms of reference are attached as Appendix A.
- 2.2.3 Agendas and non-exempt papers are published on the West Suffolk Council website; however, as a non-decision making body, meetings are held informally and are not accessible to the public.
- 2.2.4 It is **recommended** that:
- 1. The Staff Consultative Panel continues to operate in 2022 to 2023 in accordance with the Terms of Reference (ToR) contained in Appendix A to Report number: CAB/WS/22/030.**
 - 2. Periodical meetings of the above Panel be scheduled as and when required but with regard to the discussion outlined in Section 2.2.2.**

2.3 **West Suffolk Grant Working Party**

- 2.3.1 Following implementation of transitional arrangements which were applied as part of the creation of West Suffolk Council, the Cabinet agreed on 10 September 2019, to establish the West Suffolk Grant Working Party (Report number: [CAB/WS/19/027](#) refers).
- 2.3.2 The primary function of the Grant Working Party is to consider applications to the Council's Community Chest grant fund and make recommendations to Cabinet on the level of funding (if any) that should be granted to applicants.
- 2.3.3 The Working Party is an informal non-decision making body that comprises seven councillors and respects the political balance of the Council. It primarily meets on three occasions a year to consider the Community Chest applications. Agenda papers and meetings are not accessible by the public; however, the Working Party's composite report and recommendations are

published when presented to the subsequent publicly accessible Cabinet meeting.

- 2.3.4 Due to the significant number and quality of applications received, difficult decisions often need to be made within the eligibility and selection criteria, and the budgetary constraints of the Community Chest fund. The Grant Working Party thoroughly considers the applications and effectively supports the Cabinet in making these decisions by providing the rationale behind their recommendations. The Portfolio Holder for Families and Communities who has the responsibility for the awarding of grants, is invited to attend each meeting of the Working Party to ensure the Cabinet remains closely involved in the process.
- 2.3.5 As they were previously contained in two separate documents, the opportunity has been taken to amalgamate the membership and governance arrangements for the Working Party with the existing terms of reference, as set out in Appendix B.
- 2.3.6 Without a Grant Working Party, an alternative mechanism would be needed to consider the Community Chest grant awards. This could take the form of a portfolio holder or officer-led process; or consideration by Cabinet. These options are not considered to be proportionate either in terms of the level of accountability involved, or the time needed to consider a large number of applications, respectively.
- 2.3.7 **It is recommended that the West Suffolk Grant Working Party continues to operate in 2022 to 2023 in accordance with the ToR contained in Appendix B to Report number: CAB/WS/22/030.**

2.4 **West Suffolk Local Plan Working Group**

- 2.4.1 On 16 March 2021, the Portfolio Holder for Local Plan Development and Delivery (now Planning) took the decision to establish a West Suffolk Local Plan Working Group. (Note, this decision was intended to be made collectively by the Cabinet during the height of the COVID-19 pandemic when all meetings were held virtually. However, due to technical issues which prevented the Cabinet agenda and livestream to the meeting being accessed by the public, the meeting had to be cancelled.)
- 2.4.2 The Working Group is an informal non-decision making body that comprises ten councillors and respects the political balance of the Council. Where possible, on the nominations of Group Leaders, representation is drawn across the geography of the West Suffolk district. Agenda papers and meetings are not accessible by the public; however, the Working Group's recommendations and the rationale behind them are published when presented to subsequent publicly accessible Cabinet meetings.

- 2.4.3 The terms of reference for the Local Plan Working Group are attached as Appendix C. These remain as agreed when the Group was established in 2021 other than minor amendments made as a result of in-year changes to the job titles for the portfolio holder and the director with the responsibility for the Group.
- 2.4.4 To help shape and form a leadership/political process to develop and progress the emerging West Suffolk Local Plan, the Working Group's primary function is to deal with the detail of policy development, monitoring and best practice covering the Local Plan preparation, public engagement, and responses to consultations.
- 2.4.5 The alternative option to continuing the operation of the Local Plan Working Group would be to test and refine site and policy options as well as draft policy and the Local Plan using Cabinet or Council, with the option for Overview and Scrutiny inspection. However, this is often a very detailed, technical task and can be more effectively undertaken by a small working group to explore options, key issues, and test policy/site options in detail. The continuing appointment of the Local Plan Working Group also allows members to lead and develop the Local Plan throughout its preparation process.
- 2.4.6 Under the chairmanship of the Portfolio Holder for Planning, the Working Group has satisfactorily operated during the 2021 to 2022 year and its work has helped to reach a significant milestone in the Local Plan development process. On 26 April 2022, the Preferred Issues and Options Consultation documents were presented to Cabinet for recommending to Council for approval on 17 May 2022. Subject to approval, consultation is planned to commence at the end of May 2022. All of the aforementioned steps have successfully accorded with the expected timescale for the entire process.
- 2.4.7 **It is recommended that the West Suffolk Local Plan Working Group continues to operate in 2022 to 2023 in accordance with the ToR contained in Appendix C to Report number: CAB/WS/22/030.**

2.5 **Delegated Authority**

- 2.5.1 During 2022 to 2023, there may be a requirement to change the current membership of each of the above bodies. The Constitution's scheme of delegation to officers already allows the Monitoring Officer to appoint to the various bodies of the Council on the nominations of Group Leaders.
- 2.5.2 **It should therefore be noted that should it become necessary and on the nominations of Group Leaders, the Monitoring Officer may exercise their delegated authority to appoint appropriate membership (full and substitute members) to the above Panel, Working Party and Working Group during 2022 to 2023 in accordance with their Terms of Reference.**

2.6 **Other informal working groups**

2.6.1 The Cabinet may also during 2022 to 2023 set up informal member/officer working groups to consider specific issues, which would usually be on a task-and-finish basis. Such groups would make recommendations directly to Cabinet or the appropriate committee in the form of reports. It is proposed that such groups or taskforces would be formed as required.

2.6.2 It is **recommended that provided that resources are available to support them, informal task-and-finish working groups or taskforces be established to consider specific issues as required throughout 2022 to 2023.**

3. **Alternative options that have been considered**

3.1 Not to undertake an annual review; however, it is prudent to do so to ensure the Cabinet's groups remain effective and fit-for-purpose.

4. **Consultation and engagement undertaken**

4.1 Appointments to the joint committee, panel and other working groups detailed in this report will be made on the nominations of the Leader of the Council and /or Group Leaders, as applicable.

5. **Risks associated with the proposals**

5.1 The Council could consider the creation of joint committees with partner authorities to maximise opportunities for joint working.

5.2 To avoid duplication of effort between member bodies, undertaking reviews of its working parties, panels etc is considered prudent to ensure they are still relevant, adding value and do not cross over with other activities or other bodies, for example scrutiny committees or task and finish groups.

5.3 To ensure meetings and reviews are accommodated with available member and officer time and resources, it is considered prudent to carry out reviews and disband any groups no longer required, and to optimise frequency of meetings.

6. **Implications arising from the proposals**

6.1 Financial implications:

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

Constitutional compliance:

See sections 1.1, 1.2 and 1.3 above.

7. Appendices referenced in this report

- 7.1 Appendix A – Staff Consultative Panel Terms of Reference
- Appendix B – West Suffolk Grant Working Party Terms of Reference
- Appendix C – West Suffolk Local Plan Working Group Terms of Reference

8. Background documents associated with this report

- 8.1 Cabinet: 14 January 2020 – Report number: [CAB/WS/20/003 Appendix 1](#)
Cabinet: 10 September 2020 – Report number: [CAB/WS/19/027](#)
Portfolio Holder Report: 16 March 2021 – Report number: [CAB/WS/21/015 Appendix A](#)