



## Chichester City Council

### **Agenda Item 3: To resolve to establish a Business Plan Oversight Working Group or Committee**

**Recommendation:** To establish a Business Plan Oversight Working Group as this provides the greatest flexibility to proceed rapidly with the development of the Business Plan within the existing resource constraints.

#### **Background**

At the Council meeting held on 28/6/23, the Mayor proposed that a Business Plan Oversight Committee be established to take forward delivery and monitoring of the City Council Business Plan.

Council were advised at the meeting that it was important that the terms of reference for such a committee were drafted in such a way that it remained within the legal and governance framework of the 1972 Local Government Act (LGA), particularly with reference to delegated decision-making powers.

For the avoidance of any confusion within the framework of the LGA and Council Standing Orders, the following matters are reserved to the Council for decision, notwithstanding that appropriate Committee(s) may make recommendations thereon for the Council's consideration.

- Setting the Precept;
- Borrowing money;
- Making, amending or revoking Standing Orders, Financial Regulations or the Scheme of Delegation.
- Making, amending or revoking By-laws;
- Making of Orders under any Statutory powers;
- Matters of principle or policy.
- Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);
- Any proposed new undertakings;
- Prosecution or defence in a court of law;
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;
- Approving the annual return;
- Confirming eligibility to exercise the General Power of Competence

Within this framework, there are two options for Council to consider on how oversight of the Business Plan can be progressed.

The first option would be via a Working Group, the second would be via a Standing Committee. Neither body would have delegated powers and both would be purely advisory as matters of principle or policy and decisions on new undertakings remain reserved to Council for decision

#### **Option 1:**

**Working Group:** This allows considerable flexibility in how the body operates and functions – agendas can be issued at shorter notice than a committee and can be amended after issue and ahead of the meeting (as can meeting times) if required. Items that come up in the course of discussions in the meeting and not detailed on the agenda can still be discussed and decisions made if required.

There is no requirement for minutes to be taken and published. This places less reliance upon officer resources to attend meetings and produce agendas and minutes to support the work of the group.

Working Groups offer the flexibility for non-councillors to be members of the group (for example community representatives).

Working Groups do not have ex-officio members.

The Working Group would report directly to Council any items requiring a decision.

The Working Group once established could start meeting by 4/8/23 at the earliest if required.

Meetings are not open to the public.

## **Business Plan Oversight Working Group Draft TOR**

### **Aim:**

- The aim of the Business Plan Oversight Working Group is to advise, oversee and make recommendations to the City Council on all matters relating to the preparation, delivery and continued updating of the City Council Business Plan.

### **Responsible for:**

- Acting as the custodian of the Chichester City Council Business Plan on behalf of the City Council.
- Managing the process to undertake consultation and development activities both within the City Council and the broader community to secure possible items of inclusion in the Plan.
- Developing criteria, including any constraining issues, against which to measure any suggested inclusion and reporting them to the Full Council for approval.
- Devising a draft Plan on an annual basis (i.e. always rolling one year forward on a 5 year timescale) and to liaise with the Finance Committee on the potential cost/precept implications prior to submission to Full Council for approval and final publication for comment to our community.
- Creating 'tools' to monitor progress on implementation of projects/activities/services within the Plan priorities.
- Creating a project management structure to oversee projects identified for action within the Plan in any one year.
- Where appropriate, amend the Plan to reflect any legislative or other changes which impact on the work of the Full Council in the maintenance and development of its Plan and submitting those changes to the Full Council for approval.

### **Membership**

- Voting Membership of the Business Plan Oversight Working Group shall comprise a maximum of eight Councillors elected annually by the Council at the Annual Meeting of the City Council in May.
- The Clerk (in their role as Proper Officer) and the Responsible Finance Officer as non-voting members.
- There are no ex-officio members of the Working Group.
- The voting members of the Business Plan Oversight Working Group will elect a Chairman annually.
- Membership of the Business Plan Oversight Working Group may be changed at any Council meeting.
- Councillors may be co-opted to join during the Council year if authorised by Full Council.
- Non-Councillors may be invited to join the Business Plan Oversight Working Group. These persons do not have a right to vote or to move or second a motion.
- Three voting members shall constitute a quorum for meetings.

## Meetings

- The Business Plan Oversight Working Group will meet at a minimum on a quarterly basis to monitor the plan, combined with designated meetings to deliver aspects of the approved Plan's development - e.g., within the current cycle of consultation and drafting as needed.
- As a working group public notice of meetings or public admission to meetings is not required.
- Agendas are to be distributed by the Chair of the Business Plan Oversight Working Group to all its members at least three days prior to any meeting. A further copy is to be sent to the Clerk of the Council for distribution to any councillors who are not members.
- As a Working Group full minutes of meetings are not required. The Chair of the Business Plan Oversight Working Group is, however, required to forward to the Clerk of the Council a record of discussions at its meetings within seven days of any meeting which will then be distributed to all councillors for their information only.

## Decisions and Delegated Powers

- This Working Group has no delegated authority.

## Reporting to Council

- The Chair of the Business Plan Oversight Working Group must submit to the Clerk of the Council any report arising from its meetings that includes recommendations to Council in accordance with Standing Order 4 ("Motions for a meeting that require written notice to be given to the Proper Officer").

## Option 2:

**Standing Committee:** This would fall within the framework of the [1972 LGA, Schedule 12, paragraph 10](#) . Agendas would have to be published three clear days before a meeting (not including the day the agenda is issued, the day of the meeting or Sundays/Public Holidays), effectively meaning at least five days prior to any meeting.

Agendas and meeting details (e.g. start time) can't be amended after issue. Items not included on the agenda cannot be resolved or decided and will have to be deferred until the next meeting of the committee.

Minutes of all meetings must be recorded and published within 30 days of the meeting date, requiring officer resources to attend meetings and produce agendas and minutes to support the work of the group. Within the constraints of the current staffing levels, this is not something that there is capacity to provide.

There is no flexibility for non-councillors to be members of a standing committee (for example community representatives).

With the current Committee structure, any additional Committee would increase the number of Ex-Officio members on all Committees to five.

The Committee would present meeting minutes to Council outlining items requiring a decision.

The Committee if established could not meet until late September at the earliest (this is due to existing staff holiday commitments during August/early September and the existing committee meeting schedule which is already very busy in the first half of September)

Meetings would be open to the public.

## **Business Plan Oversight Committee Draft TOR**

### **Aim:**

- The aim of the Business Plan Oversight Committee is to advise, oversee and make recommendations to the City Council on all matters relating to the preparation, delivery and continued updating of the City Council Business Plan.

### **Responsible for:**

- Acting as the custodian of the Chichester City Council Business Plan on behalf of the City Council.
- Managing the process to undertake consultation and development activities both within the City Council and the broader community to secure possible items of inclusion in the Plan.
- Developing criteria, including any constraining issues, against which to measure any suggested inclusion and reporting them to the Full Council for approval.
- Devising a draft Plan on an annual basis (i.e. always rolling one year forward on a 5 year timescale) and to liaise with the Finance Committee on the potential cost/precept implications prior to submission to Full Council for approval and final publication for comment to our community.
- Creating 'tools' to monitor progress on implementation of projects/activities/services within the Plan priorities.
- Creating a project management structure to oversee projects identified for action within the Plan in any one year.
- Where appropriate, amend the Plan to reflect any legislative or other changes which impact on the work of the Full Council in the maintenance and development of its Plan and submitting those changes to the Full Council for approval.

### **Membership**

- Voting Membership of the Business Plan Oversight Committee shall comprise a maximum of eight councillors in total, with three Councillors appointed annually at the Council Annual Meeting of the City Council in May.
- The Mayor, Deputy Mayor and Chairman of the Finance, Community Affairs and Planning Committee are ex-officio members of the committee, giving a total voting membership of eight.
- The Committee will elect a Chairman annually.
- Councillors may be co-opted to join during the Council year if authorised by Full Council..
- Three voting members shall constitute a quorum for meetings.

### **Meetings**

- The Business Plan Oversight Committee will meet at a minimum on a quarterly basis to monitor the plan, combined with designated meetings to deliver aspects of the approved Plan's development - e.g., within the current cycle of consultation and drafting as needed.
- Public notice of meetings is required and meetings must be conducted in public.
- Agendas must be published three clear days before a meeting (not including the day the agenda is issued, the day of the meeting or Sundays/Public Holidays) in accordance with the Local Government Act 1972 Schedule 12 paragraph 10.
- Only business outlined on the agenda can be transacted at the meeting.
- Publicly available minutes for each meeting must be produced and published within 1 month of the meeting taking place.

### **Decisions and Delegated Powers**

- This Committee has no delegated authority.

### **Reporting to Council**

- Minutes of the Committee meetings must be reported to full council for consideration of adopting any proposed recommendations.