

**The Committees, Sub-Committees and Working Groups of Prudhoe Town Council; is the structure working?**

## 1. Introduction

The intention of this short report is to focus on the structure of the council in respect of committees, sub-committees and working groups and to challenge the current situation with a view to evaluating how we work and if it remains 'fit for purpose'.

There have been a growing number of additional meetings for committees, sub-committees and working groups over the years as Prudhoe Town Council has expanded its responsibilities and aspirations. The report will include each of the current nine groups<sup>1</sup> of the council.

More recently these have been considered burdensome, ineffective and repetitive by some and at a recent NALC training event<sup>2</sup> it was recommended that it would be advantageous to review how the council takes decisions.

The report will draw on the observations of the clerk, compare structures with 'like' councils and reference information from Stephen Rickett (CEO NALC) and will present the council with options for consideration.

## 2. The difference between a Committee, Sub-Committee and Working Group

2.1 "Unless a statutory prohibition applies the performance of the statutory powers and functions, and related work, of a local council, can be delegated to a committee or a sub-committee. A sub-committee is a committee appointed by a committee. A council does not have to appoint committees."<sup>3</sup>

2.2 Generally a committee has delegated the power to carry out specific work of the council and work within set terms of reference, however, legal responsibility remains with the council and the council is not prevented from carrying out the work itself. The Planning, Contract and Works Committee is the only committee of Prudhoe Town Council with delegated powers; where items are within its remit, recommendations do not have to come back to full council.

2.3 A committee may also be appointed to advise the council on matters and to make recommendations; an advisory committee would not take decisions. All other committees of Prudhoe Town Council are advisory committees; they research, consider and report back to full council.

2.4 A committee can appoint a sub-committee which would only ever be an advisory committee, reporting back to the appointing committee.

2.5 The advice of Stephen Rickett (CEO NALC) is that if a committee is made up of councillors, discussing council business, that statutory provisions should apply, whereby there is at least three clear days' public notice and the public have a right to attend (unless the business is declared confidential).

2.6 The minutes or report of a committee or sub-committee should be brought to the attention of the next meeting of the appointing body; therefore meetings should be scheduled to allow this.

<sup>1</sup> Allotment Management Liaison, Civic and Community Forum and Prudhoe Neighbourhood Management are not included as these are meetings rather than committee/groups.

<sup>2</sup> Training delivered by Stephen Rickett (CEO NALC, 18<sup>th</sup> July 2018)

<sup>3</sup> Local Councils Explained, Meera Tharmarajah, 2013, p119

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2.7 “A group of councillors and staff working together on council business is not a committee. The inclusion of staff means does not meet the statutory definition of a committee.”<sup>4</sup>

2.8 The above definition is very distinct, the only other non-committee, i.e. ‘working group’, would be where councillors work together informally, possibly with members of the public and they have not been formally appointed to do so by the council.

2.9 All of the nine groups included in the report have been formally appointed by the council and should, therefore, be considered committees or sub-committees and subject to statutory provisions where meetings and reporting are concerned.

### **3. The advantages of a committee structure**

3.1 Committees and sub-committees can be appointed in accordance with the organisational needs of the council and work on behalf of the council.

3.2 Committees and sub-committees with fully delegated powers can speed up the council’s decision-making process. Without them the full council meeting would need to take all decisions not delegated to staff and meetings may overly burden a councillor’s time.

3.3 Advisory committees and sub-committees can save the council time by allowing specifically set up groups to consider certain business more fully and make recommendations to the council.

3.4 Committees and sub-committees can include non-councillors with special skills and can also appoint councillors with the required skills and knowledge on the most appropriate committee.

3.4 When committees and sub-committees are no longer required, they can be dissolved easily.

### **4. The disadvantages of a committee structure**

4.1 Sub-committees and advisory committees that have no delegated power can have recommendations challenged by the council (which they are free to do) this negates the speed of decision-making and can cause conflict.

4.2 The decisions of committees with delegated powers can also be challenged by the council; this undermines the appointment of the committee.

4.3 There may not be the required number of councillors willing to be appointed to committees or sub-committees or councillors with the required skills.

4.4 Committee and sub-committee membership may fall to the same councillors resulting in an unfair distribution of work and responsibility.

4.5 The staffing resource required supporting the work of committees and sub-committees can be time-consuming.

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<sup>4</sup> Local Councils Explained, Meera Tharmarajah, 2013, p130

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## 5. The Committee Structure of other 'like' councils

	Members	Budget	Precept	Electorate	No. of Committees	Members on Committees (range)
<b>Prudhoe</b>	15	£343k	£311k	8,794	9	3 - 10
<b>Hexham</b>	14	£558k	£318k	9,898	4	7 - 9
<b>Berwick</b>	16	£362k	£251k	9,965	4	6 - 8
<b>Alnwick</b>	18	£293k	£267	7,753	4	8 - 13
<b>Ponteland</b>	12	£418k	£404k	13,971	4	6 - 7

### 5.1 Hexham Town Council<sup>5</sup>

5.1.1 As well as having a Town Plan Committee, Hexham TC has a quarterly Community Engagement Committee (9 members) that deals with all events related business, remembrance and 'In Bloom'. The committee has delegated powers to take decisions and to spend the budget allocated to its purpose by the council.

5.1.2 The Planning and Infrastructure Committee (7 members) of Hexham TC is similar to our Planning, Contracts and Works Committee in that it hears planning applications and all matters relating to the physical assets of the council, including cemetery, allotments, seats, bin, etc. This committee has delegated decision making and spending power.

5.1.3 The Finance and General Purposes Committee (9 members) meets at least quarterly and has delegated powers, including full spending. This committee receives an updated budget and expenditure and bank reconciliations as well as recommending the budget to the council and receiving funding requests. The staffing committee is a sub-committee of this committee.

5.1.4 The monthly full council meeting of Hexham TC will hear matters placed on agenda by the chair and councillors and whole town issues. Any presentation is brought to full council as well as correspondence. As is required by statute, the full council is responsible for agreeing the budget and precept.

### 5.2 Berwick Town Council<sup>6</sup>

5.2.1 Currently Berwick TC has four committees; Budget and Administration that meets monthly, Local Services that meets quarterly, People and Communities that meets monthly and Planning that meets monthly. These committees do not have a prescribed number of members on them; members volunteer at the Annual General Meeting and membership currently depends upon interest.

5.2.2 Berwick TC has undergone a period of significant change and two years ago all committees and sub-committees were withdrawn, those mentioned above are the new committees of the council. In most cases, the committees meet and resolutions are brought to the full council prior to being executed. The council is expected to move towards a committee structure with monthly meetings that have fully delegated powers and less frequent full council meetings.

<sup>5</sup> Data from [www.hexhamtowncouncil.gov.uk](http://www.hexhamtowncouncil.gov.uk) and Clerk, Jane Kevan.

<sup>6</sup> Data from [www.berwick-tc.gov.uk](http://www.berwick-tc.gov.uk) and Finance Officer Robert Leetham

**The Committees, Sub-Committees and Working Groups of Prudhoe Town Council; is the structure working?****5.3 Alnwick Town Council<sup>7</sup>**

5.3.1 Alnwick TC has four committees; a Cemetery Committee (8 members) that meets bi-monthly, a Finance and Policy Committee (13 members) that meets bi-monthly, a Planning, Highways and Transport Committee (12 members) that meets monthly and a Recreation and Amenities Committee (10 members) that meets bi-monthly.

5.3.2 All of the committees of Alnwick TC have a specific scope and delegated powers, including the power to spend and move money within the budget headings they have set for them.<sup>8</sup>

5.3.3 Most decisions of the Alnwick TC are taken by committees and reports of those decisions come to the full council. The full council will only deal with those items that it is required by law to undertake<sup>9</sup> as well as Neighbourhood Planning, The Local Plan, the Local Transport Plan, consultations, risk management, dismissal of the clerk, external funding bids and town council vacancies.

**5.4 Ponteland Town Council<sup>10</sup>**

5.4.1 Ponteland TC has four committees which include a fully delegated Planning Committee (6 members) that meets every two weeks, a Cemetery Committee (7 members) that meets quarterly, an Environmental Working Group (6 members) that meets monthly and a Highways Working Group (7 members) that meets monthly.

5.4.2 The Planning Committee is the only committee of Ponteland TC that has delegated powers to take decisions on planning matters. The committee meets every two weeks as planning matters are prolific.

5.4.3 The Cemetery Committee of Ponteland TC is an advisory committee; recommendations from this committee are taken to full council.

5.4.4 The Highways Working Group of Ponteland TC was initiated as there were frequent highways issues being brought to full council and a monthly meeting is considered a good way of following up matters, usually with Northumberland County Council as the Highway Authority. This working group has no delegated powers but seeks to make recommendations to full council.

5.4.5 The remit of the Environmental Working Group of Ponteland TC includes Ponteland Park, the village green, allotments, litter and dog bins and floral displays. The group meets monthly and has no delegated authority; reports and recommendations are brought to full council.

**6. Prudhoe Town Council****6.1 Planning, Contracts and Works Committee (PCW's)**

6.1.1 The PCW's Committee has ten members; Stephen Rickett questions the decision to have a committee that is made up of almost the full quota of councillors.

6.1.2 The PCW's Committee sometimes hears items that are then placed on the full council agenda for further discussion/agreement; this is repetitive. If an item is placed on the agenda of the PCW's Committee, it could be empowered to debate and resolve to make a decision.

<sup>7</sup> Data from [www.alnwick-tc.gov.uk](http://www.alnwick-tc.gov.uk) and Clerk Bill Batey

<sup>8</sup> See Structure and Scheme of delegation for Alnwick TC at Appendix 1

<sup>9</sup> Appointment of Chair/Vice Chair, Constitutional Matters, Representatives on Outside Bodies, Committee Membership and terms of reference, the Budget, agreeing the precept, approving the minutes,

<sup>10</sup> Data from [www.ponteland-tc.gov.uk](http://www.ponteland-tc.gov.uk) and Deputy Clerk Jeanette Dodd

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6.1.3 More recently the PCW's has been declared an 'extraordinary meeting' as time conscious 'full council' matters have been deemed necessary to be heard. The implications of this are that those councillors not usually sitting are required to attend a meeting for which they are not usually scheduled to attend.

6.1.4 Financial Regulations allow the Clerk, in consultation with the chair, to spend up to £2,000 on repairs and replacements<sup>11</sup>. Previously, repairs to seats, litter bins, play areas, etc. may have come to PCW's in the first instance for agreement, these matters are being dealt with more speedily now, using the financial regulations, and the council should experience fewer agenda items of this nature as well as exploring further delegation.

6.1.5 Although the council's Service Level Agreements (SLA) are included in the remit of the PCW's Committee, all of the Council's SLA's are above the maximum level of expenditure of the committee; therefore these are always referred back to the full council.

6.1.6 The PCW's Committee has a delegated maximum spending power for items within its remit. Is it necessary to have a maximum spending power when a budget has already been set or would it be more appropriate to remove the spending cap and allow the committee to spend according to the money available in budget headings?

6.1.7 In most cases decisions on planning applications heard at the PCW's Committee are sought from ward councillors. The council could delegate decisions on straight-forward planning applications to the clerk, in consultation with ward councillors, thus removing the need for them to be heard at a council meeting. The drawback of this is that applications would not be discussed in the public domain; this could potentially be seen as a slight on democracy, however, objections from members of the public could still be made to the Planning Authority, as required.

6.1.8 Often, when a PCW's meeting agenda has fewer items than usual, meetings can still last two hours as discussions are lengthened without the constraint of a tight agenda.

## **6.2 Cemetery and War Memorial Sub-Committee (CWM)**

6.2.1 This committee has five members and although it used to meet monthly this was recently changed to bi-monthly. The committee has not met since June<sup>12</sup> and agreed to await a decision from the council on the future before scheduling another meeting. The committee has no delegated power of decision making or spending.

6.2.2 There is an SLA for Edgewell Cemetery which performance should be measured against. This should be a structured format for measuring performance against standards and where issues are identified these should be raised directly with the appropriate NCC Officer. This would require a more systematic approach by the office to inspecting the cemetery and recording performance but it would be more effective than reactively raising issues at meetings.

6.2.3 Complaints from members of the public have been brought to the CWM meeting but these are then referred to the full council, duplicating time and effort.

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<sup>11</sup> 3.4 The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, regardless of whether there is any budgetary provision for the expenditure, subject to a limit of £2,000. Before the Clerk acts to incur expenditure as described, they shall consult with the Chairman, or in their absence the Vice-Chair, before taking any action under the authority of this regulation. The Clerk shall report the action to the Council as soon as practicable thereafter.

<sup>12</sup> There was a meeting scheduled for July but this was cancelled.

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6.2.4 Where the CWM Committee has made the largest impact is in capital projects, i.e. restoring the cemetery chapel, new roads, boundary fencing and new floral features. Additionally, members of the CWM Committee have inspected graves for prohibited items which has allowed the office to write to owners to take action; this is on-going.

6.2.5 The council could consider a quarterly cemetery committee meeting that would focus on i) Budget Requirements/Review, ii) Seasonal Priorities, iii) Reviewing Cemetery Fees and Procedures, iv) Capital Projects, v) Serious/persistent non-compliance issues

### **6.3 Human Resources Committee (HR)**

6.3.1 The HR Committee is made up of five members and other than the 'process' of recruitment and 'adjudicating' internal disciplinary and grievance matters, all other matters within its remit are to make recommendations only, the committee has no delegated power.

6.3.2 Historically, matters have taken a long time to be put to the council as minutes were approved as a true record by the committee, prior to being made available to the full council; this has recently changed.

6.3.3 Internal disciplinary and grievance matters should be received by the HR Committee and a sub-committee of the HR Committee appointed to investigate; as sub-committees must be made up of at least three members this leaves only two members not included. The council should consider whether five is sufficient membership of this important committee.

6.3.4 If membership of the committee was increased to a more representative number of councillors, the council could consider delegating decision making on matters within the committee's remit.

### **6.4 Town Events Sub-Committee**

6.4.1 Historically, these meetings have not been conducted in public and statutory provisions have not applied. As with the CWM and HR Committees, the meeting has no delegated powers and all recommendations come back to full council for further debate and consideration. This is an advisory committee but not a sub-committee, as named.

6.4.2 The council hosts three events that are within the remit of the town events committee; meetings are sporadic and difficult to arrange. The events committee is one that would benefit from the inclusion of those members of the public involved in events and/or the inclusion of other community engagement business, i.e. newsletter, annual report, annual town meeting, website.

6.4.3 Membership of the Town Events Committee could be increased to be more representative of the council and the council could consider delegating power to the committee to take decisions on events and to agree to spend in line with the events budget.

6.4.4 If the council favoured meetings regarding events to be specific to the event being held, it could be considered more appropriate for the clerk to call a pre-event working group meeting, then councillors and lay people could attend depending upon availability and interest in the event rather than committee membership. A working group would have no delegated power and any recommendations would have to come back to full council.

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### **6.5 In Bloom Working Group**

6.5.1 All Cllrs are invited to attend and there are lay people involved, however, this group has been set up by the council so it is not a genuine 'working group' and therefore meetings should be subject to statutory provisions.

6.5.2 Prudhoe in Bloom has a set budget within which it manages the Prudhoe in Bloom Competition, but no delegated power to spend or make decisions. Those involved are best placed to initiate changes and improvements which is at odds with decisions coming back to full council.

6.5.3 Prudhoe in Bloom has become more of an event over the years and could benefit from being a sub-committee of Events and Community Engagement if a committee of this nature were to evolve.

### **6.6 Prudhoe Town Council Young People's Forum**

6.6.1 This is a monthly meeting managed by Northumberland Youth Service and chaired by a town councillor, presently Cllr Gerry Price. Historically, the town council funded 10hrs/week for the administration of the forum, which was held bi-monthly; however in 2018/19 funding was not sought.

6.6.2 The Town Council has little authority over the meeting and no involvement in its administration; it could more appropriately be named an outside body.

### **6.7 Legal Affairs Working Group**

6.7.1 This group is made up of three members who are tasked with the inspection of Kimberly Park Football Club; no other matters have come to the group's attention within the last few years.

6.7.2 As the landowner, it would be appropriate for an officer of the council to undertake the appropriate training in order to carry out the inspection and satisfy all legal requirements.

### **6.8 Prudhoe East Centre Advisory Committee**

6.8.1 This committee is made up of five councillors, one county councillor and two laypeople and was set up as a task and finish group for the purpose of the community asset transfer of Prudhoe East Centre. As a committee, meetings should be subject to statutory provisions.

6.8.2 All matters discussed are reported to full council and the group has no delegated powers. The structure of the group may need to change following the advice of Northumberland County Council.

### **6.9 Democracy Working Group**

6.9.1 This working group was set up as a 'task and finish group' with the following remit:

"The Democracy Group will engage with residents, community groups, businesses and all stakeholders to develop a vision for Prudhoe. They will publish the values of Prudhoe Town Council.

The Democracy Group will research other Town Plans with a view to creating a Town Plan for Prudhoe.

The Democracy Group will develop the meeting formats already available (i.e. Young People's Forum, Ordinary Meeting, Annual Town Meeting, Prudhoe Neighbourhood Management Committee) to engage in two-way communication with residents and stakeholders.

The Democracy Group will oversee the Prudhoe Town Council Newsletter and the Prudhoe Civic and Community Forum, to be chaired by Cllr Russ Greig"

6.9.2 Although termed as a 'working group' this is legitimately an advisory committee of the council and should be subject to statutory provisions.

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6.9.3 A newsletter has been launched as a result of the work of the group; however, progress on other matters has been frustrated due to capacity issues. The items within the remit of this group may benefit from being combined with other community engagement business if a committee of this nature was to develop.

## **7. Summary**

7.1 It is clear that Prudhoe Town Council has a high number of committees when compared to 'like' councils and rather than achieving the aim of reducing the number of items on the full council agenda and freeing up debate time, the opposite is achieved as committees have no delegated powers.

7.2 It is apparent that lengthy debate and substantive research is best done outside of the full council meeting, but that does not justify a meeting of this nature being held outside of statutory provisions. Unless there is a matter that justifies the exclusion of the press and public, council debate should be carried out in the public domain. In view of this, it is worth noting that committee meetings will require more administrative and publication actions.

7.3 If a committee has a high number of council members it is automatically representative of the full council and decisions would always be taken by a majority. Where advisory committees have fewer members there is always the possibility that the larger meeting of the full council could disagree with recommendations and vote against the committee. Although the council has the right to do so it does create negativity and it might be appropriate to consider that committees should always have no fewer than eight members, allowing a majority and a more representative decision-making structure.

7.4 Those 'like' councils researched are either working with 'delegated' committees already or they are moving towards this structure. Whether this is representative of local councils, on the whole, could be further investigated, however, it is in accordance with the advice of Stephen Rickett.

7.5 The PCW's Committee goes some way to including the day-to-day operational matters of the council within its remit, leaving the full council meeting open to more strategic and statutory matters. With even greater devolvement and no restriction on spending, the full council meeting would have more time available and reduce the risk of 'end of agenda' items not being given due diligence.

7.6 There has been a general move towards greater communication, democracy and public participation. The council could explore the opportunity of a quarterly committee of this nature, which would coincide with the quarterly newsletter and could also include the work of the events committee and 'In Bloom'. This would reduce the number of meetings and reports required of the office and would properly schedule the work throughout the year. The council could consider this committee having devolved powers of spending within budget headings and devolved decision making on matters within its remit, remembering that decisions are operational, not strategic.

7.7 A properly staffed office will free up the clerk's time to set up a system to review standards in the cemetery, and performance in accordance with the SLA. The day-to-day operational running of the cemetery should be wholly within the remit of the clerk and therefore reducing the need for regular meetings of the cemetery committee, favouring a more strategic quarterly meeting. As items deliberated by this committee would be strategic in purpose it would be right for this committee to be an advisory committee and for recommendations to be made to the full council, i.e. fees, capital projects, regulations.

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7.8 Any decision on the structure of the Prudhoe East Centre Advisory Committee should be taken following the meeting with Northumberland County Council Regeneration Officer.

7.9 Rather than recommending a revised structure for the PTC Young People’s Forum the council should agree whether this is more appropriately an ‘outside body’ with town councillors as members.

7.10 The work of the Legal Affairs Group could be undertaken by the office; further advice and training are required.

7.11 Of those remaining groups discussed, the following structure could be considered:

