

<b>SUBJECT:</b>	<b>COMMITTEE STRUCTURE AND TERMS OF REFERENCE</b>
<b>DIRECTORATE:</b>	<b>DIRECTOR OF RESOURCES</b>
<b>LEAD OFFICER:</b>	<b>CAROLYN WHEATER – ASSISTANT DIRECTOR (LEGAL AND CORPORATE SUPPORT SERVICES)</b>

## 1. Purpose of Report

- 1.1 To provide members with an opportunity to consider the manner in which the Council's committees interact with one another and whether any changes to the committee structure should be considered.

## 2. Current Structure

- 2.1 In accordance with the provisions of the Local Government Act 2000 the Council adopted a leader and cabinet style of governance in 2002. As part of the change towards the new executive model, the Council's previous committee structure was changed considerably.
- 2.2 These changes included establishing an overview and scrutiny function and delegating many of the decision-making powers to the Council's executive. A number of the committees in place before 2002 which had previously been heavily involved in the decision-making process were removed as a result of these changes.
- 2.3 An overview of the Council's current committee structure is attached as **Appendix A**. The overview gives details of the links between various Council bodies and the various reporting arrangements for the Council's principal committees.

## 3. Scope for Changes

- 3.1 The Council affirmed its commitment to the current leader and cabinet model when it adopted the 'strong leader' model as an outcome of the Local Government and Public Involvement in Health Act 2007. Since that time, it has also become possible for the Council to re-adopt a form of the committee system which pre-dated the leader and cabinet model, although Council has not previously indicated a preference for this option.
- 3.2 Any such changes to the Council's governance arrangements would have a significant impact upon the operation of the Council and would require considerable upheaval. However, it would also be possible for the Council to amend the operation of its existing structure without making wholesale changes.
- 3.3 As a matter of good practice it is appropriate for members periodically to consider whether the Council's committee structure is fit for purpose. As such, members may wish to consider the following areas in which it would be possible for the Council to

alter its working practices.

### 3.4 Scrutiny

The Council currently has four scrutiny committees, intended to focus upon different parts of the Council's functions. The Performance Scrutiny Committee is intended to examine the Council's operational performance, while the Policy Scrutiny Committee remains focused upon potential changes to the Council's policies and structures. This type of division is relatively unusual within local government.

More typical scrutiny arrangements include dividing work between a number of scrutiny committees with responsibilities for particular service areas with individual committees, covering both policy and performance. Another common structure is the establishment of one principal scrutiny committee which is responsible for all areas, carrying out more detailed work through dedicated scrutiny panels. Any shift towards these arrangements would limit the potential for overlap between the responsibilities of policy and performance scrutiny committees while also allowing the workload to be more evenly divided.

3.5 The two remaining scrutiny committees are relatively recently established. The Community Leadership Scrutiny Committee is focused upon engaging with the public and external organisations. The Select Scrutiny Committee meets less regularly than other scrutiny committees; its main role is acting as the Council's Crime & Disorder Committee and considering any requests for the call-in of Executive decisions.

3.6 The Housing Scrutiny Sub-Committee is the Council's only scrutiny committee dedicated to an individual service area and has considerable overlap with both the responsibilities and membership of the Lincoln Tenants Panel and the Performance Scrutiny Committee.

### 3.7 Standards and Audit

The Council determined to split its standards and audit committee in 2010 in accordance with advice from the Chartered Institute of Public Finance and Accountancy and the need to ensure the Standards Committee remained focused upon its own remit. The Ethics & Engagement Committee superseded the Standards Committee in 2012 with extended terms of reference incorporating governance arrangements and democratic engagement. A number of other councils continue to have a combined standards and audit committee, while the extent of a standalone standards committee's remit is often significantly more restricted and less proactive.

### 3.8 Regulatory Committees

The Council's Planning Committee delegates a significant proportion of its decisions to officers. While a number of other councils have split the duties reserved to its planning committee between sub-committees for individual areas, the Council has only one main planning committee which is responsible for the majority of the Council's planning powers. The Planning Committee is able to make decisions affecting any part of the city.

The Council's Licensing Committee acts as both the Licensing Committee of the Council and under the Licensing Act 2003. The Council also has a standing licensing sub-committee relating to hackney carriage and private hire vehicle driver

licensing. Hearings relating to other licensing areas are usually considered by three-person licensing sub-committees assembled on an *ad hoc* basis. Larger urban authorities often have standing memberships for licensing sub-committees of this type.

### 3.9 Executive

The Council's Executive was established in 2002. The Council appoints a leader for four-year term and the leader then chooses the members of the Executive. Currently the majority of decisions are undertaken by the Executive acting as a committee, rather than via sub-committees or through Executive members acting under delegated powers. The Executive also delegates the majority of significant asset management decisions, including determining asset disposals, to the Asset Management Group. In addition, a joint committee with North Kesteven District Council representatives has responsibility for the Council's shared revenues and benefits service.

### 3.10 Discretionary Specialist Committees and Panels

In addition to the principal committees of the Council, there are also a number of groups and panels, often incorporating external members which examine particular areas of Council business:

- City of Lincoln and Employee Joint Consultative Committee
- City of Lincoln and Employee Joint Consultative Committee (Health, Safety & Welfare)
- Commons Advisory Panel
- Equality and Diversity Group
- Historic Environment Advisory Panel

## 4. **Organisational Impacts**

### 4.1 Finance

There are no direct financial implications arising from this report.

### 4.2 Legal Implications

There are no direct legal implications arising from this report.

## 5. **Recommendation**

5.1 That members consider whether any changes to the Council's committee structure would be desirable.

5.2 That any recommendations to amend the Council's committee structure be either recommended to Council or the relevant committee for detailed consideration.