

<b>Cabinet Meeting</b>	
<b>Meeting Date</b>	12 February 2020
<b>Report Title</b>	Constitution review: Area Committees
<b>Cabinet Member</b>	Cllr Baldock, Deputy Leader and Cabinet Member for Planning
<b>SMT Lead</b>	David Clifford, Head of Policy, Communications and Customer Services
<b>Head of Service</b>	
<b>Lead Officer</b>	Sarah Porter, Interim Policy Manager
<b>Key Decision</b>	Yes
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<p>Cabinet is recommended to:</p> <ol style="list-style-type: none"> <li>1. <b>Note</b> the recommendations from PDRC.</li> <li>2. <b>Agree</b> the proposals for moving forward with area committees as laid out in this report.</li> <li>3. <b>Recommend</b> to Council that Special Responsibility Allowances for the chairmen of the new committees are funded by freezing the inflationary uplift on all Member allowances for 2020/21.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 Following the May elections a new coalition Cabinet formed and outlined their objectives for the next four year administration. One of these objectives was around a constitutional review – diffusing power among members and improving public engagement in decision making.

## 2 Background

- 2.1 In order to consider how to meet this administration priority, Cabinet made a number of suggestions to the Policy Development and Review Committee (PDRC) in July 2019. At this meeting it was agreed that PDRC would set up a working group to look at the possibility of setting up area committees.
- 2.2 Following extensive engagement both internally and externally, including with parish and town councils, the working group presented its findings to the PDRC meeting on 20 November 2019. At this meeting the PDRC discussed the findings and finalised their recommendations to Cabinet; this report can be found at Appendix I.

### **3 Proposals**

3.1 The PDRC working group and the results of the public consultation both showed a clear majority in favour of introducing area committees, albeit that the latter was established as a 'call for ideas' rather than as an opinion poll. As a result the report from PDRC recommends that Cabinet agree to set up area committees.

#### ***Number of committees***

3.2 The number of area committees was discussed at length at PDRC, with most of the discussion being around the potential inequity of the Sittingbourne area committee being too dominant in the three committee scenario that had been the working group's preferred option. There was a lot of discussion around which wards would sit under a 'Faversham' or 'Sittingbourne' area committee and clear indications from ward members about which area their ward should sit in.

3.3 The results of the public survey indicated that the preferred suggestion, from over half of the responses, was for four area committees. There were also questions over the rural and urban committees, with residents from some wards feeling more inclined to be classified as urban or rural and an acceptance that depending on where in a ward you lived you may feel like you were more urban or rural.

3.4 Considering the feedback from the PDRC meeting as well as the results of the resident survey it is recommended that the urban and rural names are dropped.

3.5 With this in mind the recommendation is that four area committees covering the following areas will be more equitable as well as being more in line with public aspirations:

- Eastern (Abbey; Boughton and Courtenay; East Downs; Priory; St Ann's; Teynham and Lynsted; and Watling)
- Sheppey (Minster Cliffs; Queenborough and Halfway; Sheerness; Sheppey Central; and Sheppey East)
- Sittingbourne (Chalkwell; Homewood; Kemsley; Milton Regis; Murston; and; Roman)
- Western (Bobbing; Iwade and Lower Halstow, Hartlip, Upchurch and Newington, Borden and Grove Park, Woodstock, West Downs; and The Meads)

#### ***Membership***

3.6 It is clear from legislation that any properly constituted decision-making committees of the council can only be made up of Swale borough councillors. Membership of each committee will therefore consist of those ward councillors with wards in the areas covered and they will be the only members with voting rights.

3.7 Additional people invited to attend as non-voting members will include MPs, County Councillors and Parish or Town Councils within that area. Local delivery

partners, for example Kent Police or Optivo, would be invited to attend whenever there is an agenda item that is of relevance, but would not be standing members of the committee. Local delivery partners could be co-opted onto any working group that the committee decides to establish.

- 3.8 The chairman and vice-chairman of the committee would be elected annually by the voting members of the committee and at the first meeting of the municipal year. It is suggested that the chair and vice chair be from different political groups as long as this is workable. It would also be expected for the chair and vice-chair to undertake chairing meetings training.

### ***Meetings***

- 3.9 It is recommended that there are four meetings a year. Both the PDRC working group suggested this frequency and the public survey responses indicated that over half of all respondents would be willing to attend an area committee meeting four times a year.
- 3.10 In order to enable enough time for public participation there was also a recommendation that came out of the PDRC report that suggests that committee meetings should be structured to allow that the first 30 minutes be set aside for public time, so that members of the public can speak to the committee. These 30 minutes would be bound by the standard rules for public participation at council meetings, but that the chairman would have discretion around whether to extend this time.

### ***Terms of reference***

- 3.11 It was agreed that all area committees should operate under the same terms of reference with the same delegated funds or powers. However, it was also established that, due to the differing needs of each area, they should all be able to develop their own agendas and programme of work. The terms of reference below assumes that some funding would be made available to the area committees. The suggestion was that this could come out of the special project fund that has been established.
- 3.12 The PDRC report suggested some draft terms of reference, these would need to be discussed, refined and agreed in draft by Cabinet before going to General Purposes Committee.
- To develop a work programme to enhance core services within the area.
  - To take spending decisions in relation to funding allocated to the committee.
  - To provide area intelligence to the Cabinet and heads of services and to assist with policy development on relevant matters.
  - To make recommendations to Cabinet on issues in the committee's area and to respond to any other specific matter referred to it by Cabinet, the council or

a senior council officer.

- 3.13 In order to support the committees' work it is recommended that each Member is allocated £4,000 of special project funding. This would equate to £188,000 of the special project fund per annum. This funding would only be allocated by the councillor with the agreement of the relevant area committee.

### ***Review***

- 3.14 It is recommended that the area committees be reviewed after a full year of meetings and will include a cost benefits analysis, which will include consideration of the level of public engagement and the work that the committee has undertaken. This review will also include the number of meetings held per year.

### ***Resource implications***

- 3.15 It is suggested that the Chairman should be paid a Special Responsibility Allowance (SRA) at 1/10<sup>th</sup> of the Leader. The Independent Members' Allowances Panel is due to sit in early March and that panel would make any recommendations on the SRA for this position based on the terms of reference as agreed by a General Purposes Committee which will have to meet after Cabinet has made a formal decision to make suggested changes to the constitution.
- 3.16 If the independent members' allowances panel suggests a 1/10<sup>th</sup> SRA, this would equate to approximately £7,722 across the four committees (based on the 2019/20 allowances). Funding for the Special Responsibility Allowance could be created by not paying the 2% inflationary uplift across the full range of member allowances for 2020/21. Cabinet is therefore recommended to recommend to Council, taking account of any views of the Independent Members' Allowances Panel, that Members' allowances are frozen at current levels for the next year.
- 3.17 Additional resources would also need to be considered in terms of administering and supporting the committees. The working group report suggested estimated costs in their report and these have been slightly amended these to reflect the change to four area committees

<b>Item</b>	<b>Cost (£)</b>
Venue hire - @ £100 x 4 meetings per year x 4 area committees	£1,600
Estimated staff costs for administration and agenda setting support £288 a day x 4 meetings x 4 committees	£4,608
<b>Total</b>	<b>£6,208</b>

This will be funded from within the existing base budget

- 3.18 The above staff costs only allow one democratic services officer and one policy level officer support for one day per meeting per area committee. It is difficult to estimate the full cost implications until the committees are set up and running.

Some area committees may be member led and sufficiently supported with this resource, others may require more officer support.

- 3.19 As suggested earlier in the report another, more costly, resource implication will be that of senior officer time. Consideration could be given to enabling more efficient use of senior officer time, such as daytime briefings in order to reduce the impact of this. At this point it is more difficult to estimate the amount of senior officer time that will be required, it could double the above amount.

## **4 Alternative Options**

- 4.1 Consideration could be given to not setting up area committees.
- 4.2 As a result of the rule whereby Members may not claim more than a single Special Responsibility Allowance, there is in effect a structural underspend built into the budget for Member allowances, which will remain in place as long as some Members continue to fulfil multiple SRA-attracting roles. The scale of this underspend is such that it could be used to fund SRAs for the four area committee chairmen without the need either to increase the overall budget or freeze Member allowances across the piece. (Recommendation 3 and paragraph 3.16 refer.)

## **5 Consultation Undertaken or Proposed**

- 5.1 A public survey was undertaken between 6 September and 1 November, in total we received 307 responses. The responses were discussed at the PDRC working group meetings and helped to inform both their report to PDRC and the final report from PDRC to Cabinet. The responses form part of Appendix I.
- 5.2 PDRC working group developed proposals and PDRC considered these at their meeting on 20 November, these have informed many of the recommendations contained within this report.

## **6 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	Introducing area committees will support the current objective 3.5 Continue to ensure that Swale's internal governance and decision making are second to none
Financial, Resource and Property	Implementing area committees will have financial implications. These are estimated under the resources section above. Any resource and funding will need to be considered as an additional cost for the 2020/2021 financial year and would also have to be considered in the revenue budget for 2021/2022 onwards.
Legal, Statutory	Implementation of area committees will require a change to the

and Procurement	constitution and agreement by council
Crime and Disorder	None identified at this stage
Environment and Sustainability	None identified at this stage
Health and Wellbeing	None identified at this stage
Risk Management and Health and Safety	None identified at this stage
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

## 7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: PDRC report to Cabinet on Area Committees

## 8 Background Papers

- [Area Committees report, PDRC, 17 July 2019](#)