

Members Advisory Panel-New Constitution

A meeting of Members Advisory Panel-New Constitution was held on Tuesday, 22nd December, 2009.

Present: Cllr Terry Laing (Chairman), Cllr Mrs Lynne Apedaile, Cllr Mrs Jennie Beaumont, Cllr Mrs Ann Cains, Cllr Ken Dixon, Cllr Mrs Suzanne Fletcher, Cllr Robert Gibson, Cllr Ken Lupton, Cllr Bill Noble, Cllr Steve Walmsley

Officers: B. Jackson (DNS), M. Waggott, M. Jones (LD)

Also in attendance:

Apologies: Cllr Jim Beall, Cllr David Coleman

MAP 20/09 Declarations of Interest

There were no declaration of interest.

MAP 21/09 Minutes of the Meeting held on 28th October 2009

AGREED that the Minutes of the Meeting held on 28th October 2009 be confirmed as a correct record.

MAP 22/09 Learning and Development Strategy for Members - Progress Update

Consideration was given to a report which provided an update of progress made regarding the delivery of the Member Learning and Development Strategy and in particular developments regarding:

- Personal Support Planning
- Member Support System
- Member Learning and Support Activities
- Mandatory Training for 2010/11

Members undertaking PSP's were able to influence the spending of the Elected Member Development budget as emerging training needs were identified. Officers would continue to utilise opportunities presented by the Regional Improvement and Efficiency Partnership for Member Learning and Development as they arose; and these available resources would be referred to within the Member Support System.

In the 2009/10 Municipal Year, members received mandatory training on Planning provided by Trevor Roberts Associates and Licensing provided by internal officers. Evaluation in respect of the training indicated that the structure and content of the training was very good. An additional Planning session focusing on Design Considerations was provided by internal officers, and regular 'Sound Bite' sessions were held which all members were invited to.

Policy Update sessions were diarised on a two monthly cycle, with additional seminars arranged when necessary to cover topical issues ie Comprehensive Area Assessment. In order to maximise attendance at these seminars, a new arrangements procedure was implemented, which involved booking seminars into members outlook diaries in advance to assist with diary management. To

alleviate the need to arrange ad hoc additional sessions it was proposed that for 2010/11, Policy Update Sessions be scheduled on a monthly cycle, which could be cancelled if not required.

Members took advantage of free seminars and courses not only as Members of this Authority but also as representatives of Outside Bodies. The Authority had been granted, through the Regional Improvement and Efficiency Partnership Community Engagement work stream, the provision of 2 workshops to be delivered by the Improvement and Development Agency. The topics for these Workshops were Equality and Diversity and Media and Communications. It was anticipated that these would take place in June/July 2010 and Members would be advised of the dates as soon as they were arranged.

Arrangements had been made for officers to provide a half day mandatory introduction session on the 'Role of the Planning Committee' on Tuesday 13th April 2010 from 9.30 – 12.00 for new members of the Planning Committee (as well as those members seeking a refresh, and any member who wishes to act as a substitute.) All Planning Members, and those wishing to act as substitute would also receive a day's mandatory training on:

- Member involvement in major applications
- Flood risk/Strategic Flood Risk Assessment and climate change and sustainability

In addition a half day session would be provided on Community Infrastructure Levy and National Planning Policy Statements when adopted and regular sound bite sessions will continue. These sessions were not mandatory but considered important for members of the Planning Committee.

Training would take the same form as that of the Planning Committee with A mandatory half day session for the Licensing Committee would be provided to new members of the Committee, those seeking a refresh, and any member who wished to act as a substitute on the 'Role of the Licensing Committee'. This session was scheduled to take place on Friday 23rd April from 10.00 – 12.00.

On Friday 25th June 2010, Licensing Members, and those wishing to act as substitute would receive a day's mandatory training on:-

- Updates to the Licensing and Gambling Act – including variations, mandatory conditions, expedited reviews, case law in the past year
- Updates on Taxi Licensing (including DDA), Sex establishments (lap dancing etc), the Charities Act and general Licensing issues

In respect of training for the Employee Appeals Panel, Officers would provide an update on current issues in Employment Law for any new member to the Panel on a date to be confirmed.

The Members Learning and Development Strategy was to be refreshed in 2010/11. The Authority would also be re-assessed in October 2010 to maintain Charter standards. A new exemplar standard had been introduced, to complement the existing standard, known as Charter Plus. The new standard would be a more rigorous test only available to councils already holding Charter status, and linked closely with the Comprehensive Area Assessment framework introduced in April 2009.

The discussion on the day considered the scheduling of training, and Officers advised that mop-up sessions were made available, and would continue to be made available, where possible for members who could not attend sessions. Dates would be confirmed and published in advance of the Annual meeting to allow members to plan for training.

AGREED that:-

1. The content of the report in relation to ongoing work in relation to Member Support, Learning and Development be noted.
2. The proposed arrangements with regard to Mandatory Training to be provided in 2010/2011 in respect of Planning, Licensing and Employee Appeals, be agreed.
3. The dates for training be circulated prior to Council's Annual Meeting

MAP 23/09 **Committee Meeting Times**

Members views were invited to a member request received for a review to be undertaken of the commencement time of Committee meetings, with a suggestion that more meetings be arranged for an evening, as it has been suggested that this would be more suitable for members who worked and were unable to attend daytime meetings; and for members of the public who wished to attend meetings and had similar problems in attending during the day.

It was noted that the Diary of scheduled Meetings for the Municipal Year 2010/11 had already been established back in 2007 as part of a four year diary providing members with clarity as to the dates and frequency of most meetings of the Council and its Committees.

Meetings of the various Committees/Working Groups of Council were held at various times throughout the day, early and late evening. Consultation had been held with other local authorities within the region regards their own policy, and consultation on the issue of holding Planning Committee meetings of this authority held on an evening had initially been raised with the Head of Planning Services. Local authorities within this region took a mixed view in terms of their preferred meeting times, with most adopting a similar approach to Stockton in offering a mix of meeting times. Concerns were raised as to the impact on planning officers if required to attend meetings up until 8.00pm, and also be able to respond to enquiries from the public, meet agents and deal with casework during the day.

The views of elected members regarding the issue of times of Select Committee meetings were considered in both 2007 and 2008 as part of a related consultation on measures that may improve the scrutiny process. On the latter occasion, of the small amount of members that commented on whether the times of these meetings were a problem, all had indicated a preference for either am or pm meetings. The views of all members were invited as part of compilation of the Diary of Meetings for the four year period from 2007 onwards.

This issue was linked to the perceived barriers identified within the Councillors Commission Report of 2007 which highlighted the difficulty in encouraging more

people to consider becoming councillors due to the worry that they would not be able to find the time to be a councillor and do their existing job. The position defined under the Employment Rights Act 1996 provided that the amount of time off which an employee was to be permitted to take, and the occasions on which and any conditions subject to which time off may be so taken, were those that are reasonable in all the circumstances having regard to the following:-

- a) how much time off was required for the performance of the duties of the office or as a member of the body in question, and how much time off was required for the performance of the particular duty,
- (b) how much time off the employee had already been permitted under this Act or sections 168 and 170 of the [1992 c. 52.] Trade Union and Labour Relations (Consolidation) Act 1992 (time off for trade union duties and activities), and
- (c) the circumstances of the employer's business and the effect of the employee's absence on the running of that business.

The Government's response to this had been to offer commitment to work with the LGA, IDeA, local government and employer organizations to produce an information pack for employers explaining the duties and time commitment involved, as well as the benefits to be gained for both parties.

From the point of view of democratic engagement with the public, neither through our community engagement strategy, or via formal feedback, had we received any feedback to indicate that the public would be more likely to attend a meeting if it were to be held on an evening. Members were aware that more often than not, unless a specific public interest item was included on the agenda, few members of the public were seen to attend meetings of full Council. Cabinet meetings, while held slightly earlier, similarly failed to attract many members of the public, apart from on rare occasions. Democratic Services did however actively promote the public's rights and opportunities to attend meetings and made a wide range of democratic and meeting related information available on-line.

Discussions on the day considered committee meeting times and acknowledged that day time meeting may not be convenient for council members and members of the public wishing to attend who worked full or part time. However it was also acknowledged that evening meetings were also inconvenient for those who had childcare issues, who were reliant on public transport that did not run on evenings, or those did not wish to venture out on an evening due to security concerns.

It was noted that the current approach was flexible and democratic, with members being made aware of the times and dates prior to the Annual meeting to enable them to choose which committee(s) to serve on based on the known date and time frequency of that meeting. There were also opportunities for changing the time at the first meeting of the committees. The Democracy diary would be reset and agreed after the 2011 election, in consultation with Members.

The issue of catering requirements for meetings that could run over lunch time, e.g. Licensing, or start early evening was also raised.

AGREED that the views of the Members Advisory Panel be noted.

