

29th JUNE 2015

**REPORT OF HEAD OF THE CHIEF EXECUTIVE
TOWN AREA COMMITTEE FOR MELTON MOWBRAY**

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to propose to Members the establishment of a Town Area Committee for Melton Mowbray.

2.0 RECOMMENDATIONS

It is recommended that:

- 2.1 **The Policy Finance and Administration Committee be recommended to propose to Full Council the establishment of a Town Area Committee for Melton Mowbray covering the Wards of Craven, Dorian, Egerton, Newport, Sysonby and Warwick.**
- 2.2 **The Constitution Part 3 – Delegation of Functions be amended to include specific delegations to the Town Area Committee together with amendments to the delegation to the Community and Social Affairs Committee as set out in Appendix 1 and 2 of this report.**
- 2.3 **A report be made to Policy Finance and Administration Committee later in the year to assess the resources and capacity needed to support the new Committee.**

3.0 KEY ISSUES

- 3.1 The new administration has indicated a wish to create a Committee with delegated functions to deal with specific issues relevant to the town of Melton Mowbray. It suggested that these issues include management and oversight of the Council's special expense facilities including oversight of development proposals as appropriate, together with dealing with relevant consultation arising from the Council's Regulatory Services (Planning and Licensing) when such matters affect the town of Melton Mowbray.
- 3.2 The delegation of such functions to a new Committee will affect the functions currently carried out by the Community and Social Affairs Committee and the delegation to that Committee as presently set out in the Constitution will need to be amended should Members approve the proposal.
- 3.3 An Area Committee for Melton Mowbray would cover all the wards within the town area and all Councillors holding such seats following the election will sit on the Committee. No other Member could sit on the Committee and in these circumstances it is suggested that the Council's current substitute arrangements do not apply.
- 3.4 The Wards covered by the proposed Town Area Committee would be:

Craven Ward	2 Members
Dorian Ward	3 Members
Egerton Ward	2 Members
Newport Ward	3 Members
Sysonby Ward	3 Members
Warwick Ward	2 Members

This would result in a Committee of 15 Members.

- 3.5 The proposed delegations which include oversight and management relevant facilities in the town which would include cemetery, play areas, skate park, War Memorial, relevant local parts of the Country Park and other related facilities are set out in Appendix 1 to this report. The consequential amendments to the Community and Social Affairs Committee are set out in Appendix 2.
- 3.6 It is proposed to Members that the delegation arrangements provide oversight to financial or policy matters by the Policy Administration Committee as is usual in arrangements of this nature when an area committee is being created. Therefore, if a decision the Town Area Committee propose to make is contrary to the Council's current approved Budget and/or the Council's adopted Policy Framework, this decision would be recommended to Policy Finance Administration Committee for consideration and as appropriate, further recommendation to Full Council for decision in those cases where such matters are reserved solely to Full Council in the Constitution and in accordance with relevant legislation.

4.0 **POLICY AND CORPORATE IMPLICATIONS**

Policy:

- 4.1 The new Town Area Committee will act as an additional Policy Committee of the Council and as such, relevant delegations with respect to grant arrangements and/or the ability to delegate further to Officers of the Council as appropriate will rest with the Committee. The new Committee will therefore operate within the Council's Policy Framework and other procedures within the Council's Constitutional arrangements.
- 4.2 Practices and procedures with respect to formal consultation arising from the Council's Regulatory functions will be amended. The representations of the Town Area Committee where made and appropriate will carry the same weight in the determination of regulatory matters as do all other consultation responses.

Finance:

- 4.3 The establishment of a new cross cutting Policy Committee of this nature will have an impact on the Council's resources and capacity. Currently the Council operates an innovative system of supporting its Committees. These duties are distributed across the Council's services as relevant to their functions and activities. The current distribution of Committees effectively utilise all relevant resources which can be allocated to the new Committee. These arrangements are: Policy Finance and Administration Committee is dealt with by Central Services: Rural Economic Environmental Affairs Committee and the Community Social Affairs Committee are dealt with by Communities and Neighbourhoods: the Regulatory Committees, Planning and Licensing are dealt with by Regulatory Services and the Governance Committee is dealt with by Communications.
- 4.4 It is proposed therefore by your Officers that the first two cycles of the Committee be reviewed as to how the Council can respond to the new organisational arrangements and assess the impact on capacity. Members will need to note at this stage that Officers fully expect that additional capacity and cost will be incurred in supporting and managing the role of the Committee and implementing their decisions as appropriate, however, this needs to be formally assessed over that period and such additional costs will fall on the Special Expenses Account.
- 4.5 A formal report will be made to the Policy Finance and Administration Committee later in this financial year for addition to the Budget in 2016/17 as required. The proposals will be presented to the Town Area Committee prior to formal submission to Policy Finance and Administration Committee.

5.0 LEGAL IMPLICATIONS/POWERS

- 5.1 Area Committees are set up under Section 102 of the Local Government Act 1972. The Council can determine the Area Committee shall comprise of the elected Members for the area for which they discharge the functions allocated to the Committee. If this course of action is taken, the Committee is not subject to the proportionality rules under Regulation 19c of the Committees and Political Groups Regulations 1990. This means that an Area Committee does not affect the composition of other Committees.
- 5.2 If the Area Committee is to be made up of all the Ward Members of the Council within the area which it proposed it will discharge certain functions, no other Member who could be introduced as a substitute and the Committee remain as an Area Committee. It is proposed therefore that the Council's substitute rules do not apply to the Committee.
- 5.3 It would be possible under the Committees and Political Groups Amendment Regulations 1991 that an Area Committee can still be classed as such if it comprises of some, but not all of the Ward Councillors in the area. In this case the Council could determine that the other Ward Councillors could be substitutes. In this instance your Officers do not propose this course of action as it is felt appropriate that all Ward Members for the Melton Mowbray Town Area have equal rights with respect to determining and dealing with the functions, it is requested that Full Council delegate to it.
- 5.4 Also, as indicated above in the Financial Implications Section, it is usual practice and required by law that any decision which is contrary to the approved Budget and/or the adopted Policy Framework should be referred back to the Council for decision. As suggested above this would pass through the Policy Finance and Administration Committee.

6.0 COMMUNITY SAFETY

- 6.1 With respect to the functions proposed to be delegated to the Committee there will be Community Safety matters which the Committee will consider and deal with as it deliberates and determines upon matters within its Purdue.

7.0 EQUALITIES

- 7.1 There are no particular implications arising from this report as the discharge of functions by the Area Committee will be operated in a similar fashion.

8.0 RISKS

8.1 Probability

Very High A				
High B				
Significant C				
Low D		1		
Very Low E				
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

↓ Probability
Impact →

Risk No.	Description
1	Resources needed to service and support the Committee adversely affects the Special Expense budget.

10.0 CLIMATE CHANGE

10.1 There are no implications arising from this report.

11.0 CONSULTATION

11.1 The issues as to how the Committee will conduct its business will be subject to such consultation, if any, that the Committee may wish to carry out at appropriate times.

12.0 WARDS AFFECTED

12.1 This report specifically deals with matters relevant to:

Craven, Dorian, Egerton, Newport, Sysonby and Warwick.

however it will have implications across the whole Council in relation to how business is transacted.

Contact Officer Lynn Aisbett, Chief Executive
Date: 29 June 2015

Appendices : 1 – Proposed delegated functions to the Town Area Committee
 2 – Delegations to the Community and Social Affairs Committee

Background Papers: Relevant papers contained upon the Town Area Committee

Reference : X : Committees\Governance\290615 Town Area Committee Report