

## **Governance Committee**

24 September 2021 – At a meeting of the Governance Committee held at 2.00 pm at County Hall, Chichester PO19 1RQ.

Present: Cllr Bradbury (Chairman)

Cllr Baxter, Cllr Burrett (arrived at 2.10 pm), Cllr Lord, Cllr Marshall and Cllr O'Kelly

Apologies were received from Cllr Wickremaratchi, Cllr A Jupp and Cllr Waight

### **Part I**

#### **12. Declarations of Interest**

12.1 No interests were declared.

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

12.1 Resolved – That the minutes of the meeting held on 28 June 2021 be approved as a correct record and that they be signed by the Chairman.

#### **14. Plans for County Local Forums**

14.1 Further to the decision of the County Council in July to replace County Local Committees with more informal County Local Forums, the Committee considered a report by the Director of Law and Assurance and the Director Communities on the proposed pilot arrangements, including a summary of consultation feedback received from county councillors and district, town and parish councils (copy appended to the signed minutes).

14.2 Members were generally supportive of the plans including the proposal to extend the period of the pilot to July 2022 to enable a full year's trial. It was also felt that holding the virtual session in the winter period made sense. There was agreement to separating out the annual member information and training locality sessions from the three public County Local Forums.

14.3 It was suggested that for the larger rural areas with a number of centres of population it might be better to choose a central location within the district to reduce overall travel for residents and members rather than moving around the district.

14.4 There was some concern that the proposals were too prescriptive in terms of the format of the sessions. For some of the larger districts some members felt a workshop format might work better to enable more locally-focused discussions. The Chairman reassured members that there is flexibility for the chairman of each session to consider with the other members how best to conduct the event, particularly during the pilot year. The benefit of submitting questions in advance was that, for more complex

questions, a full response could be given allowing supplementary questions to be raised at the session.

14.5 The proposal for appointing a different chairman for each session was questioned in terms of planning. In order to explore all options during the pilot year it was agreed that two of the Forums (Chichester and Mid Sussex) would hold initial planning meetings involving all the Forum members. For the other five, planning would involve the chairman appointed for the session in advance. In response to a query as to member consultation on decisions between sessions if chairmanship rotates, the Director of Law and Assurance confirmed that there were no decisions for the Forums to take.

14.6 Resolved –

- (1) The arrangements for the one-year trial of County Local Forums as set out in paragraphs 2.01 to 2.10 of the report be approved, subject to the Chichester and Mid Sussex County Local Forums holding planning meetings as set out in minute 14.5 above;
- (2) That separate annual Locality Sessions should be held, as set out at paragraphs 2.11 to 2.12 of the report;
- (3) That the pilot period should extend to the end of July 2022, to enable a full year's trial; and
- (4) That the arrangements be reviewed by September 2022, to determine a new working model for 2022/23 and confirm the necessary resource requirements.

## **15. Plans for Member Meetings**

15.1 The Committee considered a report by the Director of Law and Assurance on proposals for meeting arrangements to the end of March 2022, following the relaxation of public health restrictions, and taking account of consultation feedback from county councillors (copy appended to the signed minutes). The Committee was also asked to agree that webcasting should revert to pre-pandemic arrangements.

15.2 There was some comment about the reduction in webcasting. In relation to the webcasting statistics in Appendix 4, Cllr Burrett asked if it was possible to determine the percentage of views from within the Council and the Head of Democratic Services said she would find out and respond to him. Members asked if it was possible to record sessions in a less resource-intensive way but the Head of Democratic Services said the current equipment did not allow that.

15.3 The Chairman reminded members that it was only in recent years that the number of meetings being webcast had increased. As set out in the report, other meetings can be webcast where matters of significant public interest are due to be considered. The Chairman commented that the chairman of a committee also had the discretion to consider on its merits a request that a meeting should be webcast. A question was raised

about the format of the minutes and the Director of Law and Assurance said that the style of the Council's minutes should not vary depending on whether or not a meeting is webcast.

15.4 On the issue in paragraph 2.2 of the report that Cabinet Members should be allowed to participate virtually in formal meetings but not vote the Director of Law and Assurance explained that the Cabinet was formed under the Local Government Act 2000 rather than the Local Government Act 1972 and therefore was not bound by the requirement in the 1972 Act that members who take part in a decision-making meeting must be in the same physical space.

15.5 The Leader commented that, as Chairman of the Cabinet, he expected Cabinet Members to attend meetings in person but it was helpful to have the option, in unforeseen circumstances, for members to join virtually even if unable to vote. The hybrid technology also allowed minority group leaders, scrutiny committee chairmen and officers to attend Cabinet meetings virtually which was a positive step in helping to reduce travel.

15.6 It was proposed by Cllr Lord and seconded by Cllr O'Kelly that the proposals for the use of hybrid technology at Cabinet meetings should be amended as set out below in bold, italic text:

- '**Cabinet:** Cabinet Members will be able to participate virtually in formal meetings *with prior agreement of the Leader*, but where doing so they will not be able to vote. Non-Cabinet Members attending these meetings (scrutiny chairmen and minority party leaders) will be able to participate virtually.'

15.7 The amendment was lost.

15.8 Resolved –

- (1) That the proposed arrangements for formal committee meetings to the end of March 2022, as set out in paragraphs 2.1 and 2.2 and in Appendix 1 of the report, be agreed;
- (2) That the arrangements for full County Council meetings, as set out at paragraphs 2.3 to 2.5 of the report, be agreed;
- (3) That the proposed changes to Standing Orders, as set out at Appendix 3, be endorsed for recommendation to the County Council;
- (4) That webcasting should revert to the pre-pandemic arrangements; and
- (5) That arrangements for formal member meetings should continue to be monitored by this Committee.

## **16. Review of Joint Arrangements**

16.1 The Committee considered a report by the Director of Law and Assurance on the joint working arrangement between the County Council and East Sussex County Council in relation to governance and leadership and for a joint chief executive (copy appended to the signed minutes).

16.2 The Chief Executive commented that despite the difficulties facing local government as a whole it was clear that the two local authorities worked well together and significant improvements had been made. She said she was proud of the work that had been done so far.

16.3 The Leader expressed his personal thanks to the Chief Executive for her work in strengthening Council governance and dealing with the challenges which were facing the Council. There had been significant progress and the shared leadership skills across the two councils were helping to deliver valuable services to residents. The Chairman echoed those thanks and asked the Chief Executive to pass on thanks behalf of all members to all staff.

16.4 All members were supportive of the arrangements and were reassured that a similar review report was due to be considered by East Sussex County Council where it was anticipated that the arrangements would also be supported. Assurance was also given that the six-month notice period mentioned in the report was a minimum should the joint arrangements be considered to be no longer beneficial by either party.

16.5 Resolved - That, having considered the matters set out in the report, the Committee agrees that the review of the arrangements has been satisfactorily completed.

## **17. Update to Constitution: Corporate Parenting Panel Terms of Reference**

17.1 The Committee considered a report by the Director of Law and Assurance on changes to the terms of reference of the Corporate Parenting Panel for recommendation to the County Council (copy appended to the signed minutes).

17.2 On page 56 a query was raised about the number of representatives of the Children in Care Council and Care Leavers Advisory Board in relation to the quorum and the Director of Law and Assurance said the wording would be adjusted. On page 57 under 'Purpose', it was noted that the fifth bullet point should be amended to read 'in the best interest **of** our children'.

17.3 Cllr Lord, who is a member of the Panel, commented that they had been working with the new Assistant Director and the Cabinet Member as well as young people to develop the new terms of reference. She added her appreciation of the work of the Cabinet Member in this area. The Chairman asked Cllr Lord to express the Committee's thanks to the Corporate Parenting Panel for its work.

17.4 Resolved – That the revised terms of reference for the Corporate Parenting Panel, as set out in Appendix 1 to the report, subject

to the amendments set out in minute 17.2 above, be endorsed for recommendation to the County Council.

## **18. Appeals Panel Annual Report 2020/21**

18.1 The Committee considered the annual report of the Appeals Panel for 2020/21 (copy appended to the signed minutes).

18.2 Cllr Burrett commented that the training received by Panel members referred to in paragraph 3.1 of the report had not included the role of chairing a meeting and outlining the member role if an appeal is referred to a tribunal. The Director of Law and Assurance said he would ensure training or an appropriate briefing was arranged for members.

18.3 Resolved –

- (1) That the Appeals Panel Annual report 2020/21 be noted; and
- (2) That further guidance be arranged for Panel members in relation to the role of chairing a meeting and outlining the member role if an appeal is referred to a tribunal.

## **19. Change to Member Development Group Terms of Reference**

19.1 The Committee considered a report by the Director of Law and Assurance on a small amendment to the terms of reference of the Member Development Group for recommendation to the County Council (copy appended to the signed minutes).

19.2 On page in paragraph 9 it was noted that an extra 'and' needed to be deleted.

19.3 Resolved - That the proposed amendment to the terms of reference of the Member Development Group, as set out in Appendix 1 to the report, subject to the minor amendment in minute 19.2 above, be endorsed for submission to the Council for approval on 22 October 2021.

## **20. Appointments**

20.1 The Committee considered appointments in accordance with the wishes expressed by the political groups.

20.2 Resolved – that the following appointments be approved.

### **Pensions Committee**

Cllr Turley in place of Cllr Baxter

### **Member Development Group**

Cllr Duncton to fill vacancy

## **21. Date of Next Meeting**

21.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 15 November 2021.

The meeting ended at 3.25 pm

Chairman