

## Agenda Item 11

<b>Strategic Leadership Team Lead Officer</b>	Karen Brimacombe	
<b>Author</b>	Karen Brimacombe	
<b>Telephone</b>	01306 879101	
<b>Email</b>	Karen.brimacombe@molevalley.gov.uk	
<b>Date</b>	21 May 2019	
<b>Ward (s) affected</b>	N/A	

<b>Subject</b>	Review of Cabinet Working Groups
----------------	----------------------------------

### Recommendations

1. Amend the Terms of Reference of the Cabinet, as outlined in Part 3 of the Constitution, to –
  - Delete reference to the Sustainable Economy Working Group and the Wellbeing Working Group
  - Include “Establish Task and Finish Cabinet Working Groups to advise the Cabinet and individual Cabinet Members. Such groups to consist of 5 Members of the Council, be politically balanced and chaired by the relevant Cabinet Member (who will be one of the 5 members) or his/her nominee”.
2. Note that Group Leaders will inform the Democratic and Electoral Services Manager of the names of their representatives for each Task and Finish Group.
3. Amend the Terms of Reference of the Cabinet Working Groups, currently set out in Part 3 of the Constitution, as outlined in Appendix 1.

### Executive Summary

This report seeks to amend Part 3 of the Constitution as it relates to Cabinet Working Groups. This is in order to ensure that the Terms of Reference for standing Working Groups are up to date and that there is flexibility to establish Groups, on a task and finish basis to advise Cabinet Members on key tasks in the Annual Plan.

### Corporate Priority Outcomes

The proposals in this report will assist the Council to implement key objectives across each of its priority areas - Community Wellbeing, Environment and Prosperity.

It will also help ensure that, in implementing its key objectives, the Council works in accordance with each of its Guiding Principles.

The Council has the authority to determine the recommendations

## 1.0 Background

Article 6 of the Constitution enables the Scrutiny Committee to “establish Scrutiny Panels where appropriate to the Scrutiny functions”. This flexibility has enabled the Committee to set up standing panels, such as the Standing Budget Panel, together with task and finish groups such as the Car Park Panel and Planning Panel. The Scrutiny Committee is able to agree the Terms of Reference for its own panels.

The Cabinet has no such flexibility. Rather, the Constitution includes specific Terms of Reference for a range of Cabinet Working Groups and there is no facility to establish task and finish groups. As a result, the Terms of Reference for many of the Groups are now outdated. In addition, the Groups are restricted by specific Terms of Reference which may not necessarily enable them to focus on the areas of greatest need.

## 2.0 Proposal

Having considered the Terms of Reference of the Cabinet Working Groups, as set out in Part 3 of the Constitution, it is proposed:

- Aviation Working Group  
To retain the Working Group but update the Terms of Reference as outlined in Appendix 1
- Hackney Carriage Consultative Group  
As currently worded, despite the Group reporting to Cabinet, the relevant Cabinet Member has no role on the Group. It is therefore proposed that the Group comprises the relevant Cabinet Member (currently the Cabinet Member for Environment), 2 District Councillors and 3 representatives of the Hackney Carriage trade. The Relevant Cabinet Member will chair the Group. Amended Terms of Reference are outlined in Appendix 1.
- Pippbrook Working Group  
To retain the Working Group but update the Terms of Reference as outlined in Appendix 1.
- Planning Policy Working Group  
The Terms of Reference for this Group were updated in February 2018. It is proposed to retain these (Appendix 1).
- Thomas Flack Working Group  
Retain as is (Appendix 1)
- Sustainable Economy Working Group and Wellbeing Working Group  
Delete these Standing Working Groups and amend the Terms of Reference for the Cabinet to include the ability to establish task and finish Working Groups. It is unlikely that we will have more than 2 operating at the same time. While the task and finish Groups would agree their own Terms of Reference the Groups would consist of 5 Members of the Council (as confirmed by Group Leaders), will be politically balanced and will be chaired by the relevant Cabinet Member (who will be one of the 5 members) or his/her nominee.

## **Financial Implications**

There are none

## **Legal Implications**

The Council's Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others, such as the changes proposed in this paper, are a matter for the Council to choose.

## **Corporate Implications**

### **Monitoring Officer Commentary**

The Monitoring Officer confirms that all relevant legal implications have been taken into account

### **S151 Officer Commentary**

The Section 151 Officer confirms that there are no financial implications arising from the recommendations of this report.

## **Risk Implications**

The recommendations of this report update the Terms of Reference for a number of existing Working Groups to ensure that they no longer refer to outdated policies, projects and consultations. This helps promote transparency of decision making and ensures that the Constitution is up to date.

## **Equalities Implications**

None for the purposes of this report

## **Employment Issues**

None

## **Sustainability Issues**

None

## **Consultation**

No formal consultation has been carried out. The proposals have been discussed with Cabinet and Group Leaders.

## **Communications**

None

## **Background Papers**

None

## APPENDIX 1– CABINET STANDING WORKING GROUPS - TERMS OF REFERENCE

### AVIATION WORKING GROUP

The Aviation Working Group is a Group established by the Cabinet to provide advice to the Cabinet on Aviation matters, ~~with particular focus on responding to the Airports Commission nationwide consultation in the Autumn of 2014.~~

The Working Group will consist of 5 Members of the Council, will be politically balanced and will be chaired by the relevant Cabinet Member ~~for Planning~~ (who will be one of the 5 members) or his/her nominee. The Working Group will:

- meet as required in order to consider and advise on MVDC's response to any relevant aviation related consultations ~~carried out by the Airports Commission in 2014 and 2015~~ in advance of their considerations by the Cabinet.
- ensure that the Council contributes towards the joint working of the other Gatwick Area Local Authority Partners and feeds back the views of those Authorities to the Council.
- keep the respective political Groups apprised of the work being undertaken by the Group and the progress made.
- report its notes and recommendations to the Cabinet.

### HACKNEY CARRIAGE CONSULTATIVE GROUP

The Consultative Group will comprise of 3 District Councillors and 3 representatives of the hackney carriage trade. It will be chaired by the relevant Cabinet Member (who will be one of the 3 District Councillor members) or his/her nominee. ~~A District Councillor will chair the Consultative Group.~~ The Group will meet at least once a year prior to the meeting of the Cabinet that determines the tariff and other meetings can be arranged as necessary.

### PIPPBROOK WORKING GROUP

The Working Group will consist of 5 Members of the Council, will be politically balanced and will be chaired by the relevant Cabinet Member ~~for Strategy and Assets~~ (who will be one of the 5 members) or his/her nominee.

The Working Group will:

- receive regular updates and information on any significant projects associated with the Pippbrook site ~~the Pippbrook project, including details of the proposed Civic Offices refurbishment~~ which are also to be provided concurrently to Cabinet Members.
- progress the approved options.
- advise the Cabinet accordingly.

### THOMAS FLACK WORKING GROUP

To meet once per annum to consider the applications for funding from the Thomas Flack Fund and to advise the officers of the Working Group's views on each application, for onward submission to the Cabinet.

To meet on an annual basis to review the Thomas Flack Trust Fund investment properties prior to the grant application deadline.

The Working Group will consist of 5 Members from the former Leatherhead Urban District Council area, based on the political balances in existence in the 9 wards. The Working Group will be re-constituted annually.

## **PLANNING POLICY WORKING GROUP**

The Planning Policy Working Group is a Group established by the Cabinet to provide advice to the Cabinet on the preparation and content of the Mole Valley Local Plan and other Planning Policy.

The Working Group will consist of 9 Members of the Council, will be politically balanced and will be chaired by the relevant Cabinet Member for Planning Policy (who will be one of the 9 members) or his/her nominee.

Up to two substitute Members per Group will be appointed. Due to the complex nature of the remit of the Working Group, and the need to maintain an understanding of the ongoing work programme, substitute Members will receive the same training and development as Members of the Working Group and will be invited to attend all meetings of the Group.

All members of the Working Group will attend in-depth training and development in relation to Planning Policy.

During preparation of the Mole Valley Local Plan other Members of the Council may attend Working Group meetings and contribute to discussions. The Chairman of the Working Group or his/her nominee will have the right to introduce a limit on the length of discussion on each item should the number of Members attending or the nature of the debate compromise the business of the Working Group.

The Working Group will meet as required, on average 6 times per year. *During preparation of the Mole Valley Local Plan up to publication of the draft 'preferred options' Plan, the Working Group will meet more frequently, on average once per month.*

The Working Group will:

- at the first meeting of each Municipal Year, set the agenda for the coming year including a forward looking work programme into future years to reflect the priorities of the Council, subject to review as necessary during the year.
- oversee and drive forward the preparation of the Mole Valley Local Plan.
- monitor the preparation of the Plan in light of the Local Development Scheme and the Authority's Monitoring report, and report progress on a regular basis to the Cabinet.
- consider the feedback from stakeholders during the course of the preparation of the Local Plan and make recommendations to the Cabinet on the content of the Local Plan.
- oversee and drive forward other Planning Policy matters, at the request of the Cabinet.
- keep their respective political Groups apprised of the work being undertaken by the Group and the progress made.
- report its notes to the Cabinet.