

Governance Committee

7 September 2020 – At a virtual meeting of the Governance Committee held at 2.15 pm.

Present: Cllr Duncton (Chairman)

Cllr Patel, Cllr Bradbury, Cllr M Jones, Cllr A Jupp, Cllr Lanzer, Cllr Marshall, Cllr Mitchell and Cllr Walsh

Also in attendance: Cllr Crow, Cllr Kennard and Cllr Urquhart

Part I

23. Declarations of Interest

23.1 In accordance with the Code of Conduct, Cllr Walsh declared a personal interest as the Leader of Arun District Council in relation to the item on Plans for Member Meetings during the Covid-19 Emergency (minute no. 25).

24. Minutes of the last meeting of the Committee

24.1 Resolved - that the minutes of the meeting held on 6 July 2020 are approved as a correct record and signed by the Chairman.

25. Plans for Member Meetings during the Covid-19 Emergency

25.1 The Committee considered a report by the Director of Law and Assurance about proposals for meeting arrangements to the end of December, County Local Committee (CLC) meetings in autumn, a review of the role of county councillors by the Member Development Group and continued monitoring of the capacity and resources to support Member meetings (copy appended to the signed minutes).

25.2 The Committee was generally supportive of holding virtual meetings until at least December 2020 in light of the ongoing restrictions due to the public health emergency, although was supportive of moving forward with hybrid meetings when restrictions are relaxed in due course. Some disappointment and opposition was expressed to the recommendation to cancel CLCs in the autumn of 2020.

25.3 Cllr Crow spoke with the permission of the Chairman as the Cabinet Member with responsibility for CLC provision. He commented that few other local authorities now had CLCs. The purpose of the meetings is to meet face-to-face with members of the public which is not currently possible. Hybrid meetings will only be possible when using the Council Chamber and existing legislation did not allow such meetings to be held. He supported the suspension of CLCs and, instead, virtual informal meetings could be held with Members.

25.4 The Head of Democratic Services advised that there was currently no technical capacity to support hybrid meetings though this was being purchased, would be installed in the Council Chamber and then tested; the

equipment is not portable. The next CLC meetings are scheduled in early 2021 and could be considered by this Committee in January 2021. She confirmed that webcasting meetings significantly increases staff resources – between 34 and 40 hours of additional staff time would be required to webcast CLC meetings.

25.5 Members agreed to vote separately on recommendation (2) and recommendations (1), (3) and (4). Recommendation (2) was approved by a majority vote and recommendations (1), (3) and (4) were approved unanimously.

25.6 Resolved – that the Committee agrees:

- (1) The list of council/committee meetings to the end of December 2020 (Appendix 1 of the report);
- (2) Proposals for County Local Committee meetings in the autumn, as set out at paragraph 2.5 (and detailed at paragraph 2.3.2);
- (3) Proposals at paragraph 2.6 for a review of the local/community role of county councillors by the Member Development Group; and
- (4) That the Council's capacity and resources to support member meetings should continue to be monitored by this Committee in liaison with all members.

26. Planning and Rights of Way Committees - options for cost savings

26.1 The Committee was asked to give further consideration to a proposed merger of the Planning and Rights of Way (RoW) Committees, to improve customer service and to offset some of the costs of establishing the Fire & Rescue Service Scrutiny Committee agreed by Council in December 2019, as set out in a report by the Director of Law and Assurance (copy appended to the signed minutes).

26.2 The Senior Adviser reminded members that the Planning and RoW chairmen spoke at the previous meeting and their views had been recorded.

26.3 With the permission of the Chairman, Cllr Urquhart advised that the RoW Committee's workload had reduced over the previous three years due to the deregulation act and decisions being delegated to officers in consultation with the Chairman; and that neighbouring authorities reported that a merged committee works well. This, and other pressures being faced, made it difficult to justify the continued existence of separate committees.

26.4 The Committee was mostly supportive of the proposed merger, although noted that site visits could be problematic if several applications had to go to one meeting at any point. It was supportive because of the positive customer service impact; applications could be considered more frequently; and the experience of neighbouring authorities was known.

The Committee believed that the merger should go ahead as soon as practicable after the decision is taken by the Council on 6 November 2020 because of this.

26.5 Cllr Walsh therefore proposed that (in recommendation (2)) the words, 'from after the election in May 2021' are deleted and 'as soon as possible' is inserted. He was seconded by Cllr Jones. A vote was taken and the amendment was agreed.

26.6 In response to members' questions, the Senior Adviser commented that if the merger is to be brought into effect immediately, the next RoW meeting scheduled for early November would be the final meeting.

26.7 Resolved -

- (1) That the County Council be recommended to approve a merger of the Planning and Rights of Way Committees in the light of the improved customer service it would deliver to rights of way customers and the need to make savings as a result of establishing a Fire & Rescue Service Scrutiny Committee; and
- (2) That the Director of Law and Assurance be authorised to prepare the necessary revisions to constitutional documents for the County Council on 6 November 2020, to take immediate effect.

27. Minor Changes to the Constitution

27.1 The Committee considered a report by the Director of Law and Assurance about minor changes to the terms of reference of the Rights of Way Committee and the Pension Board and membership of the Pension Committee in the Scheme of Delegation in the constitution (copy appended to the signed minutes).

27.2 Resolved - to recommend to the County Council -

- (1) That the proposed changes to the Rights of Way Committee terms of reference and Delegation Code of Practice, as set out in Appendix 1 of the report, are approved;
- (2) That the amendment to the terms of reference of the Pension Advisory Board, as set out in paragraph 2.1 of the report, is approved; and
- (3) That the amendment to the membership of the Pensions Committee, as set out in paragraph 3.1 of the report is approved.

28. Staff Appeals Panel Annual Report 2019/20

28.1 The Committee considered the Staff Appeals Annual Report 2019/20 (copy appended to the signed minutes).

28.2 Cllr Jones believed that the previous arrangements should be restored and the Chief Executive removed from the membership of the Board of Appeal as this would be an extraordinary time commitment for a senior officer and should not be left to custom and practice. He asked for a report, with constitutional amendments, to return to the previous position and was supported by Cllr Walsh.

28.3 Other members commented that there was not a need for further work on the matter and that the Chief Executive would exercise sensible discretion.

28.4 Resolved – that the report is noted.

28.5 The Committee then put Cllr Jones’ proposal, that the Committee considers a future report on whether or not the Chief Executive should be a member of the staff appeals panel in exceptional circumstances, to the vote, which was lost.

29. Report of Member Attendance April 2019 to March 2020

29.1 The Committee considered a report by the Director of Law and Assurance on members’ attendance at Council, Committee and other meetings for the period 1 April 2019 to 31 March 2020 (copy appended to the signed minutes).

29.2 Resolved - that the report is noted.

30. Member Development Group: Membership

30.1 The Committee considered the filling of one vacancy on the Member Development Group.

30.2 Resolved - that Cllr Jones will be the Labour Group member on the Member Development Group and its Working Group.

31. Date of Next Meeting

31.1 The Committee noted that the next meeting will be held at 2.15 pm on Monday, 23 November 2020.

The meeting ended at 3.40 pm

Chairman