

SURREY COUNTY COUNCIL**CABINET****DATE: 26 JUNE 2018****REPORT OF: MS DENISE TURNER-STEWART, CABINET MEMBER FOR COMMUNITY SERVICES****LEAD OFFICER: JASON RUSSELL, EXECUTIVE DIRECTOR FOR HIGHWAYS, TRANSPORT & ENVIRONMENT****SUBJECT: FORMATION OF GUILDFORD JOINT COMMITTEE****SUMMARY OF ISSUE:**

Building on the positive partnership working between Surrey County Council (SCC) and Guildford Borough Council (GBC), it is proposed to create a Joint Committee in place of the current SCC Guildford Local Committee.

The Guildford Joint Committee will speed up decision making and strengthen local democracy. The closer working permitted by these new arrangement will allow both authorities to jointly respond on local issues.

The Joint Committee will have an extended remit over and above that of the current Local Committee and will operate under an agreed framework for an initial 12 month period with the scope to delegate additional functions after this time in a structured format.

SCC Cabinet (and full Council) approval is now sought to establish the Joint Committee. As part of this process, approval is also being sought from the GBC Executive (and full Council). If approved by both councils, the Joint Committee will be in place from 19 September 2018, when it will hold its first meeting.

RECOMMENDATIONS:

It is recommended that Cabinet:

1. Agrees to the establishment of the Guildford Joint Committee in place of the current Local Committee arrangements to take effect from 19 September 2018.
2. Considers the Constitution set out in the Annex, including the Standing Orders under which the Joint Committee will operate and agrees:
 - To delegate the executive functions to the Guildford Joint Committee;
 - The extended advisory functions that will come under the remit of the Guildford Joint Committee.
3. Recommends that the Council:
 - Agrees to the establishment of the Guildford Joint Committee;
 - Delegates the non-executive functions to the Guildford Joint Committee.
4. Recommends to Council the appointment of a Chairman of the newly formed Guildford Joint Committee from 19 September 2018, when the Joint Committee would hold its first meeting.
5. Recommends to Council the appointment of Mike Goodman, Cabinet Member for Environment and Transport, as the SCC Cabinet Member on the Guildford

Joint Committee for the 2018/19 municipal year, subject to Council approval of the Constitution.

6. Delegates authority to the Legal Services Manager, in consultation with the Leader of the Council, Cabinet Member and the SCC-appointed Chairman or Vice-Chairman of the Guildford Joint Committee, to agree to any minor amendments to the Constitution, which may be required.

REASON FOR RECOMMENDATIONS:

Cabinet and full Council agreement is required to establish a Guildford Joint Committee, to replace the current Local Committee arrangements; to delegate recommended executive functions to the newly formed Guildford Joint Committee; and to agree the Constitution and Standing Orders under which the newly formed committee will operate.

Joint Committees are an innovative two tier response to central government policy initiatives. Positive conversations are being held with other Surrey borough and district councils on the formation of further joint committees with SCC.

The creation of the Guildford Joint Committee builds on a strong track record of joint and collaborative working between the two authorities and provides a platform on which future joint arrangements can be co-ordinated.

This approach has already proved successful in Woking and Spelthorne, where Joint Committees have been operating since June 2014 and January 2017 respectively and has been shown to improve partnership working.

The new Joint Committee will simplify and speed-up local decision making processes, enabling for the first time, all functions and budgets delegated to it to be jointly decided upon.

SCC Cabinet (and full Council) approval is sought at the current time in order for a Guildford Joint Committee to be established from 19 September 2018.

The Guildford Joint Committee proposal is complementary to the work and remit of the current cross-party Local/ Joint Committee Review Group. The review aims 'to set out the council's vision for local governance and engagement including the future role of Local/ Joint Committees in supporting Members in their role as community leaders', an aim reflected in the ambition of the proposed Joint Committee. The Chairman of the Review Group Councillor Mary Angell is very supportive of the Joint Committee proposal.

DETAILS:

Business Case

1. Discussions between GBC and SCC have revealed a shared aspiration for the councils to create a Joint Committee which would take the place of the current Surrey County Council Local Committee in Guildford.
2. The Joint Committee would be a true partnership between SCC and GBC enabling more joined-up and cohesive decision making on issues that affect residents. It would operate in place of the current Local Committee which can only take decisions on county council functions that are delegated to it, and which has limitations on the voting rights of the co-opted borough members who are unable to vote on education and youth matters.

3. The Guildford Joint Committee will help deliver the following aims:
 - Increase the involvement of residents, local communities, businesses and partners;
 - Improve decision making, speed-up processes and reduce duplication in governance;
 - Support councillors in their role as community leaders, game changers and champions;
 - Promote greater accountability and local scrutiny;
 - Provide an innovative two tier response to central government policy initiatives and a platform on which future joint arrangements can be strengthened.
4. By working together, the Joint Committee will provide the opportunity to identify local solutions and seek to jointly deliver local government service improvements for the residents, businesses and visitors to the borough of Guildford. Both councils will be proactive in bringing issues to the Joint Committee and seeking to deliver local priorities together.
5. The Joint Committee will determine priorities for collaborative work undertaken within the committee's remit by both councils, including working with other partners.
6. If agreed by both SCC and GBC, the Guildford Joint Committee will become operational from 19 September 2018.

Remit of the Guildford Joint Committee

7. It is proposed that changes are made to the Council's scheme of delegation to enable the establishment of the Guildford Joint Committee with functions delegated to it by both SCC and GBC. The full functions of the Joint Committee are set out in the Constitution in the Annex.

Funding Arrangements

8. The Joint Committee will have responsibility for a number of devolved budgets in relation to Highways and Community Safety:
 - Local Committee Highway Fund
 - Integrated Transport Schemes (ITS) Capital
 - Parking Revenue
 - Community Safety funding.
9. A provision has also been made to enable the Joint Committee to apportion any resources delegated by either authority for Early Help Services in order to support joint working, though no specific resources have been identified at this time.

An Enhanced Role - Joint Working

10. The Joint Committee will build on the joint work exemplified by the current Guildford Local Committee.
11. In addition to taking on the decision making functions of the existing Guildford Local Committee, the Joint Committee will be broader in scope supporting the close working of the two councils across a range of key policy areas including Family Support, Adult Services, Early Help, Educational Standards, the delivery of infrastructure and the Place agenda.
12. The Joint Committee will also feature a number of Guildford Borough Council functions that have synergies with the current Guildford Local Committee functions

such as Air Quality and agreeing a joint statement of priority for the delivery of infrastructure. This is detailed in the Constitution attached as an Annex.

13. The Joint Committee will operate under this expanded framework for a period of 12 months. During this 12 month period the operation of the Joint Committee will be kept under review by the respective councils toward determining whether it has met its goal of enhancing joint working.
14. Following the 12 month period, other functions could be added or amended, in consultation with members and officers from both councils, and subject to approval from both councils.

Joint Committee Constitution

15. The committee will be established as a Joint Committee of SCC and GBC in order to discharge functions jointly.
16. Both the participating local authorities currently operate under different governance arrangements. In order to ensure the Joint Committee can function effectively and within the law, it will operate under its own Constitution (Annex).
17. The Constitution is necessarily detailed, setting out the context and purpose, the functions and powers, and the Standing Orders under which the Joint Committee will operate.
18. The relevant sections of SCC's Constitution will also be updated in line with these changes.
19. If a point is reached where the majority of local committees have or are in the process of transferring to joint committee arrangements, a standardised operating framework for joint committees could be introduced.
20. Under the Constitution, whilst decision making in relation to delegated matters will be dealt with by the Joint Committee, the day-to-day operational arrangements relating to those functions will continue to be managed within the respective authority responsible for the function. All funds will be spent in accordance with their respective financial regulations and policies.
21. Meetings of the Guildford Joint Committee will be held in public, enabling local people to have their say and contribute directly to the decision making process.
22. At the 12 month review point either council may give written notice of its intention to withdraw from the Joint Committee. The Joint Committee would then cease to exist and the functions delegated to it would each revert back to the relevant delegating authority.

CONSULTATION:

23. The Leader and the Cabinet Member for Communities have been consulted and are supportive of further joint committees being established. The then 'Resident Experience Board' has been consulted on the development of joint committees.
24. The Leader, Corporate Management Team, Executive and Chief Executive of GBC have been driving the discussions relating to the development of the Joint Committee.

25. The Guildford Local Committee has been involved in the development of the proposals for the Joint Committee, and has endorsed the approach.
26. The Chairman of the Local/ Joint Committee Review Group, has been consulted on the development of the proposal for the Joint Committee.
27. Detailed discussions during the development of the Joint Committee Constitution have been held with officers from Legal and Democratic Services from both SCC and GBC. Officers from relevant SCC service functions have also been fully involved in the development.
28. Approval for the Constitution for the Joint Committee is being sought from GBC's Executive and full Council, on 19 June and 24 July respectively.

RISK MANAGEMENT AND IMPLICATIONS:

29. There are no significant risk management implications arising from this report.
30. A more unified approach through the establishment of the Joint Committee should reduce the risks of fragmented service delivery and duplication or omission. The Joint Committee will operate under its own constitution, which will provide effective governance and oversight of the issues being considered. A Joint Committee would be bound by the approved policies, budgets and financial regulations of both Councils.
31. The Joint Committee will work under a defined framework for its initial 12 month period following which a full review will be conducted into the operation of the committee. This approach should help to mitigate any potential risks from the operation of a Joint Committee.
32. The Joint Committee will enable SCC and GBC to make joint decisions. SCC and GBC services are not being merged and separate budgets for the functions will be maintained by each authority. The normal call in protocols apply.

Financial and Value for Money Implications

33. There are no additional financial implications of establishing a Joint Committee in place of the current local committee arrangements.
34. The Joint Committee will operate within the County Council's established budget setting and financial planning processes. SCC will agree each year the amount of funding allocated to the Joint Committee to carry out its delegated functions. GBC would agree on any funding to be made available to the Joint Committee through its own budget setting processes.
35. All funds will be held and administered by the originating authorities and spent in accordance with their respective financial regulations and policies.
36. Any allowances or expenses received by any member of the Joint Committee in connection to the activities of the Joint Committee (including those in relation to Chairman and Vice Chairman roles), will be funded and administered by their respective authorities.

Section 151 Officer Commentary

37. The Section 151 Officer confirms that all material financial and business issues and risks have been considered in this report. The formation of the Guildford Joint Committee changes the process of decision making, however all budget setting and expenditure will remain within and be administered by the originating authorities in accordance with existing regulations and policies.

Legal Implications – Monitoring Officer

38. Sections 101(5) and 102 of the Local Government Act 1972 empowers local authorities to agree to discharge functions jointly, and to establish joint committees to enable these arrangements. Under the Local Authorities (Arrangements for Discharge of Functions) England Regulations 2012 the Cabinet is responsible for agreeing to the establishment of any joint arrangements in relation to any executive functions. Most of the County Council's functions that will be dealt with by the new Committee will be executive functions as outlined in the report. However, as there will also be some non-executive functions, the arrangements for the Guildford Joint Committee also need to be agreed by the full Council. The regulations require representation on the Committee of at least one Cabinet Member given that it will be dealing with executive functions.

Equalities and Diversity

39. An Equality Impact Assessment (EIA) was completed covering the options for change regarding Local Committees as part of the November 2012 Cabinet Report on the Public Value Review of the Community Partnership Team. A summary of the key impacts and actions was provided at this time and has been reviewed.
40. By delivering against the recommendations of the original Cabinet Report, the formation of the Guildford Joint Committee will effectively deliver some of the positive impacts identified through the EIA, such as enabling better partnership working with improved shared outcomes for local residents and communities. There are no negative equalities implications identified.
41. Equalities issues, particularly in relation to any disabilities, will be given consideration in the arrangements for public participation in the Guildford Joint Committee to ensure that anyone with a protected characteristic is not disadvantaged.
42. There are no further impacts arising from this report.

Other Implications:

43. Safeguarding responsibilities for vulnerable children and adults

There will be closer scrutiny of provision within the Guildford area.

44. Public Health

There will be closer scrutiny of provision within the Guildford area.

WHAT HAPPENS NEXT?

45. Following Cabinet agreement (and endorsement where the decision is within the remit of the Council) of the recommendations, full Council approval will be sought for the establishment of Guildford Joint Committee, agreement of the Guildford Joint Committee Constitution and Scheme of Delegation.
46. Guildford Joint Committee would be formally constituted from the 19 September 2018, when the Joint Committee would hold its first meeting.
47. The Constitution of the Guildford Joint Committee will be reviewed after 12 months, and any recommended changes reported back through appropriate processes at SCC and GBC.

Contact Officers:

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Consulted:

Internal consultation: Cabinet Member for Community Services; Leader, Surrey County Council, Chairman Guildford Local Committee, Guildford Local Committee, Executive Director for Highways, Transport & Environment, Chairman of Local/Joint Committee Review Group.

External consultation: Guildford Borough Council Leader, Guildford Borough Council Executive; and Guildford Borough Council Chief Executive and Senior Management Team

Annexes:

Annex: Guildford Joint Committee Constitution

Sources/background papers:

- Review of Woking Joint Committee, within the Community Engagement in the Local Decision Making Process report to the Resident Experience Board on 19 May 2016.

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