

## **Governance Committee**

20 January 2020 – At a meeting of the Governance Committee held at 2.15 pm at County Hall, Chichester.

Present: Mrs Duncton (Chairman)

Mr Patel, Mr Bradbury, Mr Jones, Mrs Jupp, Mr Lanzer, Mr Marshall, Mr Mitchell and Dr Walsh

Apologies were received from

Absent:

Also in attendance: Mr High and Mr Whittington

### **Part I**

#### **38. Declarations of Interest**

38.1 In accordance with the Code of Conduct, the following personal interests were declared:

- Mr Lanzer as a deferred member of the Local Government Pension Scheme in relation to the report on Pensions Delegations and as a member of Crawley Borough Council in relation to the report on Joint Work on Recycling Projects.
- Mr Bradbury as a member of Mid Sussex District Council in relation to the report on Joint Work on Recycling Projects.
- Mr Jones as a member of Crawley Borough Council in relation to the report on Joint Work on Recycling Projects.
- Dr Walsh as Leader of Arun District Council in relation to the report on Joint Work on Recycling Projects.

#### **39. Minutes of the last meeting of the Committee**

39.1 Resolved – That the minutes of the meeting held on 2 December 2019 be approved as a correct record and that they be signed by the Chairman.

#### **40. Planning and Rights of Way Committees - options for cost savings**

40.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which proposed options for achieving savings to offset some of the costs of a new Fire and Rescue Service Scrutiny Committee.

40.2 The Director of Law and Assurance introduced the report, advising that options were given for merging the Planning and Rights of Way Committees, or to merge the chairmanship, in line with the suggestions of the Scrutiny Review Group.

40.3 At the invitation of the Chairman, Mr Whittington addressed the Committee as Chairman of the Rights of Way Committee. He reported that

the work of the Chairman of Rights of Way Committee was significant between meetings and benefitted from specialist knowledge, so in reality created a higher workload than might be expected from a Committee which met two or three times a year.

40.4 At the invitation of the Chairman, Mr High addressed the Committee as Chairman of the Planning Committee. He highlighted that Planning Committee had a high workload and a distinct mode of operation, such as site visits. He hoped that more consideration would be given to the potential impact of a merger other than the financial benefit.

40.5 The Committee noted that many other councils had merged their planning and rights of way committees, but wished to have a better understanding of the practical impact of the proposed options and also questioned what other alternative options might be available for offsetting the costs of the new Committee.

40.6 Dr Walsh, seconded by Mr Jones, proposed that option 1, to merge the committees, be endorsed for recommendation to the County Council. The proposal was lost.

40.7 Mr Marshall, seconded by Mr Bradbury, proposed that a decision be deferred until a more qualitative review of impact on functions and a quantification of alternative options to make savings in the Democratic Services budget be provided. The proposal was agreed.

40.8 Resolved – That decision on options be deferred until the Committee receives a further report giving more qualitative review of the impact on functions and a quantification of alternative options to make savings in the Democratic Services budget.

#### **41. Proposed Minor Changes to Council Procedures**

41.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which recommended minor changes to Standing Orders relating to County Council meetings.

41.2 The Director of Law and Assurance introduced the report, advising that it was recommended that the method by which a Cabinet Member provides his or her response to a motion to the public be changed from a formal decision to a report to be published in the Bulletin. In response to the increasing pressure in the organisation, he proposed that the deadline for the submission of written questions for reply at County Council meetings be moved earlier by one working day, usually 9.00 a.m. on the Friday before a Council meeting.

41.3 The Committee was supportive of changing the response to the motion process but discussed the impact of changing the deadline for written questions. It was agreed that 12.00 noon on the Friday before Council would have less of an impact on members be recommended.

41.4 Resolved –

- (1) That County Council on 14 February 2020 be recommended to change Standing Order 2.53(b) so that the Cabinet Member's response to a motion referral be published in the Bulletin rather than via an executive decision.
- (2) That County Council on 14 February 2020 be recommended to change Standing Order 2.39 to change the written question deadline to 12.00 noon on the fifth working day before the meeting.

## **42. Pensions Delegations**

42.1 The Committee considered a report by the Director of Finance and Support Services (copy appended to the signed minutes), which recommended minor changes to the terms of reference of the Pensions Panel, Pension Advisory Board and Performance and Finance Scrutiny Committee.

42.2 The Committee supported that proposed changes as clarifications of roles and commented that the term 'Pensions Panel' should be reviewed as the term 'Panel' implied that it was not a decision-making body.

42.3 Resolved –

- (1) That the County Council on 14 February 2020 be recommended to approve the changes to Part 3 of the Constitution as set out in the report.
- (2) That the Director of Law and Assurance be authorised to revise the scheme of officer delegation to reflect the most up to date and accurate list of employer responsibilities.

## **43. Pay Policy Statement 2020/21**

43.1 The Committee considered a report by the Director of Human Resources and Organisational Change (copy appended to the signed minutes) which sought to update the Pay Policy Statement to take into account annual changes and minor changes to reflect the appointment of a joint Chief Executive.

43.2 The Committee supported the proposed changes to the existing scheme but asked for a report to be prepared for a future meeting of the Committee to give detail on paragraph 10.1, the arrangements for decisions on severance payments for senior officers.

43.3 Resolved –

- (1) That the County Council on 14 February 2020 be recommended to approve the proposed revisions to the Pay Policy Statement, as set out in appendix 1.
- (2) That a report be submitted to the Committee on the process for severance payments for senior officers set out in paragraph 10.1 of the statement.

#### **44. Constitutional changes arising from withdrawal from the EU - authority to effect changes**

44.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which recommended that authority be delegated to the Director to update the constitution to take account of the provisions of primary legislation connected with the UK's withdrawal from the European Union.

44.2 Resolved – That the County Council be recommended to confirm that authority be delegated to the Director of Law and Assurance to make any changes to the Council's Constitution, policies and guidance documents to reflect changes in legislation arising from the UK's withdrawal from the EU and to agree and settle changes to any other affected legal instrument or agreement to which the County Council is or will become a party.

#### **45. Officer Delegations - Constitutional Provisions**

45.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes), which had been produced to clarify what changes had been made to officer delegations and responsibilities in the last three years.

45.2 The report was introduced by the Director of Law and Assurance, who advised that changes had been made to the officer scheme of delegation and to the make-up of the Staff Appeals Panel.

45.3 The Leader advised that the new Chief Executive was implementing a further review of governance arrangements, so proposed that the outcome of this be awaited before the Committee consider these matters further.

45.4 Resolved – That the report be noted.

#### **46. Joint Work on Recycling Projects: Establishment of Joint Committee**

46.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which proposed that a joint committee be established with Mid Sussex District Council to implement joint work on recycling projects.

46.2 The report was introduced by the Director of Law and Assurance, who advised that discussions were underway with a number of councils, and Mid Sussex District Council had come forward with a proposal for a project which meant that joint arrangements need to be in place as soon as possible. Other arrangements could be agreed with other councils at a later date. He clarified that the Cabinet Member for Environment would make an executive decision to delegate the relevant executive authority.

46.3 The Committee was supportive of the proposed arrangements and hoped that discussions with other councils would also be taken forward in due course.

46.4 Resolved – That the Director of Law and Assurance be authorised to prepare a constitution and terms of reference for a joint executive committee between the County Council and one or more district and borough councils for use in connections with inter authority partnership work on recycling projects for submission to the County Council for approval.

#### **47. Date of Next Meeting**

47.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday 9 March 2020.

The meeting ended at 4.10 pm

Chairman