

## **COMMITTEE RESTRUCTURING**

<u>Report of the:</u>	Chief Executive
<u>Contact:</u>	Frances Rutter/Simon Young
<u>Urgent Decision?(yes/no)</u>	No
<u>If yes, reason urgent decision required:</u>	N/A
<u>Annexes/Appendices (attached):</u>	Committee Terms of Reference
<u>Other available papers (not attached):</u>	None stated

### **REPORT SUMMARY**

**This report sets out proposed changes to the Committee structure. The main changes comprise the replacement of the Social and Leisure Committees with a single Community & Well-being Committee, and modification of the terms of reference of certain committees.**

### **RECOMMENDATION (S)**

**That the Committee recommends to Council that:**

- (1) The Social Committee and Leisure Committee be disestablished with effect from the next municipal year;**
- (2) A new Community & Well-being Committee be established with effect from the next municipal year, comprising ten members;**
- (3) The Terms of Reference of Committees and Panels be amended as set out in the Annexe to this report.**

*Notes*

## **1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy**

- 1.1 The committee structure is part of the mechanism by which the Council can ensure that its core value of performing with openness and honesty is promoted and that decisions are made in accordance with the principles of good Corporate Governance and in the spirit of striving for continuous improvement.

## **2 Background**

- 2.1 As a result of the Local Government Act 2000 and following public consultation, the Council took the decision to adopt “alternative arrangements” comprising a “streamlined committee system”. A new Constitution was duly approved by the Secretary of State and adopted in September 2001.
- 2.2 Following the Localism Act 2011, the “alternative arrangements” of the sort adopted by the Council are now categorised as a “committee system” of governance. Under the committee system most significant decisions are taken by members in Committee. The Council’s current committee structure has been in place since May 2014.
- 2.3 At that time it was agreed that all committees, aside from the Planning Committee and Standards Committee, should comprise ten members. It was proposed that the number of members on the Planning Committee and Standards Committee should remain unchanged at thirteen and nine respectively. It was considered that ten was about the right number to facilitate discussion and decision-making at committees. This will remain unchanged. The Council’s various Panels have different membership and will remain unchanged.

## **3 Proposals**

- 3.1 It has been proposed by members that the Council should effectively merge the Leisure and Social Committees into a single new policy committee, to be called the “Community & Well-being Committee”.
- 3.2 In order to facilitate the business currently handled by committees, it has also been proposed that the terms of reference of the policy committees be adjusted slightly, as set out in the Annexe to this report.
- 3.3 Certain other changes have been proposed, but are not covered in this report. If they are to proceed, they will be subject to a separate report at a later date.
- 3.4 It is not proposed that any changes be made to the membership of any other committees. In accordance with the previous decision of the Council that policy committees should comprise ten members, it is proposed that the new Community & Well-being committee will have ten members.
- 3.5 The changes will result in there being 62 seats for members on ordinary committees and 57 seats on the other committees and panels. The reduction in 10 seats on the ordinary committees should not lead to any disenfranchisement, as there remain a significant number of seats to fill on committees and panels, sufficient to involve all members.

- 3.6 The full implications of the changes will be considered by Council in the normal way at the Annual Meeting. However, it is likely to be the case that of the ten members on the new committee, eight should be from the Residents' Association Group, with one Conservative and one Labour member.

#### **4 Financial and Manpower Implications**

- 4.1 There are no manpower implications arising from the recommendations in this report. The Democratic Services team has recently reduced in number and the modest changes to the committee structure do not present any opportunity to make further savings. However, there would potentially be a modest saving in terms of overheads as a result of a reduction in the number of evenings the facilities would be required to be open (assuming that the new Committee would meet with the same regularity as the other policy committees).
- 4.2 **Chief Finance Officer's comments:** The reduction in the number of committees presents the opportunity for a small direct saving in respect of the allowance payable to a policy committee chairman (£2338.95 in 2015/16).

#### **5 Legal Implications (including implications for matters relating to equality)**

- 5.1 The Council has the power under section 101 of the Local Government Act 1972 to arrange for the discharge of its functions, including to committees and officers. Under section 102(1) the Council has the power to appoint committees to discharge the functions under arrangements made under section 101. There are also specific statutory requirements for committees to discharge specific functions, such as the requirement for a licensing committee arising from the Licensing Act 2003. Under section 102(4) the Council has the power to appoint advisory committees, and the Council's panels are appointed under that power.
- 5.2 Under the Local Government Act 2000, as amended in particular by the Localism Act 2011, an authority operating a committee system may, but does not have to, appoint a scrutiny committee. If a scrutiny committee is appointed, it must have the power to review or scrutinise decisions taken in connection with the discharge of any functions of the authority, to make reports or recommendations with respect to the discharge of any functions of the authority and to make reports or recommendations on matters which affect the area or its inhabitants. A scrutiny committee cannot discharge any functions other than these – so a scrutiny committee cannot itself be responsible for the discharge of specific functions.
- 5.3 Under section 19 of the Police & Justice Act 2006, the Council must have a crime and disorder committee. In the case of an authority operating a committee system which has chosen to have a scrutiny committee, the crime & disorder committee is to be a scrutiny committee. Its functions are to review or scrutinise the discharge of crime and disorder functions of certain responsible authorities (principally the police and local authorities),

and to make reports or recommendations with respect to the discharge of those crime and disorder functions. As with other scrutiny committees, it cannot itself be responsible for the discharge of any crime and disorder functions.

5.4 The allocation of seats on the proposed committees will be the subject of further consultation with Group Leaders and will form part of the report to Annual Council regarding the allocation of seats on committees. Seats on committees must be allocated to groups in accordance with the political balance principles set out in the Local Government and Housing Act 1989.

5.5 Amendment of the Constitution will be required should the changes proposed be implemented.

5.6 ***Monitoring Officer's comments:*** The proposed changes are in accordance with the legislative requirements set out above.

## **6 Sustainability Policy and Community Safety Implications**

6.1 There are no implications arising from this report.

## **7 Partnerships**

7.1 There are no implications arising from this report.

## **8 Risk Assessment**

8.1 In considering any future arrangements, the Council must have regard to the relevant legislative requirements. It is not considered that any significant risks arise as a result of the proposals in this report.

## **9 Conclusion and Recommendations**

9.1 Subject to statutory provisions, and consideration of practical requirements, the committee structure is a matter for members to determine. In a committee system authority the size of Epsom and Ewell, the number of committees is a significant consideration. The proposals in this report provide an opportunity to consider the current committee arrangements and the means by which to best discharge the Council's responsibilities.

9.2 The Committee is asked to consider the proposals set out in this report and to make its recommendations to Council accordingly.

**WARD(S) AFFECTED: N/A**