

Committee: Joint Partnership Committee

Agenda Item

Date: 17th January 2011

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Title: Terms of Reference and public speaking

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Item for decision

Summary

1. Terms of reference were agreed by both Councils in 2010, and are set out below. Uttlesford DC allows for a period of public speaking prior to any Committee or Council meeting whereas Harlow DC do not. It is considered reasonable that there is an opportunity for the public, including the relevant staff and their representatives, to be heard and a draft form of words is put forward for members' consideration

Recommendations

2. That the terms of reference are adopted by the Joint Committee
3. That members consider whether to permit members of the public, including staff, to address the meeting

Financial Implications

4. None

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Reports to both Councils and minutes, October/November 2010

Impact

- 6.

| | |
|----------------------------|--|
| Communication/Consultation | Public speaking at the meeting would improve communication |
| Community Safety | None |
| Equalities | Equalities will be addressed as the project rolls out |
| Health and Safety | None |
| Human Rights/Legal | None |

| | |
|-----------------------|--|
| Implications | |
| Sustainability | None |
| Ward-specific impacts | None |
| Workforce/Workplace | Staff would have the opportunity to make representations in person |

Situation

7. The terms of reference agreed by both Councils are as follows:

Membership

The Joint Partnership Committee will be composed of 6 Members, 3 from each Council.

Quorum

4 members, at least 2 from each Council

Chairman

The post of Chairman shall rotate annually with a Chairman chosen from each Council in turn. The Vice-Chairman of the Committee shall be chosen from the Council not holding the post of Chairman.

Frequency of Meetings

The Joint Committee shall meet at least 4 times per year.

Role and function

The Joint Partnership Committee will have the following role and functions:

- To monitor, scrutinise and review the performance of all services which fall within the Partnership Agreement;
- To monitor the budgets of all services which fall within the Partnership Agreement;
- To agree the business plan for all services within the Partnership Agreement and the measures on which performance will be evaluated;
- To recommend to each Council an annual budget for all services which fall within the Partnership Agreement by 1 December of each year;
- To monitor the effectiveness of all joint working arrangements through:
 - A quarterly review of performance;
 - An annual review of effectiveness and delivery of outcomes;

- To submit the annual review to a meeting of each Full Council by 30 June each year;
- To oversee and make recommendations to each Council on the further development of joint working arrangements regarding service quality, value for money and commercial opportunity;
- To discuss and review all opportunities for further joint working and make recommendations to both Councils.

- 8 Uttlesford DC allows a period for the public to make representations prior to any Committee meeting, but this is not so universal at Harlow DC. The Joint Committee will be overseeing a major project with significant implications for both Councils, particularly the staff involved. It is considered reasonable that people should be allowed to address the Committee at the discretion of the Chairman, subject to adequate notice being given. It is not considered that this Joint Committee is necessarily an appropriate forum for people to enter into the debate other than for matters of clarification, but should such an eventuality arise then this could take place at the discretion of the chairman, with the agreement of the Joint Committee, without the need for specific terms of reference.
- 9 It is anticipated that public speaking would take place before the formal commencement of the meeting. It is further proposed that a time limit of 10 minutes is imposed, again subject to variation at the chairman’s discretion.
- 10 The suggested additional wording is:

“Members of the public, including members of staff or their Trade Union representatives, shall be permitted to address the Joint Committee for up to 10 minutes at the discretion of the Chairman, prior to the commencement of the meeting. At least two working days notice must be given to either of the Committee support services of each Council”.

Risk Analysis

| Risk | Likelihood | Impact | Mitigating actions |
|---------------------------------------|------------|--------|------------------------------|
| The terms of reference are inadequate | 1 | 2 | Amend the terms of reference |

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.