

## **Governance Committee**

26 November 2018 – At a meeting of the Governance Committee held at 2.15 pm at County Hall, Chichester.

Present: Mr Barnard (Chairman)

Mr Acraman, Mr Burrett, Ms Goldsmith, Mr Mitchell, Mrs Mullins, Mrs Sparkes and Dr Walsh

Apologies were received from Mr R J Oakley and Ms Kennard

Also in attendance: Mrs Duncton, Mr High, Mrs Millson and Mrs Purnell

### **Part I**

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

38.1 In accordance with the code of conduct, Mr Burrett and Mrs Mullins declared personal interests in the item on the Annual Report of the West Sussex Pension Fund, as a deferred member and member of the West Sussex Local Government Pension Scheme respectively.

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

39.1 Resolved – That the minutes of the meeting held on 11 July 2018 be approved as a correct record and that they be signed by the Chairman.

#### **40. Review of Mid Sussex County Local Committees**

40.1 The Committee considered a report by the Chairman of the Working Group set up in June 2018 to review the impact of changes to the configuration of County Local Committees (CLCs) introduced from May 2017 and to consider a request from Mr Lea, the member for Lindfield & High Weald, for his division to fall entirely within one CLC (copy appended to the signed minutes).

40.2 Mr High, the Chairman of the Working Group, attended the meeting and introduced the report. Mrs Millson and Mrs Purnell, the other two members of the Group, were also in attendance. Mr High commented that, whilst the Group had had sympathy for Mr Lea's request, recreating three CLCs in the Mid Sussex area would not prevent Mr Lea sitting on more than one committee. It was not possible to move the whole of Mr Lea's division into one CLC without negative impacts, particularly due to the community ties within it. The Working Group felt that any adjustment to the number of CLCs in Mid Sussex should not be done in isolation from the rest of the county and it proposed a full review of CLCs to be carried out after the local elections in 2019. Mr High particularly commended the proposed development of best practice guidance, set out in paragraph 2.6 and recommendation (3) of the report, to the Committee.

40.3 Mr Acraman expressed support for returning to three CLCs in Mid Sussex on the basis of the length of agendas of the current two committees which meant that the business was not covered adequately. In his view, in rural areas, too large a CLC meant that there was little common knowledge or shared interest in issues across the whole area. Mr Acraman highlighted the degree of local support from county, district and parish councillors for a third, central CLC. He also questioned the resource cost of £8,500 in paragraph 3.2 of the report which he felt was too high. The Head of Democratic Services said the estimate was based on the cost of Democratic Services officer time rather than meeting venues and travel costs and reminded members that staff time off in lieu for evening work was still a cost to the service.

40.4 Mrs Millson said the Working Group was recommending the exploration of other ways of engaging the public and stakeholders including services calling public meetings on issues of local concern. The Leader agreed that in some cases taking a contentious issue to a CLC might not be the best option and said the executive would look at whether using CLCs in those instances was the best use of resources.

40.5 The Committee thanked the Working Group and supporting officers for producing an excellent report. Whilst understanding the issues raised, members supported the Group's view that to change the pattern of CLCs in Mid Sussex in isolation from the rest of the county would create anomalies and that no change should be made in advance of a full review of CLCs from May 2019.

40.6 The Chairman informed members that terms of reference for the review of all CLCs together with proposals for the make-up of the Working Group to carry out that work would be brought to the next meeting of the Committee.

40.7 Resolved –

- (1) That the Governance Committee should carry out a full review of all County Local Committees after May 2019, to focus on the points set out at paragraph 2.7 of the report, and that the proposed terms of reference of the review and membership of the group to consider it be brought to the next meeting of the Committee;
- (2) That there should be no change at this stage to the current configuration of CLCs in Mid Sussex, including the split of the Lindfield & High Weald division across two CLCs; and
- (3) That the Cabinet Member for Safer, Stronger Communities should develop best practice guidance for CLCs, to include reference to the points set out at paragraph 2.6 of the report.

#### **41. Substitution on Select Committees**

41.1 Following a request from Mrs Mullins, the Committee considered a report by the Director of Law and Assurance which asked whether it wished to investigate the reintroduction of substitutes on Select Committees (copy appended to the signed minutes).

41.2 Dr Walsh, the Group Leader of the Liberal Democrat Group, welcomed the report and said the lack of substitutes was particularly acute for the smaller parties and their reintroduction would be a sensible and positive way forward. He stressed, however, that there should be rules around the operation of substitutes including that notification of a substitution should be given to the chairman or clerk in advance.

41.3 Mrs Mullins said that all members took their commitment to membership of select committees seriously and only missed a meeting when absolutely necessary. When, on occasions, it happened, it was not good for democracy if a political party was not represented in scrutinising an issue.

41.4 The Committee noted that the County Council was out of line with neighbouring authorities in not having substitutes for select committees. Concern was expressed that substitutes were sometimes unable to contribute effectively to meetings if they only attended occasionally. It was felt that if they were reintroduced there would need to be named substitutes and clear rules on how the system would operate.

41.5 The Committee therefore requested a report be brought to the next meeting setting out the reasons for the previous abolition of substitutes on select committees and putting forward, for consideration, a proposal for their reintroduction.

41.6 Resolved – That proposals for the reintroduction of substitutes on select committee be brought to the next meeting.

## **42. Delegation to other Local Authorities**

42.1 The Committee considered a report by the Director of Law and Assurance which proposed that it recommend to the County Council that a delegation be agreed for the non-Executive committees to be given the power to delegate a function to another local authority (copy appended to the signed minutes).

42.2 The Director of Law and Assurance proposed that the appropriate delegations should be included in the terms of reference of the non-Executive committees in the Scheme of Delegation. It was noted that, although it was unlikely that some of those committees would ever need to use the power, for the sake of consistency, it was recommended that they all have the option.

42.3 The Committee requested that the power should be exercised only on the recommendation of the Director of Law and Assurance.

42.4 Resolved – That the County Council be recommended that the terms of reference of the Governance, Standards, Planning, Rights of Way and Regulation, Audit and Accounts Committees be amended to include the following:

‘To delegate powers, when appropriate and on the recommendation of the Director of Law and Assurance, to

another local authority including a borough or district council and to be able, subsequently, to review, amend or withdraw that delegation.'

#### **43. Annual Report of the West Sussex Pension Fund**

43.1 The Committee considered a report by the Director of Finance, Performance and Procurement on the Annual Report and accounts of the West Sussex Pension Fund for the year ended 31 March 2018 (copy appended to the signed minutes).

43.2 Members congratulated the members of the Pensions Panel and supporting officers on the excellent performance of the Fund which, at a funding level of 105%, was exceptional. The Committee praised the approach taken to investment and the consistent top performance of the Fund.

43.3 It was noted that there was some level of uncertainty about the impact of the new pension fund pooling arrangements but it was hoped that the high performance of the West Sussex fund would provide a good bench mark for the work of the pool.

43.4 Resolved – That the Annual Report and Accounts, attached at Appendix 1 to the report, be noted.

#### **44. Report of the Member Development Group**

44.1 The Committee considered the regular report on the work of the Group, member development activities and member training and development priorities and plans by the Chairman of the Group (copy appended to the signed minutes).

44.2 Members discussed how best to try to increase attendance at Member Days which were considered to be a crucial part of briefing members on wider issues for the Council. The Head of Democratic Services said there were plans to experiment with short films or podcasts of key points from Member Days. The Committee suggested it might be helpful if attendance figures for Member Days were made available to group leaders so that they could monitor the attendance of their members.

44.3 Resolved – That the report be noted.

#### **45. Report of Urgent Action**

45.1 The Committee noted action taken by the Director of Law and Assurance, in consultation with the Chairman, as follows:

##### **Response to Consultation on Horsham District Council Polling District Review**

Approval to the County Council's support for the aim of the District Council to change the division boundary between Horsham East and Horsham

Hurst Divisions so that all of Station Road will be located in Horsham Hurst from 2021.

### **Response to Consultation on Horsham District Council Community Governance Review**

Approval to the County Council's comments on Horsham District Council's Community Governance Review which proposes to change the boundary between Shipley and Southwater parishes.

#### **46. Date of Next Meeting**

46.1 The Committee noted that the next meeting would be held at 2.15 p.m. on Monday, 21 January 2019.

The meeting ended at 3.42 pm

Chairman