



**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**REPORT COVER SHEET**

<b>Title of Report:</b>	Review of Committees	To be marked with an 'X' by Democratic Services after report has been presented
<b>Meeting of:</b>	Corporate Management Team 16 <sup>th</sup> November 2021	
	Leader and Deputy Leaders 22 <sup>nd</sup> November 2021	
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group 1 <sup>st</sup> & 2 <sup>nd</sup> December 2021	
	Council 13 <sup>th</sup> December 2021	
	Scrutiny Audit and Value for Money Council Services Committee [DATE] / Scrutiny Community Regeneration, Environment and Health and Well Being Committee [DATE]	



<p><b>Is this an Executive Decision:</b></p>	<p>NO</p>	<p><b>Is this a Key Decision:</b></p>	<p>NO</p>
<p><b>Is this in the Forward Plan:</b></p>	<p>YES</p>	<p><b>Is the Report Confidential:</b>   <b>If so, please state relevant paragraph from Schedule 12A LGA 1972:</b></p>	<p>NO  [ ]</p>

**Essential Signatories:**

**ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE**

Interim Monitoring Officer: **Chris Ebberley**

Date ..... Signature .....

Chief Finance Officer: **Sal Khan**

Date ..... Signature .....

**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**Report to Council**

**Date: 13<sup>th</sup> December 2021**

**REPORT TITLE: Review of Committees**  
**PORTFOLIO: Leader of the Council**  
**HEAD OF SERVICE: Sal Khan**  
**CONTACT OFFICER: James Abbott Ext. No. x1244**  
**WARD(S) AFFECTED: All Wards**

**1. Purpose of the Report**

- 1.1. The purpose of this report is to present the Council with the findings of a review of the Council's committees.

**2. Executive Summary**

- 2.1. Having carried out a review of the Council's committee structure, including undertaking benchmarking with other local authorities and consultation with the Council's Members, this report proposes a number of enhancements to the current Committee structure and Committee Membership. In particular it proposes strengthening the Council's overview and scrutiny function by creating a standalone Audit Committee and increasing the number of scrutiny Committees to three, aligned with the Corporate Plan priorities. The report also proposes a reduction in membership of those committees and the Planning and Licensing Committees as a structure of smaller, more focussed committees can facilitate improvement in engagement.
- 2.2. The specific proposals for consideration arising from the review are that the Planning and Licensing Committees be reduced from 15 to 11 Members; that the Licensing Committee meeting timings be moved to the evenings; that a standalone Audit Committee be created, along with three scrutiny committees aligned to the corporate priorities, each committee with a Membership of 8;

that there be no changes to the Standards Committee, the Complaints Panel, the Appeals Panel or to the Senior Officer Employment Committee, other than to rename the Senior Officer Employment Committee as the Chief Officer Standards Committee; and that an additional meeting of the Council be added to the Council calendar in September from the 2022 municipal year onwards.

- 2.3. It is proposed that the changes above be implemented with effect from the new municipal year i.e. 13th May 2022, and that a further report be brought to the next meeting of Council with the relevant changes to the Constitution, including setting out detailed Terms of Reference for the new Scrutiny Committees and Audit Committee. It is also proposed that new structure be referred to the Council's Independent Remuneration Panel with a request that they review the Council's current Members Allowance Scheme.
- 2.4. It is also proposed that the Council's approach to Committee Training be reviewed during the next municipal year; that reference to remote/hybrid meetings and relevant legislation where applicable be considered as part of the next update to the Constitution; and that the Freedom of the Borough and Alderman procedures be clarified as part of the next update to the Constitution.

### **3. Background**

- 3.1. The Corporate Plan 2021/22 contains a target to complete a review of Council Committee functions (VFM17), to identify any opportunities for improvement across its Committee structure, include considering Committee sizes and functions, the effectiveness of the organisation's scrutiny and overview approach or any further relevant digital opportunities.
- 3.2. On five occasions during the last four Council administrations (2007, 2008, 2009, 2012 and 2017) the Council has reviewed its Overview and scrutiny arrangements.

### **4. Contribution to Corporate Priorities**

- 4.1. This report contributes directly to the Value for Money Council Corporate Priority through Corporate target VFM17, however all three corporate priorities of the Council are affected by the subject matter of this report.

### **5. Report**

#### **5.1. Current Committee Structure**

- 5.1.1. The Council currently has the following Committees and membership as shown in **Table 1** below:

<b>Table 1: Current Committee Structure</b>	
<b>Committee</b>	<b>Total Membership</b>
Appeals Panel	3
Audit (Approval of Statement of Accounts) Committee	16
Complaints Panel	3
Development Plan Committee	5
Licensing Committee	15
Planning Committee	15
Scrutiny (Community Regeneration, Environment and Health & Well-Being) Committee	16
Scrutiny (Audit and Value Money Council Services) Committee	16
Senior Officer Employment Committee	5
Standards Committee	5
<b>Total Number of Seats</b>	<b>99</b>

5.1.2. The functions and procedures of these committees are set out in Part 3 of the Constitution.

## 5.2. Review Approach

5.2.1. A Working Group of Members was established which incorporated the Leader of the Council, Councillor M Metcalfe, Councillor S Sankey and advised by the Head of Service (Sal Khan), the Corporate and Commercial Manager and the Principal Democratic Services Officer. The purpose of this Working Group was to analyse any findings from the research undertaken and to consider possible recommendations to Council.

5.2.2. A desktop benchmarking exercise was undertaken, by looking at the committee structures and arrangements of other relevant local authorities including geographical neighbours and the CIPFA nearest neighbours group. The full list is as follows:

- Lichfield District Council;
- Tamworth Borough Council;
- Cannock Chase District Council;
- Stafford Borough Council;
- Staffordshire Moorlands District Council;
- South Staffordshire District Council;
- South Derbyshire District Council;
- Derbyshire Dales District Council;
- Amber Valley Borough Council;
- High Peak Borough Council;
- Carlisle City Council;
- South Ribble Borough Council;
- Chorley Council;
- Newark and Sherwood District Council;
- Rugby Borough Council;
- Bassetlaw District Council;

- North West Leicestershire District Council;
- South Kesteven District Council;
- Ashford Borough Council;
- Nuneaton and Bedworth Borough Council;
- Lancaster City Council.

5.2.3. As part of the review a survey was sent to all Members of the Council. A total of 30 out of 39 Members responded to the survey, this equates to a response rate of 77%. A summary of the responses in relation to each specific committee have been attached as separate Appendices (A-J) and the complete survey result document can be found at Appendix K to this report.

### 5.3. Review Findings

5.3.1. The following sections provide a summary of the results of the research relating to each of the current Committees of the Council.

#### 5.3.2. **Planning Committee**

<b>Table 2: Planning Committee Benchmarking</b>			
<b>Local Authority</b>	<b>Cttee Size</b>	<b>Frequency</b>	<b>Time</b>
<b>East Staffordshire</b>	<b>15</b>	<b>12</b>	<b>2pm</b>
Lichfield	15	12	6pm
Tamworth	13	12	6pm
Cannock Chase	15	12	3pm
Stafford	13	12	6.30pm
Staffs Moorlands	14	12	2pm
South Staffs	21	10	6.30pm
South Derbyshire	13	14	6pm
Derbyshire Dales	13	12	6pm
Amber Valley	13	12	7pm
High Peak	12	12	1.30pm
Carlisle	12	19	10am
South Ribble	13	12	6pm
Chorley	13	14	6.30pm
Newark and Sherwood	15	11	4pm
Rugby	12	15	5.30pm
Bassetlaw	12	11	6.30pm
North West Leicestershire	11	13	6pm
South Kesteven	13	18	10am
Ashford	15	11	7pm
Nuneaton and Bedworth	11	13	5pm
Lancaster	15	11	10.30am

5.3.2.1. The numbers on the committee range from 11 to 21 members, with a median of 13 and average of 13.6.

5.3.2.2. With a membership of 15 the Council is above average.

5.3.2.3. Full survey responses in respect of the Planning Committee are provided at Appendix A of the report.

5.3.2.4. A breakdown of the survey responses is shown in Table 3 below:

**Table 3: Planning Committee Membership**

<b>How would you rate the following: (Planning: The number of members on the committee)</b>	
Too many (10)	37.0%
About right (8)	29.6%
Not applicable (8)	29.6%
Too few (1)	3.7%

5.3.2.5. The benchmarking shows that in the main meetings take place in the evening, however the survey of Council Members indicates a preference to stay the same as shown in Table 4 below:

**Table 4: Planning Committee Timings**

**Do you think the timing of the meetings should: (Planning Committee)**

Stay the same (17)	70.8%
Move to another part of the day (7)	29.2%

5.3.2.6. It is therefore proposed that the timing of the Planning Committee should remain the same and that the membership should be reduced to 11 members.

### 5.3.3. Licensing Committee

**Table 5: Licensing Committee Benchmarking**

Local Authority	Name of Cttee	Cttee Size	Frequency	Timing
<b>East Staffordshire</b>	Licensing	15	2	10am
Lichfield	Regulatory & Licensing	13	5	6pm
Tamworth	Licensing Committee	13	4	6pm
Cannock Chase	Licensing and Public Protection	10	2	10am
Stafford	Licensing Committee	9	2	6.30pm
Staffs Moorlands	Licensing & Regulatory	12	5	10am
South Staffs	Licensing & Regulatory	15	4	2.30pm
Derbyshire Dales	Licensing & Appeals Committee	13	5	7pm
Amber Valley	Licensing Board	15	6	7pm
High Peak	Licensing Committee	12	4	6.30pm
Carlisle	Licensing Committee	12	5	2.15pm
South Ribble	Licensing and Public Safety	12	4	6pm
Chorley	Licensing and Public Safety	15	3	2pm

Newark and Sherwood	Licensing Committee	14	4	6pm
Rugby	Licensing and Safety	12	3	unknown
Bassetlaw	Licensing Committee	12	4	6.30pm
NW Leicestershire	Licensing Committee	17	4	6.30pm
South Kesteven	Licensing Committee	11	11	10.30am
Ashford	Licensing Committee	13	2	10am
Nuneaton & Bedworth	Licensing Committee	11	7	6pm
Lancaster	Licensing Committee	10	10	1pm

5.3.3.1. The numbers on the committee range from 9 to 17 members, with a median of 13 and an average of 13.

5.3.3.2. With a membership of 15 the Council is above average.

5.3.3.3. In the main other Local Authority meetings take place in the evening.

5.3.3.4. Full survey responses in respect of the Licensing Committee are provided at Appendix B of the report.

5.3.3.5. A breakdown of the survey responses is shown in Table 6 and 7 below:

**Table 6: Licensing Committee Membership**

How would you rate the following: (Licensing: The number of members on the committee)	
Too many (11)	40.7%
Not applicable (11)	40.7%
About right (5)	18.5%
Too few (-)	-

**Table 7: Licensing Committee Timings**

Do you think the timing of the meetings should: (Licensing Committee)	
Move to another part of the day (12)	54.5%
Stay the same (10)	45.5%

5.3.3.6. The benchmarking and survey responses indicate that membership could be reduced.

5.3.3.7. The benchmarking indicates that the timing of the Licensing Committee could be amended, and the member survey suggests a slight preference for amending the meeting time.

5.3.3.8. It is therefore proposed that the current timing of meetings be amended to the evening, with the membership of the Licensing Committee being reduced to 11 members.



### 5.3.4. Licensing Sub-Committees

Table 8: Licensing Sub-Committee Benchmarking				
Local Authority	Name of Cttee	Cttee Size	Frequency	Timing
East Staffordshire	Licensing General Sub Committee	6	12	10am
East Staffordshire	Licensing Act Sub Committee	3	when required	10am
Lichfield	Licensing and Consents Appeals	3	4	10.30am/2pm
Tamworth	Licensing Sub Committee	3	when required	10am
Cannock Chase	Licensing Sub Committee	3	when required	9.30am
Stafford	Licensing Sub Committee	10	when required	2pm
Staffs Moorlands	Licensing Sub Committee	3	when required	10am
South Staffs	Licensing Sub Committee	3	when required	10am
Derbyshire Dales	Licensing & Appeals Sub Committee	3	when required	6pm
Amber Valley	Licensing Panel	3	5	10am
High Peak	Licensing Sub-Committee	8	when required	1pm
Carlisle	Licensing Sub Committee	3	when required	unknown
South Ribble	General Licensing Sub-Committee Panel	5	when required	2pm
South Ribble	Licensing Panel	3	when required	2pm
Chorley	General Licensing Sub-Committee	5	when required	2pm
Chorley	Licensing Act 2003 Sub-Committee	3	6	2pm
Rugby	Licensing Sub Committee	3	4	10am
NW Leicestershire	Licensing Sub Committee	17	3	unknown
NW Leicestershire	Taxi and Private Hire Sub Committee	17	1	unknown
Ashford	Licensing Sub Committee	13	1	10am
Nuneaton & Bedworth	Licensing Sub Committee	3	1	6pm
Lancaster	Licensing Sub Committee	3	5	10.30am/2.30pm

5.3.4.1. The numbers on the committee range from 3 to 17 members, with a median of 8 and an average of 6.

5.3.4.2. The size of the General Licensing Sub Committee is average (6) and the Licensing Act Sub Committee (3) is below average.

5.3.4.3. Full survey responses in respect of Licensing Sub Committee are provided at Appendix C of the report.

5.3.4.4. A breakdown of the survey responses is shown in Table 9 and 10 below:

**Table 9: Licensing Sub- Committee Membership**

How would you rate the following: (Licensing Sub Committee: The number of members on the committee)	
Not applicable (15)	60.0%
About right (9)	36.0%
Too few (1)	4.0%
Too many (-)	-

**Table 10: Licensing Sub- Committee Timings**

**Do you think the timing of the meetings should: (Licensing Sub Committee)**

Move to another part of the day (10) 52.6%

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Stay the same (9) 47.4%

5.3.4.5. It is therefore proposed that the current approach with Licensing Sub Committees be retained.

**5.3.5. Audit Committee**

**Table 11: Audit Committee Benchmarking**

Local Authority	Name of Committee	Committee Size	Frequency	Time	Ind Mbrs ?
East Staffordshire	Audit (Statement of Accounts) Committee	16	1	6.30pm	2
East Staffordshire	Scrutiny (Audit & Value for Money Council Services) Committee	16	6	6.30pm	2
Lichfield	Audit & Member Standards	8	7	6pm	1
Tamworth	Audit & Governance	7	7	6pm	2
Tamworth	Audit & Governance Standards Sub Committee*	7	when required	6pm	0
Cannock Chase	Audit & Governance	7	4	6pm	0
Stafford	Audit & Accounts	6	3	6.30pm	0
Staffs Moorlands	Audit & Accounts	9	4	10am	2
South Staffs	Audit & Risk	8	4	4pm	0
South Derbyshire	Audit Sub Committee*	5	6	4pm	0
Derbyshire Dales	Governance & Resources	17	5	6pm	0
Amber Valley	Governance & Audit Board	7	4	7pm	0
High Peak	Audit & Regulatory	11	4	6.30pm	3
Carlisle	Audit Committee	7	5	10am	1
South Ribble	Governance Committee	7	5	6pm	0
Chorley	Governance Committee	10	5	2.30pm	2
Newark & Sherwood	Audit & Accounts	5	5	10am	0
Rugby	Audit & Ethics	6	5	5.30pm	0
Bassetlaw	Audit & Risk Scrutiny	9	8	6.30pm	1
NW Leicestershire	Audit & Governance	10	5	6.30pm	2
South Kesteven	Governance & Audit	7	7	2pm	1
Ashford	Audit Committee	8	6	5pm	1
Nuneaton and Bedworth	Audit & Standards	11	5	6pm	0
Lancaster	Audit Committee	7	6	6pm	0

- 5.3.5.1. From the information obtained, only 2 Councils have Scrutiny and Audit functions combined within one committee. The remaining Councils have the audit function separate to scrutiny, with some having a standalone Audit Committee and others having the Audit function combined with one or more other functions (such as Standards). 5 Local Authorities have a standalone Audit Committee.
- 5.3.5.2. In the main, meetings are held in the evening.
- 5.3.5.3. The number on the committee range from 5 to 17 members, with a median of 9 and an average of 9.
- 5.3.5.4. 11 (50%) of the other local authorities have independent members on the Audit Committee. Of these, 5 committees had 1 independent member; 5 committees had 2 independent members; and 1 committee had 3 independent members.
- 5.3.5.5. The Council is above average with a committee size of 16.
- 5.3.5.6. Full survey responses in respect of the Audit Committee are provided at Appendix D of the report.
- 5.3.5.7. A breakdown of the survey responses is shown in Table 11 below:

**Table 12: Audit Committee Membership**

How would you rate the following: (Scrutiny (Audit and Value for Money Services) Committee: The number of members on the committee)	
Too many (11)	40.7%
About right (9)	33.3%
Not applicable (6)	22.2%
Too few (1)	3.7%

- 5.3.5.8. Responses within the survey also indicate most Councillors are supportive and think that the independent Members should continue within its membership as shown in Table 13 below:

**Table 13: Audit Committee Independent Membership**

Do you think that the Scrutiny (Audit & Value For Money Services) Committee should continue to have Independent Members in its membership?	
Yes (23)	85%
No (4)	15%

- 5.3.5.9. In its recent publication “Audit Committees and Scrutiny Committees working together (June 2021)” (link [Audit committees and scrutiny committees: working together - Centre for Governance and Scrutiny \(cfgs.org.uk\)](https://www.cfgs.org.uk/publications/audit-committees-and-scrutiny-committees-working-together) ) the centre for governance and scrutiny agrees with CIPFA’s recommendation that the functions of the Audit and scrutiny committees should not be combined in a single committee,

stating that “*blurring the roles of these functions puts a council at significant risk of weak governance*”.

5.3.5.10. It is therefore proposed that a standalone Audit Committee be created, with a membership of 8 elected Members of the Council and 2 voting Independent Members who shall not be members or officers of the Council. The existing arrangement of having a separate Audit (Statement of Accounts) Committee will be retained, with a Membership of 8 councillors and of 2 Independent Laypersons (non-voting) who are not Councillors or officers of the Council or of any Parish or Town Council within East Staffordshire. (The Independent Laypersons are not members of the Committee and cannot vote, but shall otherwise be entitled to participate in the work of the Committee, as under S102(3) Local Government Act 1972, a Committee with co-opted independent members cannot regulate or control the finance of the local authority, so the Independent Laypersons cannot be members of this Committee).

### 5.3.6. Scrutiny Committees

5.3.6.1. The number of Scrutiny Committees per local authority range from 1 scrutiny committee to 4 scrutiny committees.

<b>Table 14: Scrutiny Committee Benchmarking</b>	
<b>Local Authority</b>	<b>Number of Scrutiny Committees</b>
<b>East Staffordshire</b>	2
Lichfield	1
Tamworth	3
Cannock Chase	3
Stafford	3
Staffs Moorlands	4
South Staffordshire	3
South Derbyshire	1
Amber Valley	1
High Peak	4
Carlisle	3
South Ribble	2
Chorley	4
Newark and Sherwood	3
Rugby	1
Bassetlaw	3
North West Leicestershire	2
South Kesteven	4
Ashford	1
Nuneaton and Bedworth	3
Lancaster	2

5.3.6.2. 5 (25%) of the other local Authorities have 1 scrutiny committee; 3 (15%) have 2 committees; 8 (40%) have 3 committees; and 4 (20%) have 4 committees.

5.3.6.3. The majority of local authorities operate with 3 committees. The average number of Scrutiny Committee per Local Authority is 2.5. The Council is below average.

Table 15: Scrutiny Committee Membership				
Local Authority	Name	Cttee Size	Freq- uency	Timing
East Staffordshire	Scrutiny (Audit & Value for Money Council Services) Committee*	16	6	6.30pm
East Staffordshire	Scrutiny (Community Regeneration, Environment & Health & Well Being) Committee	16	7	6.30pm
Lichfield	Overview & Scrutiny Committee	14	4	6pm
Tamworth	Health and Wellbeing Scrutiny Committee	9	10	6pm
Tamworth	Infrastructure, Safety and Growth Scrutiny	9	10	6pm
Tamworth	Corporate Scrutiny	9	12	6pm
Cannock Chase	Economic Recovery Scrutiny Committee	13	4	6pm
Cannock Chase	Health & Wellbeing Scrutiny Committee	13	4	6pm
Cannock Chase	Financially Resilient Council Scrutiny Committee	13	4	6pm
Stafford BC	Economic Development & Planning Scrutiny Committee	10	5	6.30pm
Stafford BC	Community Wellbeing Scrutiny Committee	10	5	6.30pm
Stafford BC	Resources Scrutiny Committee	10	5	6.30pm
Staffs Moorlands	Community & Overview Scrutiny Panel	18	6	6pm
Staffs Moorlands	Health Overview & Scrutiny Panel	19	5	2pm
Staffs Moorlands	Resources & Overview Scrutiny Panel	19	6	10am
Staffs Moorlands	Service Delivery Overview & Scrutiny Panel	19	6	7pm
South Staffordshire	Overview & Scrutiny Committee	43	6	6.30pm
South Staffordshire	Wellbeing Select Committee	16	4	5pm
South Staffordshire	Asset Scrutiny Panel	7	2	4pm
South Derbyshire	Overview & Scrutiny Committee	8	4	6pm
Amber Valley	Improvement & Scrutiny Committee	9	6	7pm
High Peak	Community Select Committee	12	7	6.30pm
High Peak	Corporate Select Committee	12	6	6.30pm
High Peak	Economy and Growth Select Committee	12	7	6.30pm
High Peak	Overview and Scrutiny Review Sub-Committee	7	As required	6pm
Carlisle	Business & Transformation Scrutiny Panel	8	8	4pm
Carlisle	Economic Growth Scrutiny Panel	8	8	4pm
Carlisle	Health & Wellbeing Scrutiny Panel	8	9	10am
South Ribble	Scrutiny Budget and Performance Panel	8	5	5pm
South Ribble	Scrutiny Committee	13	5	6pm
Chorley	Overview and Scrutiny Committee	14	4	6.30pm

Chorley	Overview and Scrutiny Performance Panel	6	4	6.30pm
Chorley	Overview and Scrutiny Task Group - Sustainable Public Transport	7	4	6pm
Chorley	Overview and Scrutiny Task Groups	Not given	5	6pm
Newark and Sherwood	Economic Development Committee	11	5	6pm
Newark and Sherwood	Homes & Communities Committee	11	5	6pm
Newark and Sherwood	Leisure & Environment Committee	12	5	6pm
Rugby	Scrutiny Committee	9	8	5.30pm
Bassetlaw	Audit & Risk Scrutiny Committee*	9	8	6.30pm
Bassetlaw	Overview and Scrutiny Committee	12	9	6.30pm
Bassetlaw	Health & Public Services Sub-Committee	8	As required	unknown
NW Leicestershire	Community Scrutiny Committee	10	7	6.30pm
NW Leicestershire	Corporate Scrutiny Committee	10	8	6.30pm
South Kesteven	Scrutiny Committee: Finance, Economic Development and Corporate Services	9	7	10.30am
South Kesteven	Scrutiny Committee: Environment Overview	7	5	10.30am
South Kesteven	Scrutiny Committee: Culture and Visitor Economy Overview	7	7	10am
South Kesteven	Scrutiny Committee: Rural and Communities	7	6	2pm
Ashford	Overview and Scrutiny Committee	12	11	7pm
Nuneaton and Bedworth	Business, Regeneration and Planning Overview and Scrutiny Panel	9	2	6pm
Nuneaton and Bedworth	Finance and Public Service Overview and Scrutiny Panel	9	2	6pm
Nuneaton and Bedworth	Housing, Environment and Health Overview and Scrutiny Panel	9	2	6pm
Lancaster	Budget and Performance Panel	9	7	6pm
Lancaster	Overview & Scrutiny Committee	9	10	6pm

\*includes audit function.

5.3.6.4. In the main, meetings are held in the evening.

5.3.6.5. The number of members on the committee range from 6 to 43 members, with a median of 10 and an average of 11.

5.3.6.6. With 16 on both scrutiny committees, the Council is above average.

5.3.6.7. Of those local authorities that operate with 3 Scrutiny Committees:

<b>Table 16: Scrutiny Committee Membership (3 Committee Structure)</b>		
<b>Local Authority</b>	<b>Name of Cttee</b>	<b>Cttee Size</b>
Tamworth	Health and Wellbeing Scrutiny Committee	9
Tamworth	Infrastructure, Safety and Growth Scrutiny	9
Tamworth	Corporate Scrutiny	9
Cannock Chase	Economic Recovery Scrutiny Committee	13

Cannock Chase	Health & Wellbeing Scrutiny Committee	13
Cannock Chase	Financially Resilient Council Scrutiny Committee	13
Stafford	Economic Development & Planning Scrutiny Committee	10
Stafford	Community Wellbeing Scrutiny Committee	10
Stafford	Resources Scrutiny Committee	10
South Staffs	Overview & Scrutiny Committee	43
South Staffs	Wellbeing Select Committee	16
South Staffs	Asset Scrutiny Panel	7
Carlisle	Business & Transformation Scrutiny Panel	8
Carlisle	Economic Growth Scrutiny Panel	8
Carlisle	Health & Wellbeing Scrutiny Panel	8
Newark & Sherwood	Economic Development Committee	11
Newark & Sherwood	Homes & Communities Committee	11
Newark & Sherwood	Leisure & Environment Committee	12
Bassetlaw	Audit & Risk Scrutiny Committee*	9
Bassetlaw	Overview and Scrutiny Committee	12
Bassetlaw	Health & Public Services Sub-Committee	8
Nuneaton & Bedworth	Business, Regeneration and Planning Overview and Scrutiny Panel	9
Nuneaton & Bedworth	Finance and Public Service Overview and Scrutiny Panel	9
Nuneaton & Bedworth	Housing, Environment and Health Overview and Scrutiny Panel	9

\*includes audit function

5.3.6.8. Membership ranges from 7 to 43, with a median of 11 and an average of 11.5.

5.3.6.9. Full survey responses in respect of the Scrutiny (Audit and Value for Money Council Services) Committee and Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee are provided at Appendix D and E of the report.

5.3.6.10. Table 17 below suggests a preference to increase the number of committees, supporting the findings of the benchmarking:

**Table 17: Number of Scrutiny Committees**

<b>How would you rate the following: (The number of Overview &amp; Scrutiny committees)</b>	
Too few (13)	48.1%
About right (10)	37.0%
Not applicable (4)	14.8%
Too many (-)	-

5.3.6.11. Tables 18 and 19 below suggests a preference to reduce the number of members on the committees supporting the findings of the benchmarking:

**Table 18: Scrutiny Committee Membership**

**How would you rate the following: (Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee: *The number of members on the committee*)**

Too many (11)	44.0%
About right (8)	32.0%
Not applicable (5)	20.0%
Too few (1)	4.0%

**Table 19: Scrutiny Committee Membership**

**How would you rate the following: (Scrutiny (Audit and Value for Money Services) Committee: *The number of members on the committee*)**

Too many (11)	40.7%
About right (9)	33.3%
Not applicable (6)	22.2%
Too few (1)	3.7%

5.3.6.12. Tables 20 and 21 below suggest that there is room for improvement in the effectiveness of the scrutiny committees.

**Table 20: Scrutiny Committee Effectiveness**

**How would you rate the following with regards to Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee: (The effectiveness of the Committee meetings)**

Fair (8)	32.0%
Good (5)	20.0%
Poor (5)	20.0%
Not applicable (5)	20.0%
Excellent (2)	8.0%

**Table 21: Scrutiny Committee Effectiveness**

**How would you rate the following with regards to Scrutiny (Audit and Value for Money Services) Committee: (The effectiveness of the Committee meetings)**

Fair (10)	38.5%
Good (6)	23.1%
Poor (5)	19.2%
Not applicable (5)	19.2%
Excellent (-)	-

5.3.6.13. It therefore proposed that an additional Scrutiny Committee be created and that the membership of all three of the scrutiny committees be reduced to 8 members. It is also recommended that should the committee structure operate three scrutiny committees, that a committee be aligned to each of the Council's three Corporate Priorities, i.e.:

- Value for Money Council;
- Community Regeneration; and



- Environment and Health & Wellbeing (incorporating Health Scrutiny)

### 5.3.7. Full Council

<b>Table 22: Full Council Benchmarking</b>			
<b>Local Authority</b>	<b>Frequency</b>	<b>Timing</b>	<b>Size</b>
<b>East Staffordshire</b>	<b>5</b>	<b>6.30pm</b>	<b>39</b>
Lichfield	6	6pm	47
Tamworth	9	6.10pm	30
Cannock Chase	11	6pm	41
Stafford	6	7pm	40
Staffs Moorlands	8	6.30pm	56
South Staffs	5	7pm	49
South Derbyshire	9	6pm	36
Derbyshire Dales	10	6pm	39
Amber Valley	6	7pm	45
High Peak	4	6.30pm	43
Carlisle	5	6.45pm	39
South Ribble	7	6pm	50
Chorley	7	6.30pm	47
Newark and Sherwood	6	6pm	39
Rugby	11	7pm	42
Bassetlaw	6	6.30pm	48
North West Leicestershire	6	6.30pm	38
South Kesteven	7	1pm	54
Ashford	6	7pm	45
Nuneaton and Bedworth	6	6pm	34
Lancaster	8	6pm	60

5.3.7.1. In the main the majority of Councils hold Council meetings in the evening.

5.3.7.2. It proposed that an additional Council meeting to be held in September be added to the Council committee calendar for future years to ensure continuity between the ordinarily scheduled meetings held in June and December.

### 5.3.8. Standards Committee

<b>Table 23: Standards Committee Benchmarking</b>				
<b>Local Authority</b>	<b>Name of Committee</b>	<b>Cttee Size</b>	<b>Frequency</b>	<b>Timing</b>
<b>East Staffordshire</b>	Standards Committee	5	4	6.30pm
Cannock Chase	Standards Committee	7	4	6pm
Stafford	Standards Committee	5	1	2pm
Staffs Moorlands	Standards Committee	10	6	10am
South Derbyshire	Standards Committee	7	1	10am

South Derbyshire	Standards Sub Committee	5	As required	unknown
Amber Valley	Standards & Appeals Committee**	6	3	4pm
High Peak	Standards Committee	6	4	6.30pm
Carlisle	Standards Committee	7	As required	unknown
South Ribble	Standards Committee	7	As required	2/6pm
South Ribble	Standards Committee Initial Assessment Hearing Panel	3	As required	unknown
Bassetlaw	Standards Sub-Committee	Not given	As required	unknown
Ashford	Standards Committee	8	1	5pm
Lancaster	Standards Committee	7	6	6pm
Lichfield	Audit & Member Standards Committee*	8	7	6pm
Nuneaton and Bedworth	Audit & Standards Committee*	11	5	6pm
Tamworth	Audit & Governance Committee*	7	7	6pm
Chorley	Governance Committee*	10	5	2.30pm
Rugby	Audit & Ethics Committee*	6	5	5.30pm
Bassetlaw	Audit & Risk Scrutiny Committee*	9	8	6.30pm

\*Audit and Standards functions combined;

\*\*Standards and Appeals functions combined.

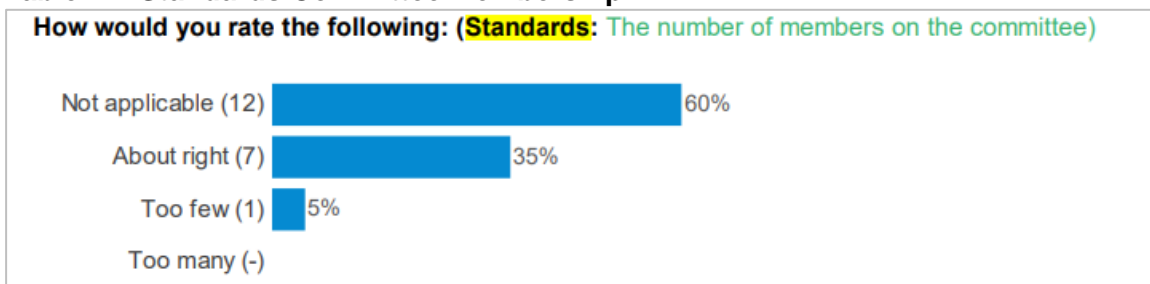
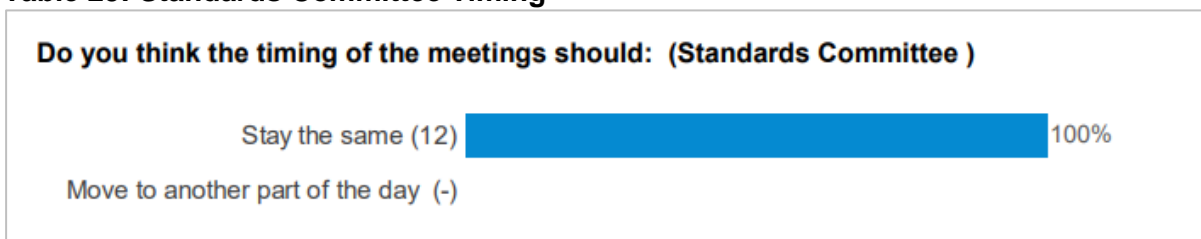
5.3.8.1. The membership of the committees with a Standards function within their remit range from 5 to 11 members (excluding sub committees and initial hearing panel), with a median of 8 and an average of 7.4

5.3.8.2. 7 Councils have the Standards function combined with another function.

5.3.8.3. Of the 10 Local Authorities with a standalone Standards Committee, membership ranges from 5 to 10, with a median of 7 and an average of 6.9. With a membership of 5, the Council is slightly below average.

5.3.8.4. Full survey responses in respect of the Standards Committee are provided at Appendix F of the report.

5.3.8.5. A breakdown of the survey responses is shown in Table 24 and 25 below:

**Table 24: Standards Committee Membership****Table 25: Standards Committee Timing**

5.3.8.6. It is therefore proposed that the arrangements for the Standards Committee meetings remain the same as present.

### 5.3.9. Appeals Panel

**Table 26: Appeals Panel Benchmarking**

Local Authority	Name of Committee	Cttee Size	Frequency	Timing
<b>East Staffordshire</b>	Appeals	3	as required	10am
Cannock Chase	Appeals & Complaints Panel	5	1	10am
Carlisle	Appeals Panel 1	3	as required	unknown
Carlisle	Appeals Panel 2	3	as required	unknown
Carlisle	Appeals Panel 3	3	as required	unknown
South Ribble	Appeals Committee	3	as required	unknown
Rugby	Appeals Committee	5	as required	unknown
Bassetlaw	Appeals Committee	3	as required	unknown
Ashford	Appeals Committee	14	as required	unknown
Nuneaton & Bedworth	Appeals Committee	5	2	unknown
Lancaster	Appeals Committee	7	as required	1.30pm
Lichfield	Disciplinary and Grievance Appeals Committee	7	as required	unknown
Lichfield	Employment Committee	10	5	6pm
Lichfield	Investigatory and Disciplinary Committee	6	as required	unknown
Tamworth	Appointments and Staffing Committee	5	7	6pm
Amber Valley	Standards & Appeals Committee	6	3	4pm

South Ribble	Appointment and Employment Panel	5	as required	unknown
South Kesteven	Employment Committee	7	11	10am

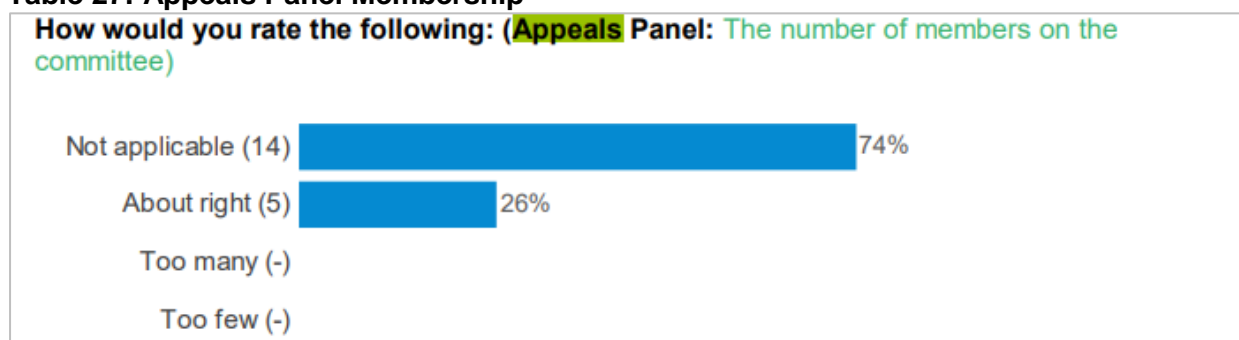
5.3.9.1. Membership ranges between 3 and 14 members, with a median of 6 and an average of 5.6. The Council is below average with a membership of 3. A total of 4 Councils also have a membership of 3. These Committees, like the Council, do not have other functions other than appeals within their remit.

5.3.9.2. In the main meetings are arranged as and when required.

5.3.9.3. Full survey responses in respect of the Appeals Panel are provided at Appendix G of the report

5.3.9.4. A breakdown of the survey responses is shown in Table 27 and 28 below:

**Table 27: Appeals Panel Membership**



**Table 28: Appeals Panel Timings**



5.3.9.5. It is therefore proposed that the arrangements for the Appeals Panel meetings remain the same as present.

### 5.3.10. Development Plan Committee

Table 29: Development Plan Committee Benchmarking				
Local Authority	Name of Committee	No on Cttee	Frequency	Timin g
East Staffordshire	Development Plan	5	when required	2pm

<b>NW Leicestershire</b>	Local Plan Committee	11	8	6pm
<b>Nuneaton &amp; Bedworth</b>	Borough Plan Committee	9	6	6pm

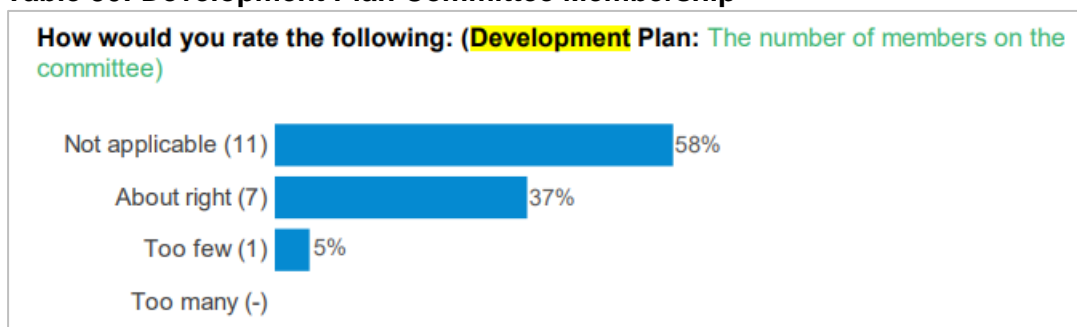
5.3.10.1. Limited comparable information was available, however membership ranges between 5 and 11 members, with a median of 9; and an average of 8.3.

5.3.10.2. The majority of meetings take place in the evening.

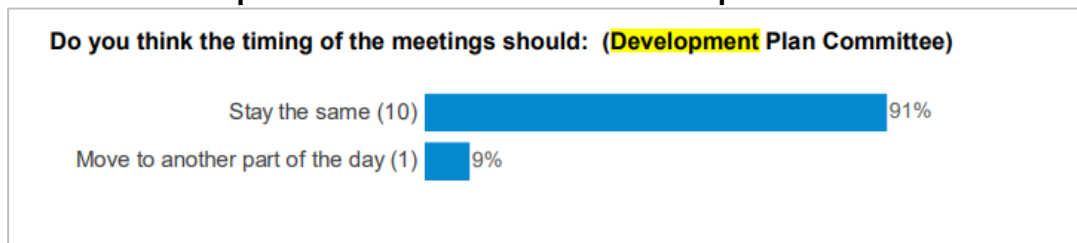
5.3.10.3. Full survey responses in respect of the Development Plan Committee are provided at Appendix H of the report

5.3.10.4. A breakdown of the survey responses is shown in Table 30 and 31 below:

**Table 30: Development Plan Committee Membership**



**Table 31: Development Plan Committee Membership**



5.3.10.5. It is therefore proposed that it is proposed that arrangements for Development Plan Committee remain the same.

### 5.3.11. Senior Officer Employment Committee

<b>Table 32: Senior Officer Employment Committee Benchmarking</b>				
<b>Local Authority</b>	<b>Name of Committee</b>	<b>Cttee Size</b>	<b>Frequency</b>	<b>Timing</b>
<b>East Staffordshire</b>	Senior Officer Employment Committee	5	when required	10am
Lichfield	Investigatory and Disciplinary Committee	6	when required	unknown

Tamworth	Chief Officer Conduct Committee	5	when required	unknown
Bassetlaw	Chief Officers Investigating Committee	3	when required	unknown
Rugby	Audit & Ethics Committee*	6	5	5.30pm
Nuneaton & Bedworth	Audit & Standards Committee*	11	5	6pm

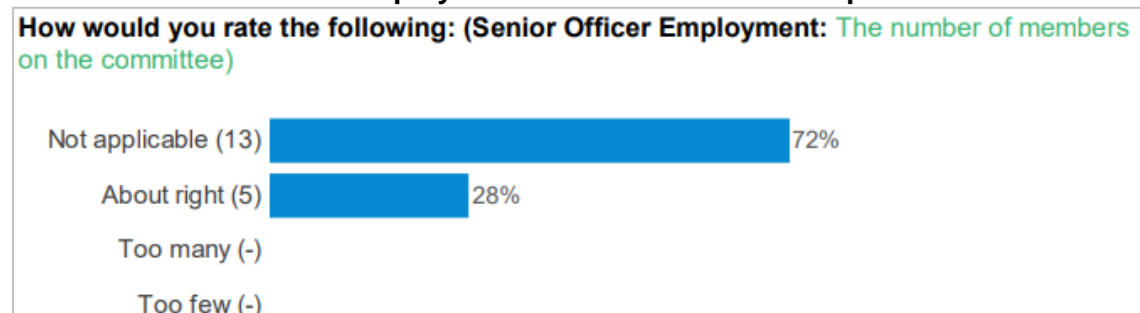
\*Audit + similar remit

5.3.11.1. Limited comparable information was available however membership ranges from 3 members to 11, with a Median of 5.5 and an average of 6. The Council membership is slightly below average.

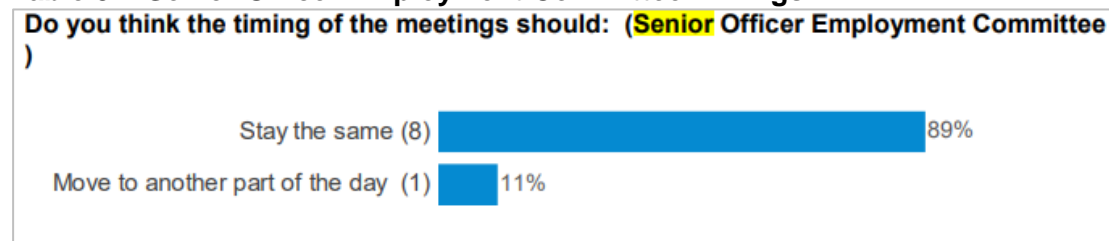
5.3.11.2. Full survey responses in respect of the Senior Officer Employment Committee are provided at Appendix I of the report.

5.3.11.3. A breakdown of the survey responses is shown in Table 33 and 34 below:

**Table 33: Senior Officer Employment Committee Membership**



**Table 34: Senior Officer Employment Committee Timings**



5.3.11.4. It is therefore proposed that arrangements for Senior Officer Employment Committee remain the same.

5.3.11.5. However the working group when reviewing the arrangements for the committee, it was indicated that the naming of this committee was not reflective of the remit. It is therefore proposed that the Senior Officer Employment Committee be renamed as the Chief Officer Standards Committee.

### 5.3.12. Complaints Panel

5.3.12.1. Membership ranges from 3 to 5 Members.

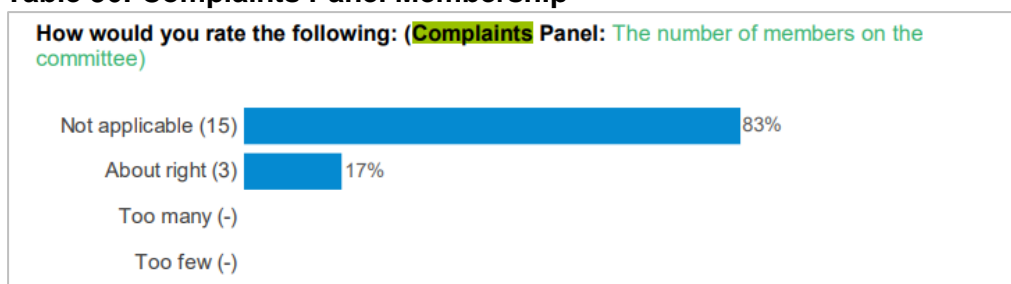
5.3.12.2. Full survey responses in respect of the Complaints Panel are provided at Appendix J of the report.

**Table 35: Complaints Panel Benchmarking**

Local Authority	Name of Committee	Cttee Size	Frequency	Timing
East Staffordshire	Complaints	3	when required	10am
Cannock Chase	Appeals & Complaints Panel	5	1	10am

5.3.12.3. A breakdown of the survey responses is shown in Table 36 below:

**Table 36: Complaints Panel Membership**



5.3.12.4. It therefore proposed that arrangements for the Complaints Panel remain the same.

### 5.4. Summary of Proposed New Structure

5.4.1. Following the above assessment of the benchmarking information and responses from the Survey as detailed above, it is proposed that the new Committee structure be implemented as follows:

**Table 37: Proposed New Structure**

Committee	Total Membership	Independent Members	Change from Current Structure
Appeals Panel	3	0	0
Audit Committee	8	2	-8
Audit (Statement of Accounts) Committee	8	2*	-8
Complaints Panel	3	0	0
Development Plan Committee	5	0	0
Licensing Committee	11	0	-4
Planning Committee	11	0	-4
Scrutiny (Value for Money Council) Committee	8	0	-8

Scrutiny (Community Regeneration) Committee	8	0	-8
Scrutiny (Environment and Health & Wellbeing) Committee**	8	1***	-8
Senior Officer Employment Committee	5	0	0
Standards Committee	5	4****	0
<b>Total</b>	<b>83</b>		

\*2 independent non-voting laypersons

\*\*Incorporating Health Scrutiny function

\*\*\*Staffordshire County Council representative regarding health scrutiny function

\*\*\*\*2 independent members plus 2 parish council representatives

5.4.2. There was a clear theme throughout the survey responses that Member engagement could be improved, and having a structure of smaller, more focussed committees can facilitate improvement in engagement.

5.4.3. The Council has had experience of taking a similar approach to its committee structure prior to 2017, which had a structure of 4 scrutiny committees and a separate Audit Committee.

5.4.4. The results of the benchmarking indicate that meetings take place in both the day and in the evening, and responses from the survey generally indicated that meeting timings should remain the same (except noting the comments regarding the timing of the Licensing Committee as set out in paragraph 5.3.3.7 and 5.3.3.8 where a small majority favoured a move to evening meetings).

5.4.5. It is considered that other current arrangements with regards to timing of meetings remained suitable. If all committee meetings were to take place in the evening then this may cause difficulties in attending other commitments (such as Parish Councils; outside organisations; personal appointments) and could potentially reduce the number of Councillors available to serve on these committees, notwithstanding the additional impact on officers providing support to these committees.

## 5.5. Committee Training

5.5.1. There was also a common theme throughout the survey responses that indicates that there could be improvements to level of member training, and that this would facilitate improvements to the effectiveness of committees.

5.5.2. It is therefore proposed that the Council's approach to Committee Training be reviewed during the next municipal year. As such, officers would work with the Human Resources Assistant (Organisational Development & Equalities) and relevant colleagues to facilitate improvements to the training programme for Members in relation to committee involvement.



## 5.6. Hybrid Meetings

5.6.1. Following the onset of the Covid-19 pandemic, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the flexibility Regulations”) were enacted and came into force on 4 April 2020, which permitted entirely remote meetings to take place. These regulations expired on 6 May 2021. ADSO (Association of Democratic Services Officers) and LLG (Lawyers in Local Government) jointly institution proceedings in the High Court in April 2021 to seek clarification of the law to enable Councils to continue to meet remotely, unfortunately the application to the High Court was unsuccessful on that basis that primary legislation is required to continue the provision of remote meetings in England.

5.6.2. A call for evidence launched by the former Secretary of State was requested from Local Authorities earlier this year and the outcome of that call for evidence has not yet been published. ADSO and LLG continue to lobby government for clarification on remote meetings and in May 2021 ADSO produced a guidance note on remote meetings entitled “What next for Local Authorities” ([link](#)).

5.6.3. As primary legislation is required to continue the provision of remote meetings in England, it is proposed that that reference to remote/hybrid meetings and relevant legislation where applicable be considered as part of the next update to the Constitution

## 5.7. Freeman of the Borough Procedures

5.7.1. At the Council meeting held on 26<sup>th</sup> July 2021, the Leader of the Council informed Council that he would consider the procedures for freeman of the Borough as part of this committee review.

5.7.2. After considering procedures adopted by other local authorities it is proposed that it would be more appropriate for procedures for nomination of Freeman status to be included as part of the next review of the Council’s Constitution. Reviewing the procedures for the appointment of Alderman could be considered at the same time.

## 6. Financial Considerations

*This section has been approved by the following member of the Financial Management Unit: **Lisa Turner***

6.1. The Local Authorities (Members' Allowances) (England) Regulations 2003 states that before an authority makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an Independent Remuneration Panel. The Costs of convening the Panel and production of a report incorporating the above changes to the Councils Members Allowances scheme is shown below:

Revenue	2021/22	2022/23	2023/24
Production of Independent Remuneration Panel report on changes to the Members Allowances Scheme, which can be met from existing budgets	£550 (one-off)		

- 6.2. The independent remuneration panel through their report will confirm recommendations to Council based upon any revised committee structure.
- 6.3. Proposals to create a separate Audit Committee are consistent with best practice recommended by the Chartered Institute of Public Finance and Accountancy.

## 7. **Risk Assessment and Management**

- 7.1. The main risks to this Report and the Council achieving its objectives are as follows:

### **Positive** (Opportunities/Benefits):

- 7.1.1. More effective committee structure leading to improved efficiency of the Council with improved services.
- 7.1.2. Better member and officer engagement.
- 7.1.3. Improved member satisfaction.

### **Negative** (Threats):

- 7.1.4. Lack of member engagement with revised structures.
- 7.1.5. Impact on external stakeholders attending meetings where timings are to be amended.
- 7.1.6. Council membership will be changing following implementation of the Boundary Review.

- 7.2. The risks do not need to be entered in the Risk Register.

## 8. **Legal Considerations**

*This section has been approved by the following member of the Legal Team:*  
**Caroline Elwood**

- 8.1. Any changes to the Council's Constitutional arrangements, including the creation of new committees or changes to the current membership arrangements, require the approval of full Council. Any proposals to alter the membership of committees must be undertaken in accordance with the

provisions of section 15 of the Local Government and Housing Act 1989 which sets out the principles to be followed when determining the allocation of seats to political groups. This provides that the allocation of seats on committees and sub – committees should be in proportion to a political group’s representation on the Council and specifically prevents all the seats on a particular body being allocated to the same political group.

8.2. Council will be required to approve new Terms of Reference for the proposed new Audit Committee and three new Overview and Scrutiny Committees, which if approved in principle at the December 2021 meeting, will be the subject of a further report to the next meeting of Council in order to allow the new changes to be implemented with effect from the new municipal year.

8.3. Changes to the Members Allowance scheme will be required as a result of the proposed changes to the current Committee structure. The Local Authorities (Members Allowances) (England) Regulations 2003 (as amended) provide that before an authority makes or amends its members allowance scheme it must have regard to the recommendations of the Independent Review Panel (IRP).

## **9. Equalities and Health**

9.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.

9.2. **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed. An equality and health impact assessment is not required.

## **10. Human Rights**

10.1. There are no Human Rights issues arising from this Report.

## **11. Sustainability (including climate change and change adaptation measures)**

11.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) **N/A**

## **12. Recommendation(s)**

12.1.1. That the membership of the Planning Committee be reduced from 15 to 11 Members;

12.1.2. That the membership of the Licensing Committee be reduced from 15 to 11 Members;

12.1.3. That the Licensing Committee meeting timings be moved to the evenings;

12.1.4. That a standalone Audit Committee be created, consisting of 8 Members and 2 independent Members;

12.1.5. That the number of Scrutiny Committees be increased to 3;

- 12.1.6. That the membership of scrutiny committees be reduced from 16 to 8 Members;
- 12.1.7. That there be no changes to the Standards Committee; the Complaints Panel; the Appeals Panel or to the Senior Officer Employment Committee;
- 12.1.8. That the Senior Officer Employment Committee be renamed as the Chief Officer Standards Committee.
- 12.1.9. That there be no change in the current arrangements with regards to independent membership on the Standards Committee;
- 12.1.10. That an additional meeting of the Council be added to the Council calendar in September from the 2022 municipal year onwards;
- 12.1.11. That the changes above be implemented with effect from the new municipal year i.e. 13<sup>th</sup> May 2022.
- 12.1.12. That a further report be brought to the next meeting of Council with the relevant changes to the Constitution including setting out detailed Terms of Reference for the new Scrutiny Committees and Audit Committee;
- 12.1.13. That the proposed new structure be referred to the Council's Independent Remuneration Panel with a request that they review the Council's current Members Allowance Scheme;
- 12.1.14. That the Council's approach to Committee Training be reviewed during the next municipal year.
- 12.1.15. That reference to remote/hybrid meetings and relevant legislation where applicable be considered as part of the next update to the Constitution;
- 12.1.16. That the Freedom of the Borough and Alderman procedures be clarified as part of the next update to the Constitution.

### 13. **Background Papers**

- 13.1. None

### 14. **Appendices**

- 14.1. Appendix A: Survey responses: Planning Committee;
- 14.2. Appendix B: Survey responses: Licensing Committee;
- 14.3. Appendix C: Survey responses: Licensing Sub Committees;
- 14.4. Appendix D: Survey responses: Scrutiny (Audit and Value for Money Council Services) Committee;
- 14.5. Appendix E: Survey responses: Scrutiny (Community Regeneration, Environment, Health and Well Being) Committee;
- 14.6. Appendix F: Survey responses: Standards Committee;
- 14.7. Appendix G: Survey responses: Appeals Panel;

- 14.8. Appendix H: Survey responses: Development Plan Committee;
- 14.9. Appendix I: Survey responses: Senior Officer Employment Committee;
- 14.10. Appendix J: Survey responses: Complaints Panel;
- 14.11. Appendix K: Complete Survey responses.