

Council	
Meeting Date	26 May 2021
Report Title	Constitution amends: Cabinet advisory committees
Cabinet Member	Cllr Mike Baldock Deputy Leader and Cabinet Member for Planning
SMT Lead	David Clifford, as Monitoring Officer
Head of Service	
Lead Officer	
Key Decision	No
Classification	Open
Recommendations	Council is recommended to: 1. Adopt the changes to Part 3.2.1 of the council's constitution as set out in the report.

1 Purpose of Report and Executive Summary

- 1.1 This report recommends changes to the council's committee structure to give effect to the recommendations made by the policy development and review committee (PDR) with regard to the establishment of cabinet advisory committees.
- 1.2 The report recommends the deletion of the section of Part 3.2.1 of the constitution dealing with the PDR, and its replacement with a new section covering three new advisory committees.

2 Background

- 2.1 Objective 4.1 of the council's corporate plan is to 'Review the council's constitution to diffuse decision-making power more widely among elected members and improve the transparency, responsiveness and public accountability of that decision-making'.
- 2.2 A good start on this objective was made with the introduction of area committees for the 2020/21 civic year. During the winter of 2020/21, the cabinet requested the policy development and review committee to consider how the introduction of a system of cabinet advisory could best be made to work.
- 2.3 The committee formed a working group which produced a report, the recommendations of which were agreed by the committee and subsequently by the cabinet member. These recommendations are all reflected in the proposal below.

3 Proposals

- 3.1 In order to give effect to the PDRC recommendations, it is proposed to delete from the table which comprises Part 3.2.1 of the constitution (Responsibility for Functions – Committees) the row dealing with the PDRC, and to replace it with a new row covering the cabinet advisory committees as follows.

Committee

Cabinet Advisory Committees (three committees)

Membership

15 Members on each committee. Members may sit on more than one advisory committee. Membership not to include Cabinet Members. Deputy Cabinet Members may sit on the advisory committees, but not the one covering the portfolio area for which s/he is a Deputy Cabinet Member. Deputy Cabinet Members may not be chairmen of the advisory committees.

Functions

Three committees, with separate remits based on Cabinet portfolio responsibilities. Minor amendments by the Leader to Cabinet portfolio responsibilities will automatically be reflected in consequential amendments to the committees' remits. Cabinet portfolios to be divided between committees as follows:

- *Community, Economic Growth and Property Committee (covering the community portfolio and the economy and property portfolio)*
- *Environment, Health and Wellbeing Committee (covering the environment portfolio and the health and wellbeing portfolio)*
- *Policy, Finance and Housing Committee (covering the finance and housing portfolios, together with corporate and cross-cutting matters)*

Within their remits, the committees will give initial consideration to matters expected to be the subject of formal decisions by the Cabinet or a Cabinet Member and make recommendations to the Cabinet Member about such matters.

The committees will generally consider matters referred to them by Cabinet Members, but may take the initiative to consider any matter listed on the forward plan which falls within their remit.

When requested to do so by a Cabinet Member, the committees may conduct research or otherwise gather information in order to assist with the development of policies, strategies, procedures and initiatives.

The committees will receive concise written updates from cabinet members on current issues and matters of interest within their portfolios. The committees may invite Cabinet Members and officers to attend meetings to ensure that the committee is kept up to date on developments within the portfolio. However, the

committees are not scrutiny committees and their remit does not include holding Cabinet Members or officers to account.

Delegation of function
Not applicable.

4 Alternative Options

- 4.1 With some exceptions, it is for the council to determine the number, size and remit of its committees. The options to retain the current PDRC arrangement or to move away from any form of consultative committee are therefore both valid. However, the PDRC recommendation is that the model proposed above will work best in broadening the number of elected members who are involved in executive decision-making, in furtherance of the relevant corporate-plan objective.

5 Consultation Undertaken or Proposed

- 5.1 The general purposes committee considered this item at its meeting on 12 May. A number of important questions were raised and answered, following which the committee agreed unanimously to recommend the report to council.
- 5.2 The introduction of cabinet advisory committees is largely an internal matter for the council and no external consultation has been undertaken or is proposed regarding this report.

6 Implications

Issue	Implications
Corporate Plan	The proposal furthers the implementation of the council's fourth corporate-plan priority, 'Renewing local democracy and making the council fit for the future'.
Financial, Resource and Property	There is a slight increase in the number of meetings which the Democratic Services team will need to service, but when this is offset by the reduction in PDRC meetings, the net additionality, assuming each advisory committee meets quarterly, is six meetings per year. The team is confident that this can be managed within existing resources.
Legal, Statutory and Procurement	With some exceptions, it is for the council to determine the number, size and remit of its committees. The Local Government and Housing Act 1989 requires the council to allocate seats on all non-executive committees to political groups in a way which is broadly proportionate to the number of that group's seats on the council as a whole. The cabinet advisory committees will be politically balanced in this way.
Crime and Disorder	No specific implications identified at this stage.

Environment and Climate/Ecological Emergency	No specific implications identified at this stage.
Health and Wellbeing	No specific implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No specific implications identified at this stage.
Risk Management and Health and Safety	No specific implications identified at this stage.
Equality and Diversity	No specific implications identified at this stage.
Privacy and Data Protection	No specific implications identified at this stage.

7 Appendices

7.1 There are no appendices.

8 Background Papers

8.1 The PDRC report and recommendations can be accessed [here](#).