

REPORT AND RECOMMENDATIONS ON POSSIBLE CHANGES TO COMMITTEE STRUCTURE

This report sets out the changes to the Council's committee system and clerking arrangements approved by the Council at the Annual General Meeting held on 25 May 2011. While the proposed arrangements are intended to respond to events and developments over the last 12 months, the aim is to create a practical and cost-effective system to take the Council forward in the next few years. The report concludes with a brief discussion of minor amendments to standing orders.

Members considered each item in turn and agreed the action to be taken in respect of the body in question as set out in bold type.

i. Planning, Contract & Works Committee

It was agreed that the remit of the Committee be amended (i) to make more specific reference to review of the performance of the Council's service level agreements (ii) to make detailed recommendations regarding works and contracts (iii) to have oversight of the work of monitoring / inspection in respect of Council assets, facilities and services provided under SLAs, and carried out by the Council's officers in concert with councillors.

There is a possible debate over the level of funding delegated to the Committee. On the basis that this would benefit the decision-making process - should the funding maximum remain at £2,500 or be increased to £3,000 or £5,000? **The Council agreed to hold the level of delegated funding at the level of £2,500 per item.**

Clerking: It is proposed that the Executive Officer continues to clerk this Committee, owing to technical nature of the work (NCC service delivery, SLAs, tenders for works, planning, Kimberly Park etc) for which this officer is largely responsible, and where work will be ongoing over the next few years as the Council's service delivery responsibilities stand to increase significantly. However the Administrator may clerk these meetings on certain occasions.

Note – Monitoring / Inspection: There has been regular discussion among members regarding the need to ensure that the Council's facilities, services and assets are up-to-standard and that decisions taken by the Council are fully and properly carried out 'on the ground'. It is proposed that, subject to schedules for inspections approved by this Committee, the required monitoring and inspection processes are in the main performed by the Executive Officer and the Administrator, in accordance with the content of each SLA and / or contract for works, with reports made to the Planning Contract & Works Committee and to other relevant committees / working groups as necessary. Performance can be also reported to the Ordinary Meeting as and when required, and in any event when SLAs are presented for review towards the end of each business year. The Council's officers will also be able to record and report the amount of staff time taken up with what is likely to become an increasingly significant commitment in both time and money as the Council assumes responsibility for a wider range of local services and seeks to increase their efficiency and their delivery of value for money.

ii. Cemetery Working Group

Was agreed that this body be renamed the *Cemetery and Memorial Sub-Committee*, with advisory status, reporting in the first instance to the Planning Contract & Works Committee. As the Council owns the Cemeteries and is the burial authority for Prudhoe & Mickley, the

responsibility for the Cemeteries is a considerable one, requiring the oversight of a standing body of the Council for the years to come.

It was agreed that the Sub-Committee should be constituted as meeting at least once a quarter.

Following the resignation of Cllr J Harris from the Council, the membership needs to be augmented, with provision for co-opted representation from the Royal British Legion on any discussions and recommendations concerning the Lych Gate and other Council work on remembrance / memorial issues.

Clerking: It is proposed that the Executive Officer continues to clerk this sub-committee at least on the majority of occasions, on the basis that he remains responsible for the legal and technical aspects of the work of administering the Cemeteries on the Council's behalf.

Work Programme: the remit for 2011-12 should include (i) supervision of the production and submission of a maintenance plan to English Heritage in respect of the Lych Gate at the parish church, as this is an ongoing condition of the grant received for completed works to that structure (ii) revision of cemetery fees. The previous revision took place in 2009 and the Council agreed that the fees should be re-assessed take place in 2011 (iii) works, including those to the fabric of cemetery buildings (ongoing), seats, access roadways, operation of SLA (monitoring and modifications), memorial safety and the administration of the licensing scheme for memorial masons, security fencing, and drainage issues affecting the cemetery as a whole. For this and all prospectuses targets should be set, relating (1) to the budgeted expenditure for the current year (2) to plans for the next year, forming the basis of the budget to be planned for that year.

The Council agreed to approve the work programme as specified above.

iii. Christmas Lights Committee

It was agreed that the body be renamed the *Town Events Committee*. The Committee will be an advisory sub-committee reporting to the Planning Contract & Works Committee. It will be constituted as meeting as and when required, although there will be occasion for additional meetings when organising events etc.

Remit of Committee: (i) Christmas Lights: tender specifications for SLA / contract, monitoring/review contractor performance, condition of lights / displays, and recommendations for changes to displays (ii) oversight of community power supply and letting of supply for events (iii) Events, including Christmas Lights switch-on and Highfield Fest (oversight and liaison with PCP, Youth Forum, NCC, volunteers) (iv) development and promotion of other town events and markets in partnership with other interested organisations on behalf of the town.

The Council agreed to approve the remit for the Committee as specified above.

Clerking: It is proposed that the Executive Officer continues to be responsible for clerking meetings of the Committee in respect of the Christmas Lights (apart from the switch-on), while the Administrator takes responsibility for the remainder of the Sub-Committee's work. At this stage the markets issue is a strategic one and the commitment in terms of staff resources is unknown.

iv. Allotment Management Liaison Meeting

The meetings of representatives of the Council with those of the Prudhoe Gardeners' Association (PGA) take place twice a year. Most of the practical work and liaison is now undertaken by the Allotments Officer (see below). The meeting will mainly discuss strategic and long term issues.

EXTRAORDINARY MEETING – 24TH OCTOBER 2018

AGENDA 3, a Enc i)

Composition: Invitees to include the Chair, Vice-Chair, Chair of Planning Contract & Works and any councillor who wishes to be involved.

Clerking: It is proposed that this meeting be clerked by the Executive Officer in his capacity as Allotments Officer.

It is suggested that, as would be expected, regular informal liaison between the Council and the PGA has proved to be constructive and effective, and it is proposed that the relationship continue in this manner. The liaison meetings are proposed to continue to operate in the same manner as the Civic & Community Forum was envisaged, ie as a 'meeting' rather than a 'working group' or committee. The regular contact with the Gardeners each month now includes budget updates supplied by the Council to the Gardeners, while in return the Gardeners supply a summary report of matters discussed at their committee meeting for receipt in 'Reports from Outside Bodies' at the Ordinary Meeting. It is strongly recommended that this, rather than the appointment of an 'observer' to sit on the Committee, represents the best way for the Council to achieve the twin objectives of oversight of, and devolution of responsibility to, the Gardeners Association.

Remit of liaison meeting: (i) delineation / demarcation of responsibilities as between the Council and the PGA, and the terms and functioning of the Management Agreement between the bodies (ii) investment (water supply & monitoring of consumption, notice boards, security, safe access etc), linking to the development and implementation of an Allotment Strategy. The meeting would also be the proper forum for discussion of substantive issues concerning health and safety (including risk assessments) and inspections of allotments, and also the Minor Works Fund and finance generally.

The Council agreed to approve the arrangements as set out above in respect of the Council's allotments.

v. Kimberly Park Working Group

The Council agreed that this body continue as a *Working Group of the Council* (members Cllrs Mrs J McGee, Mrs E Burt, and A Gill). In this form the group may be time limited (probably up to and including the pre-programmed review of matters arising under the lease in 2011, or until new arrangements are put in place). The Group will meet as and when required. The Council will need to give more detailed consideration to legal issues, future investment, community involvement and management of the facilities, all of which require detailed analysis and discussion.

Clerking: It is proposed that this Group continue to be clerked by the Executive Officer.

vi. Prudhoe in Bloom Sub-Committee

The Council agreed that the Prudhoe in Bloom Working Group become a *Standing Advisory Sub-Committee of the Planning Contract & Works Committee*.

At present the remit of the Working Group is to discuss and carry forward arrangements relating to the town's annual entry in the Northumbria in Bloom competition. The town's own 'in Bloom' competitions, the children's art competition and the gardens competition, are run directly by the Town Council. In future, the remit of the Group could be affected by the increased role and financial responsibility of the Town Council in respect of environmental and street scene services, in which the work of volunteers could be of great importance, at a time when (1) the Town Council wishes to consult with residents about possible changes in service delivery and (2) community

participation could help mitigate the decreased levels of money available for spending on the environment and street scene services, at the same time as increasing the town's sense of 'ownership' of the way it looks.

As a working group, the body has no spending powers. The Group could be constituted as a standing sub-committee with delegated financial powers. In such a case, Arnold-Baker, *Local Council Administration*, makes it clear that non-Council members of such a committee could take part in debates but would have no vote either on financial or other issues. Alternatively, the group could be constituted as an advisory sub-committee, empowered only to discuss, report and make recommendations, in which case the issue of voting would be less problematic.

If volunteers were to be encouraged to serve, they might be discouraged from doing so if (and only if) voting became an issue and the rules governing voting on committees and sub-committees with financial powers were applied - as they must be. On the other hand, the impending transfer of significant responsibilities (both financial and therefore also service delivery) in the environment and street scene areas, means that the Town Council is could be asked to commit substantial additional monies to what was previously a shared venture with a greater financial commitment to environmental services from the County Council. In future, the Town Council might expect to have greater influence over decision-making in this field owing to this increased financial sway.

A possible solution could be for volunteers coming forward to be co-opted to an advisory sub-committee with representatives of the Town Council, the Community Partnership, the County Council and other partner organisations, with strategic issues including expenditure reserved for the Planning Contract & Works Committee in a more formal way than before. The advisory Committee could play a significant 'community representation' role in any direction that was taken in the 'blooming' of the town, whether as part of or distinct from the Northumbria in Bloom competition. There also appears to be considerable scope for expansion in both the scope of, and level of participation in the town's internal art and garden competitions: the sub-Committee could play a significant role in developing the format of these competitions and in encouraging residents' participation in them.

The Council agreed that the Sub-Committee be constituted as set out in the paragraph above.

Clerking: It is proposed that the Administrator continues to clerk this body in whatever form it is agreed to be constituted.

vii. Young People's Forum and Youth Service Performance Meeting

The Council agreed that the Young People's Forum constitutionally become a *Standing Advisory Committee of the Council* in light of changes to the County Youth Service and the bigger role anticipated for the Town Council. It remains known as the Young People's Forum, and functions as before.

The Forum will continue to fulfil its primary purpose of bringing together young people with the organisations involved in the provision of services for young people and support for this work. While the County Youth Service will report to this meeting, the interests of the principal town-based funding organisations suggest that formal monitoring / reporting of service provision be carried out separately. It is suggested that an appropriate mechanism could bring together interested councillors with the trustees of the Youth Charity Shop (Cllrs G McCreedy and W Garrett), with attendance by representatives from the County Youth Service as required. Given the

EXTRAORDINARY MEETING – 24TH OCTOBER 2018

AGENDA 3, a Enc i)

financial support provided for the youth service from within the town, such a 'meeting' could also work on behalf of the town to develop a longer term strategy for the future of the youth service in Prudhoe, working with the County Youth Service / other service providers as appropriate. This mechanism would not be formally constituted, but would meet as necessary at agreed times during the year, reporting to the Ordinary Meeting, and making recommendations regarding the future provision of the youth service within the town. **The Council agreed to approve the informal 'meeting' arrangement as described above.**

Clerking: it is proposed that the County Youth Service continues to clerk the Young People's Forum; while the Performance Meeting is clerked by the Executive Officer.

Agendas for the Young People's Forum will continue to be drawn up by the County Youth Service in consultation with the Town Council, other partners and young people.

The composition of the Forum will remain that same as will the meeting timetable. However the Forum will continue to make strenuous efforts to include young people and endeavour to operate in a way that will encourage young people to get and stay involved.

viii. Personnel Committee

The role of the Committee is as follows: making recommendations to Council regarding staff appointment and remuneration; approval of employee job descriptions and terms and conditions of employment; employee appraisals; staff recruitment, including interviews; internal disciplinary and grievance matters; complaints made to the Council; matters pertaining to the administration of the Council's Notification Procedures with regard to the Councillors' Code of Conduct; monitoring compliance by the Council with employment law, including equality legislation; monitoring compliance by the Council with Health & Safety legislation; training and professional development of officers and councillors; staffing matters. The Committee meets as and when required, though it is listed as holding two meetings a year.

The Council agreed to approve the existing remit of this Committee as set out in the separate document supplied as part of this agenda item.

Clerking: it is proposed that the Executive Officer clerks this committee, except where matters under discussion relate to staff pay or staffing matters.

x. Prudhoe Civic and Community Forum

The long term future of the Forum is under consideration and is not considered in this agenda item. It is possible that the Town Council will take the Forum forward in some form, with meetings perhaps scheduled in response to 'demand' as and when important issues arise requiring public discussion. Though the Council manages the funds for the continued existence of the Forum, the Council is clear that the Forum is the residents' forum, with the Council acting as host and facilitator.

Clerking: It is proposed that the Administrator continues this meeting as before.

xi. Prudhoe Neighbourhood Management Group

This is an ‘independent’ Group for which the Town Council will now be responsible for hosting on a quarterly basis. The Group is responsible for co-ordinating the activities and responses of various organisations working in Prudhoe and Mickley.

The Council has agreed to host this meeting on the basis that it will review its commitment after 12 months. The Executive Officer has clerked the sole meeting of the ‘Neighbourhood’ group held under the Town Council’s auspices. As stated above, the Council has undertaken to take notes of meetings and send out agendas / notes: any other actions are the responsibility of participating organisations.

xii. Other Groups

Other ad-hoc Groups will need to be established to deal with specific council business and unexpected issues that may arise. It is proposed that such Groups are kept to a *minimum* and where possible reported on by members, supported if necessary by the Council’s digital recorder.

3. Delegated powers

It has been custom and practice of the Town Council to ‘delegate’ the specifics of a decision to the Chairman in order to cover contingencies such as when urgent decisions need to be made between meetings or during the Council ‘holiday period’ in August.

Reference to NALC’s Local Councils’ Constitutional Guide (2010) and the Council’s Financial Regulations makes it clear that no member of the Council can be given a ‘personal’ delegated power in this way. Only the Clerk (in the Town Council’s case the Executive Officer) is permitted to take delegated decisions on behalf of the Council.

As a result, in the future the Council will have to be specific and ensure that any delegated decision-making power is assigned to the Executive Officer (EO). However in practice this change should have little real impact as it is expected that the EO will undertake any delegated decision / action in consultation with the Chairman, reporting on the exercise of this function to the Ordinary Meeting.

Nevertheless in the final analysis, the EO remains accountable in law and to the Council, so their role in taking the final decision must be respected by the Council. It will also be important in the future that the Council takes considerable care when delegating decision-making and sets clear and carefully defined parameters to guide the actions of the EO to avoid conflicting or difficult situations from arising.

Councillor Glenn Simpson, Vice-Chair
Richard Whinney, Executive Officer

May 2011