

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/15/025	
Report to and date:	Cabinet	2 June 2015
Portfolio holder:	Leader of the Council <i>(Appointment of the Leader of the Council to be confirmed at the Annual Council meeting on 27 May 2015)</i>	
Lead officers:	Fiona Osman Service Manager (Democratic Services and Elections) Tel: 01284 757105 Email: fiona.osman@westsuffolk.gov.uk	
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Purpose of report:	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 2015/2016. The existing Terms of Reference (ToR) for each body are contained in Appendices A to E inclusive. Recommendations are contained within appropriate Sections of this report and further summarised in the recommendations listed below.	

Recommendation:

It is RECOMMENDED:

(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/15/025.**
- (b) The Service Manager (Legal) be given delegated authority to appoint Members to the Local Plan Working Group, in line with the political balance requirements (see Section 1.4 below), on the basis of nominations from the Group Leaders.**
- (c) The future direction of the Local Plan Working Group, as outlined in Section 1.2.3 of Report No CAB/FH/15/025, be noted.**

(2) That:

- (a) The West Suffolk Joint Growth Steering Group, West Suffolk Joint Emergency Planning Panel, 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 B, C D and E to Report No CAB/FH/15/025 respectively.**
- (b) The Service Manager (Legal) be given delegated authority to appoint Members and Substitute Members to the Joint Panels and Steering Group, as set out in Section 1.3.1, on the basis of political balance requirements, where appropriate (see Section 1.4) and on the nominations from the Group Leaders.**
- (c) Meetings of the Joint Steering Group and Panels set out in Section 1.3.1 , continue to be scheduled as and when required, but with regard to the discussion outlined in Section 1.3.4.**

	<p>(3) That:</p> <p>(a) The Service Manager (Legal) be given delegated authority to appoint two full Members and one substitute Member to the Anglia Revenues and Benefits Partnership Joint Committee, on the nomination of the Leader of the Council.</p> <p>(b) The potential requirement to only have one full Member representative from each of the Councils represented on the Anglia Revenues and Benefits Partnership Joint Committee, as set out in Section 1.5.2 of Report No CAB/FH/15/025, be noted. Any required changes to the Council's representation on the Joint Committee be delegated to the Service Manager (Legal) and the Leader of the Council to action accordingly.</p> <p>(c) Following the adoption of the Joint Development Management Policies Document and subject to the approval of St Edmundsbury Borough Council, the Joint Development Management Policies Committee be disbanded, with any residual joint planning policy matters being taken through the West Suffolk Joint Growth Steering Group and Cabinet/Council.</p> <p>(4) That:</p> <p>(a) The Cabinet's existing informal Working Groups be retained as indicated in Section 1.6.2 of Report No CAB/FH/15/025.</p> <p>(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 2015/2016.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<p><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></p>	

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:			
Are there any financial implications? If yes, please give details	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. 		
Are there any staffing implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any ICT implications? If yes, please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any legal and/or policy implications? If yes, please give details	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See Section 1.4 below 		
Are there any equality implications? If yes, please give details	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 other bodies eg 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
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:	Appendices A to E inclusive: Terms of Reference

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
- Joint Development Management Policies 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
- 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 2015/2016 as set out below.

1.2 Current Working Groups and Panels: District Council Membership only

1.2.1 The following Cabinet Working Group currently operates in accordance with the 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 Documents (Core Strategy Single Issue Review (Policy CS7 Housing) and Site Specific Allocations) are not due for adoption until May 2017, it is recommended that the Local Plan Working Group continues to operate and meetings be arranged as substantive business dictates.
- 1.2.3 Following adoption of these Documents, it will be the intention to disband both the St Edmundsbury Borough Council's Sustainable Development Working Party (SDWP) and the Local Plan Working Group, as common joint planning policies would develop through the West Suffolk Joint Growth Steering Group, as a West Suffolk Local Plan, as previously agreed by both Cabinets (see Appendix A for Terms of Reference and Section 1.3.2 below).

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 to Report No CAB/FH/15/025.**
- (b) **The Service Manager (Legal) be given delegated authority to appoint Members to the Local Plan Working Group, in line with the political balance requirements (see Section 1.4 below), on the basis of nominations from the Group Leaders.**
- (c) **The future direction of the Local Plan Working Group, as outlined in Section 1.2.3 of Report No CAB/FH/15/025, 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**

This Steering Group continues to operate with its role developing, 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 Section 1.2.3 above).

1.3.3 West Suffolk Joint Emergency Planning Panel, West Suffolk Joint Health and Safety Panel and West Suffolk Joint Staff Consultative Panel

It is suggested that these Panels 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.

1.3.4 Where recommendations to Cabinet and/or Council are not required, it is suggested that 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, within dedicated areas on the new emerging intranet, or via the existing Members' News.

1.3.5 The meetings for the above Joint Steering Group and Panels are scheduled as and when required as substantive business dictates and it is being suggested that this arrangement continues to operate for 2015/2016. However, subject to the agreement of the relevant Chairman of each of the Joint Steering Groups and Joint Panels, this does not preclude Members suggesting that meetings be convened to discuss a specific topic that may arise from information provided electronically.

1.3.6 It is **RECOMMENDED** that:

(a) The West Suffolk Joint Growth Steering Group, West Suffolk Joint Emergency Planning Panel, 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 B, C, D and E to Report No CAB/FH/15/025 respectively.

(b) The Service Manager (Legal) be given delegated authority to appoint Members and Substitute Members to the Joint Panels and Steering Group, as set out in Section 1.3.1 above, on the basis of political balance requirements, where appropriate (see Section 1.4 below) and on the nominations from the Group Leaders.

(c) Meetings of the Joint Steering Group and Panels set out in Section 1.3.1, continue to be scheduled as and when required, but with regard to the discussion outlined in Section 1.3.4.

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 27 May 2015. 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 appointments made under delegation, as reflected in the recommendations set out in Sections 1.2.4 and

1.3.6 above.

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 Sections 1.5.2 and 1.5.3 below are therefore required to comprise Cabinet Members:

Joint Committee	FHDC Full Members	FHDC Substitutes
Anglia Revenues and Benefits Partnership Joint Committee	2	2
Joint Development Management Policies Committee	3	2

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

The membership of the Anglia Revenues and Benefits Partnership Joint Committee currently comprises two Members and two 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, Fenland District Council, Suffolk Coastal District Council and Waveney District Council). The Partnership has agreed that only one Substitute Member is now required to be appointed from each of the Councils represented on the Partnership. During 2015/2016, the Joint Committee may also decide to only have one Member representative from each of the Councils represented on the Partnership.

1.5.3 **Joint Development Management Policies Committee**

Adoption of the Joint Development Management Policies Document was undertaken by both Forest Heath District Council and St Edmundsbury Borough Council in February 2015, therefore, it is suggested that this Committee can now be disbanded, with any residual joint planning policy matters being taken through the West Suffolk Joint Growth Steering Group and Cabinet/Council.

- 1.5.4 It is **RECOMMENDED** that:

- (a) **The Service Manager (Legal) be given delegated authority to appoint two Full Members and one substitute Member to the Anglia Revenues and Benefits Partnership Joint Committee, on the nomination of the Leader of the Council.**
- (b) **The potential requirement to only have one full Member representative from each of the Councils represented on the Anglia Revenues and Benefits Partnership Joint Committee, as set out in Section 1.5.2 of Report No CAB/FH/15/025, be noted. Any required changes to the Council's representation on the Joint Committee be delegated to the Service Manager (Legal) and the Leader of the Council to action accordingly.**
- (c) **Following the adoption of the Joint Development Management Policies Document and subject to the approval of St Edmundsbury**

Borough Council, the Joint Development Management Policies Committee be disbanded, with any residual joint planning policy matters being taken through the West Suffolk Joint Growth Steering Group and Cabinet/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 2015/2016 is as follows:

- (a) **Joint Diversity Working Party:** 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. **Retain.**
- (b) **Joint Member Learning and 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 will continue to be needed for the foreseeable future. **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 of Report No CAB/FH/15/025.**
- (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 2015/2016.**