

Annual Council Meeting	Agenda Item: 7
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Meeting Date	18 May 2011
Report Title	Establishment of Committees and their terms of reference
Portfolio Holder	Leader
SMT Lead	Director of Corporate Services
Head of Service	Interim Head of Legal
Lead Officer	Democratic and Electoral Services Manager
Key Decision	No
Classification	Open

Recommendations	1. To establish the Committees of the Council for the Municipal Year 2011/12 and that the amendments to their terms of reference be agreed.
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Purpose of Report and Executive Summary

1.1 This report requests the Council to formally establish the Committees for the municipal year 2011/12 and to agree their terms of reference.

2 Background

- 2.1 The Council must establish:
- (a) At least one Overview and Scrutiny Committee
 - (b) The Standards Committee
 - (c) A Committee under the Licensing Act 2003

The Council may also establish other Committees

2.2 As part of the review of the Constitution carried out during the last municipal year, a number of changes were made to the committees of the Council and to their terms of reference. These have resulted in amendments to Part 3.2.2 of Swale Borough Council's Constitution:

- Audit Committee
- Emergency Committee
- General Licensing Committee (including Hackney Carriage and Private Hire Vehicle functions)
- General Purposes Committee (including the Appointments Sub-Committee)
- Licensing Act 2003 Committee
- Planning Committee
- Policy Overview Committee

- Scrutiny Committee
- Standards Committee

3 Proposal

- 3.1 That the Committees that the Council has concluded it requires to discharge functions for should be established and that the terms of reference, as amended, for those Committees should be agreed.
- 3.2 There have been some amendments to the terms of reference of the General Purposes, Policy Overview, Scrutiny Committees, which have been agreed or are consequential from decisions taken at Council on 21 July 2010, 15 September 2010, 13 October 2010, 12 January 2011 and 23 February 2011.

4 Alternative Options

- 4.1 Any changes to the number of Committees, or their terms of reference, must be included in the Constitution and as such will require approval of the Council. Any proposal to establish or discontinue a Committee that is currently included within the Constitution, would affect the calculation of the allocation of seats on Committees and would require approval of the Council.

5 Consultation Undertaken or Proposed

- 5.1 The revised Committee structure has largely been as a result of the review of the Constitution and takes into account legal requirements and best practice. All Members have been consulted and informed through their involvement at General Purposes Committee, full Council or both.

6 Implications

Issue	Implications
Corporate Plan	Becoming a high performing organisation
Financial, Resource and Property	The cost of servicing the Council's committees will be met within existing budgets. The establishment of any additional Committees would have financial and human resource implications.
Legal and Statutory	The report has been prepared in consultation with the Interim Head of Legal and the relevant legislation has been included in the body of the report.
Crime and Disorder	None identified at this time.
Risk Management and Health and	None identified at this time.

Safety	
Equality and Diversity	None identified at this time.
Sustainability	None identified at this time.

7 Appendices

7.1 None

8 Background Papers

8.1 Swale Borough Council Constitution