

Council	
Meeting Date	17 June 2020
Report Title	Amendments to constitution: Area committees
Cabinet Member	Cllr Mike Baldock, Deputy Leader and Cabinet Member for Planning
SMT Lead	David Clifford, Head of Policy, Communications and Customer Services (Monitoring Officer)
Head of Service	
Lead Officer	Bob Pullen, Policy and Performance Officer
Key Decision	No
Classification	Open
Recommendations	1. That council agrees to insert the wording at Appendix I into the constitution.

1 Purpose of Report and Executive Summary

- 1.1 This report asks council to adopt changes to the constitution in order to enable the establishment of four area committees.

2 Background

- 2.1 One of the objectives of the administration is to diffuse power among members and improve public engagement in decision-making. As a result of this cabinet asked the policy development and review committee to set up a working group to consider how area committees could work in Swale.
- 2.2 On 12 February 2020 cabinet agreed a recommendation to council establishing four area committees across the borough. These recommendations broadly followed a working group report to the policy development and review committee.
- 2.3 For information, cabinet also agreed that the level of special responsibility allowances for area committee chairmen should be set in accordance with the advice of the Independent Members' Allowance Panel, the report of which is being considered under another council agenda item.

3 Proposals

- 3.1 Appendix I presents the proposed insertions into the constitution. These comprise additions to section 3.2.1, covering geography, membership and terms of reference, and a short addition to section 4.9 to provide the chair with the discretion to invite comments from members of the public.

4 Alternative Options

- 4.1 Council could decide not to establish area committees. However, this would go against the recommendations of both cabinet and the policy development and review committee. In principle council could agree to the establishment of the committees but amend the wording in Appendix I. However, the wording has been agreed by the general purposes committee, whose role is precisely to consider the detail of constitutional amendments.

5 Consultation Undertaken or Proposed

- 5.1 The proposed amendments have been developed in consultation with members across the council, as well as with the public and parish councils. Policy development and review committee established a working group to consider the various aspects of area committees in detail and this resulted in several meetings of the committee to agree a report to cabinet. In addition, all parish and town councils, partners and the public were all invited to submit their views.

6 Implications

Issue	Implications
Corporate Plan	Introducing area committees will support objective 4.1 in the emerging corporate plan around diffusing decision-making power more widely among elected members and improving the transparency, responsiveness and public accountability of council decision-making.
Financial, Resource and Property	The resource implications were considered and agreed by cabinet, and a relevant allocation of funding was agreed as part of the 2020/21 budget round.
Legal, Statutory and Procurement	Any changes to the constitution will need to be agreed by full council.
Crime and Disorder	Area committees will have a broad role in enhancing the quality of life and of council services in their area, which could include initiatives to tackle crime and disorder.
Environment and Climate/Ecological Emergency	Area committees will have a broad role in enhancing the quality of life and of council services in their area, which could include initiatives to tackle climate and environmental issues.
Health and Wellbeing	Area committees will have a broad role in enhancing the quality of life and of council services in their area, which could include initiatives to improve health and wellbeing.
Risk Management and Health and Safety	None identified at this time.

Equality and Diversity	Setting up area committees should allow for more public engagement with the council and could improve our understanding and consideration of different protected characteristics, which would in turn improve our policy making process. It is not considered that the establishment of the committees requires an equality impact assessment, but initiatives subsequently proposed, funded and driven by those committees are likely to do so.
Privacy and Data Protection	None identified at this time.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Proposed amendments to constitution.

8 Background Papers

- 8.1 Report and minutes of 12 February cabinet decision to recommend establishment of area committees, available [here](#).
- 8.2 Report and minutes of 18 March GPC decision to recommend changes to the constitution to enable area committees, available [here](#).

Appendix I: Proposed Additions to Constitution (agreed by General Purposes Committee on 18 March 2020)

UNDER 3.2.1 COMMITTEES

Area Committees

Statement of function

The purpose of area committees is to enhance the quality of life and of council services in the relevant area and to bring greater local insight to bear in council decision-making.

Membership

Membership to include all ward members in the area. Area committee boundaries will align with ward boundaries. Substitute Members are not permitted on area committees. The chair and vice-chair of each committee will be voted for at the first meeting of the municipal year.

Areas

- Eastern (Abbey; Boughton and Courtenay; East Downs; Priory; St Ann's; Teynham and Lynsted; Watling). 12 Members (quorum: four Members).
- Sheppey (Minster Cliffs; Queenborough and Halfway; Sheerness; Sheppey Central; Sheppey East). 14 Members (quorum: five Members).
- Sittingbourne (Chalkwell; Homewood; Kemsley; Milton Regis; Murston; Roman). 11 Members (quorum: four Members).
- Western (Bobbing, Iwade and Lower Halstow; Borden and Grove Park; Hartlip, Newington and Upchurch; The Meads; Woodstock; West Downs). 10 Members (quorum: three Members).

Terms of reference

Within their terms of reference the area committees will:

1. Develop a work programme to enhance core services within the area and take a report to council on an annual basis to provide an update on progress;
2. Agree spending decisions in relation to specific funding allocated to members of the area committee;
3. Provide area intelligence to the cabinet and heads of service, and assist with policy development on relevant matters; and
4. Make recommendations to cabinet on issues in the committee's area and respond to any other specific matter referred to it by cabinet, the council or a senior council officer.

Funding allocation

With regard to point 2 of the terms of reference, each Member will receive an identical amount of specific funding, established in each annual council budget, to be allocated to projects in consultation and agreement with the area committee at large.

Members may make proposals for allocating any part of the amount remaining to them at any meeting of the area committee, and the committee's agreement will be decided by a simple majority of Members present. The pooling of individual Members' amounts is permissible.

Any amount for which an allocation has not been agreed by the area committee by the end of the financial year will be forfeited, and no rollovers will be permitted. Any funding allocation agreed by the committee but unspent by the end of each electoral cycle will also be forfeited.

UNDER PART 4.9 - PUBLIC PARTICIPATION PROCEDURE RULES

Area Committees

Towards the start of each area committee meeting there will be a 20-minute session (extensible and reducible if necessary and at the chair's discretion) for members of the public to ask relevant questions and make relevant comments to the committee. Questions will be for the chair to answer, but the chair will have discretion to invite other Members to contribute.

The chair will have discretion to invite comments from members of the public on any items while they are being discussed at meetings of the area committee.