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## REPORT OF THE GOVERNANCE COMMITTEE

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The Governance Committee met on 3 May 2010.

**Present** Councillor Jones (Chairman)  
Councillors Daniel, Reid, Tidy and Tutt

### 1. Review of Proper Officer Appointments

1.1 In March 2011, the Governance Committee agreed to authorise the Chief Executive to consult with staff on a number of changes to the senior officer structure of the Council. Following the consultation period, the management of the Registration Service transferred to the Assistant Director of Community Services on 11 April 2011. The County Council is required to make formal appointments to a number of Proper Officer positions. To reflect the change in management responsibility the list of Proper Officers appointments should be amended as follows:

#### List of Proper Officers designated by the County Council

##### Local Government Act 1972

<b>Section</b>	<b>Subject</b>	<b>Proper Officer</b>
Schedule 29, para 41 (3), (4) and (5)	Appointing interim superintendent registrars or interim registrars of births and deaths pursuant to Sections 9(1) and (2) of the Registration Service Act 1953	Assistant Director of Community Services
	Exercising powers provided by the local scheme of organisation of the registration service pursuant to Sections 13(2)(h) and 13(3)(b) of the Registration Service Act 1953	Assistant Director of Community Services
	Prescription by the Registrar General of duties under the Registration Acts of proper officers pursuant to Section 20 of the Registration Service Act 1953	Assistant Director of Community Services

1.2 The Committee recommends the County Council:

☆ to agree to the Assistant Director of Community Services post being designated as the Proper Officer for Registration matters as set out above.

## **2. Proposed Changes to Scrutiny Committees**

2.1 The rationalisation of departments following the review by the Chief Executive is currently being implemented. This includes a transfer of the functions relating to economic development, travellers and trading standards from Governance and Community Services to the renamed Economy, Transport and Environment Department. The Adult Social Care Department has assumed responsibility for Community Safety.

2.2 As a consequence of these changes, the scrutiny arrangements have been reviewed and the Committee is recommending the transfer of some scrutiny functions between committees to reflect the revised management arrangements set out below. The proposed terms of references are set out in Appendix 1 which has been circulated separately to all members.

(1) Scrutiny of travellers, trading standards and economic development transfers to a re-named Economy, Transport and Environment Scrutiny Committee;

(2) Community safety transfers to a renamed Adult Social Care and Community Safety Scrutiny Committee which would take on the statutory community safety scrutiny function.

2.3 The workloads of the scrutiny committees have been reviewed and the recent introduction of a 'callover' process in Audit and Best Value Scrutiny Committee has enabled routine items to be dealt with more efficiently. It has been concluded that with these changes, the Community Services Scrutiny committee is no longer viable. The Governance Committee is therefore recommending to delete this committee and transfer its remaining activities (e-government, community planning, libraries, the arts, registrars and archives and voluntary sector) to a renamed Audit, Best Value and Community Services Scrutiny Committee.

2.4 One less scrutiny committee would result in a committee management efficiencies from four fewer formal meetings per year. Resources (mainly staff time, printing, postage etc) would be saved or diverted to undertaking more scrutiny projects resulting from increased workloads and remits of the other committees. There would also be a saving resulting from the reduction of the special responsibility allowance for one scrutiny chairman.

2.5 When reducing the number of scrutiny committees, consideration will need to be given to Part 4 of the Constitution (Rules of Procedure) which provides that "Chairmen and Vice-Chairmen of scrutiny committees are allocated to the political groups in proportion to the number of seats they have on the Council. Within this allocation, the chairman of the Audit, Best Value

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[and Community Services] Scrutiny Committee is appointed from the largest political group not represented on the Cabinet”.

2.6 The proposed reduction in the number of Scrutiny Committees also has a wider impact on the allocation of places on committees as set out in Appendix 2 to the report (circulated separately to all members).

2.7 The Committee **recommends** the County Council to

- ☆ 1) agree to the deletion of the Community Services Scrutiny Committee;
- 2) agree to the revised terms of reference of the scrutiny committees as set out in Appendix 1;
- 3) allocate to political groups the places on, and membership of, the main committees as set out in Appendix 2; and
- 4) delegate to the Assistant Director, Legal and Democratic, authority to make any necessary changes to the Constitution to give effect to these decisions.

Peter Jones  
Chairman

3 May 2010



**Proposed scrutiny committees and revised terms of reference from 17 May 2011**

<b>Committee</b>	<b>Scope</b>
Audit, Best Value and Community Services Scrutiny Committee	Internal and external audit matters Corporate risk management Strategic Management Corporate governance arrangements Property management Policy and Finance Legal and Democratic Services Personnel Communications E Government Community Planning Libraries and archives Arts Registrars Voluntary sector  Scrutiny of functions not specifically within the scope of the other scrutiny committees.
Economy, Transport and Environment Scrutiny Committee	Planning Highways Waste management Transportation Environment Economic development Trading Standards Travellers
Adult Social Care and Community Safety Scrutiny Committee	Delivery of social care Social Services relating to adults and older people Support for disabled people to live at home Services for people with mental health problems Community Safety (including the work of the Safer Communities Steering Group)
Children's Services Scrutiny Committee	Education services (including adult education) Social Services where they relate to children Health services exercised by the County Council where they relate to children
Health Overview and Scrutiny Committee	This Committee's specific function is to scrutinise the health services affecting the people of East Sussex.

## APPENDIX 2

### Allocation of Places on Committees : Political Balance Provisions

1. In allocating places on ordinary committees the Council is required to follow the principles set out below unless it agrees (with no member voting against) that the political proportionality rules shall not apply:

- (a) the first principle to apply is that not all of the seats on the body can be allocated to the same political group;
- (b) the second principle to apply is that where more than half the members of the Council belong to one political group, that group shall have a majority on all committees, sub-committees, etc;
- (c) subject to (a) and (b) above, the third principle to apply is that the total number of seats on the ordinary committees (including sub-committees) allocated to a political group reflects that group's proportion of the members of the Council;
- (d) subject to (a) to (c) above, the fourth principle to apply is that the number of seats on each body allocated to a political group reflects the proportion of the seats on the Council held by the group.

2. The total number of seats allocated, on the assumption that one scrutiny committee of seven members is removed, would be as follows:

<b>Group</b>	<b>No. of councillors</b>	<b>%</b>	<b>No. of committee seats (current 74) / revised (67)</b>
Conservative	29	59%	(43) / 40
Liberal Democrat	13	27%	(20) / 18
Labour	4	8%	(7) / 5
Independent Group	2	4%	(3) / 3
Independent	1	2%	(1) / 1
<b>Total</b>	<b>49</b>	<b>100%</b>	<b>(74) / 67</b>

3. The **current allocation** of seats to committees, agreed by the Council in June 2009, is as follows:

COMMITTEE	Conservative	Liberal Democrat	Labour	Independent Group	Independent
<b>Number of councillors</b>	<b>29</b>	<b>13</b>	<b>4</b>	<b>2</b>	<b>1</b>
Regulatory (18)	10.6 (11)	4.9 (5)	1.4 (1)	0.7 (1)	0.4 (0)
Planning (7)	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Governance (5)	2.9 (3)	1.4 (1)	0.4 (1)	0.2 (0)	0.1 (0)
<b>Scrutiny Committees:</b>					
Audit and Best Value (7)	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Children's Services (9)	5.3 (5)	2.4 (2)	0.7 (1)	0.4 (1)	0.2 (0)
Health Overview & Scrutiny (7)	4.1 (4)	1.9 (2)	0.6 (0)	0.3 (0)	0.1 (1)
Adult Social Care (7)	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Transport and Environment (7)	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Community Services (7)	4.1 (4)	1.9 (2)	0.6 (0)	0.3 (1)	0.1 (0)
<b>TOTALS (74)</b>	<b>(43)</b>	<b>(20)</b>	<b>(7)</b>	<b>(3)</b>	<b>(1)</b>

4. In view of the proposed reduction in the number of scrutiny committees, the Governance Committee recommends the County Council to agree to the allocation of seats on each committee to each group and independent member as set out below:

COMMITTEE	Conservative	Liberal Democrat	Labour	Independent Group	Independent
<b>Number of councillors</b>	<b>29</b>	<b>13</b>	<b>4</b>	<b>2</b>	<b>1</b>
Regulatory (18)	10.6 (11)	4.9 (5)	1.4 (1)	0.7 (1)	0.4 (0)
Planning (7)	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Governance (5)	2.9 (3)	1.4 (1)	0.4 (1)	0.2 (0)	0.1 (0)
<b>Scrutiny Committees:</b>					
Audit, Best Value and Community Services(7)	4.1 (4)	1.9 (2)	0.6 (0)	0.3 (1)	0.1 (0)
Children's Services (9)	5.3 (5)	2.4 (2)	0.7 (1)	0.4 (1)	0.2 (0)
Health Overview & Scrutiny (7)	4.1 (4)	1.9 (2)	0.6 (0)	0.3 (0)	0.1 (1)
Adult Social Care & Community Safety (7)	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Economy, Transport and Environment (7)	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
<b>TOTALS (67)</b>	<b>(39)</b>	<b>(18)</b>	<b>(6)</b>	<b>(3)</b>	<b>(1)</b>