

North East Derbyshire District Council

Council

17 September 2018

Strategic Alliance Joint Committee – Terms of Reference

Report of Councillor R Smith, Portfolio Holder for Corporate Governance

This report is public

Purpose of the Report

- To present the revised Terms of Reference for the Strategic Alliance Joint Committee (SAJC) recommended by Standards Committee to Council for approval.

1 Report Details

- 1.1 At its meeting on 12 July 2018 the Standards Committee gave consideration a report setting out a suggested revised Terms of Reference for the Strategic Alliance Joint Committee. The report is attached as **Appendix 1**, which includes the revised Terms of Reference.
- 1.2 The Standards Committee considered the report as follows:

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The Committee considered a report of the Chief Executive, which set out the proposed revised Terms of Reference for the Strategic Alliance Joint Committee in order that Members could recommend them to each respective Council for approval.

The Terms of Reference for the Strategic Alliance Joint Committee had been reviewed to ensure that they remained fit for purpose and that its remit was to monitor and develop the work of the Alliance.

The Strategic Alliance Joint Committee considered the proposed amendments to their Terms of Reference at its meeting on 12 June 2018. The new Terms of Reference removed some provisions and also added new ones. The amendments were shown on the appendix to the report.

RESOLVED – That the Standards Committee notes the proposed changes to the Terms of Reference for the Strategic Alliance Joint Committee and recommends them to the Council for approval.

2 Conclusions and Reasons for Recommendation

- 2.1 As per the resolution of the Standards Committee, the revised Terms of Reference for the SAJC are presented to Council and recommended for approval.

3 Consultation and Equality Impact

- 3.1 A revised Terms of Reference were considered by the SAJC at its meeting on 12 June 2018.
- 3.2 This was further considered by Members at a meeting of the Standards Committee on 12 July 2018.
- 3.3 There are no equalities issues arising from this report.

4 Alternative Options and Reasons for Rejection

- 4.1 Members may wish to reject the recommendations from SAJC and the Standards Committee for a change in the Terms of Reference.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 None

5.2 Legal Implications including Data Protection

- 5.2.1 None

5.3 Human Resources Implications

- 5.3.1 None

6 Recommendations

- 6.1 That the revised Terms of Reference set out in Appendix 1 be approved; and
- 6.2 The Council's Constitution be amended to reflect the changes.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	All
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
1	Report submitted to Standards Committee on 12 July 2018 including a revised Terms of Reference for the SAJC.
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
None	
Report Author	Contact Number
Nicola Calver, Governance Manager	01246 217753

North East Derbyshire District Council

Standards Committee

12 July 2018

Strategic Alliance Joint Committee – Terms of Reference
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Report of the Chief Executive

This report is public

Purpose of the Report

- To set out proposed revised Terms of Reference for the Strategic Alliance Joint Committee in order that Standards Committee can recommend them to each respective Council for approval.

1 Report Details

- 1.1 At its meeting on 21 May 2018 Bolsover District Council's Executive considered a Scrutiny report undertaken by the Customer Service & Transformation Scrutiny Group. This Scrutiny report set out recommendations arising from a Scrutiny review of the Strategic Alliance, and these recommendations were endorsed by Bolsover's Executive at its meeting on 21 May. One of the recommendations within the Scrutiny review was that the Terms of Reference for the Strategic Alliance Joint Committee be reviewed. This was in order to ensure that the Committees remit remained fit for purpose and was monitoring and developing the work of the Alliance.
- 1.2 Consequently at its meeting on 12 June 2018 the Strategic Alliance Joint Committee considered the Scrutiny recommendation. As part of this consideration the Chief Executive provided a presentation setting out the background to the Strategic Alliance, the principles that it was based around, the efficiencies and benefits that both Authorities had secured from it and also details of services that were fully shared, part-shared or not shared across the Alliance. As a consequence of the Strategic Alliance Joint Committee's consideration of the Terms of Reference it recommended that it be revised. A copy of the proposed revised Terms of Reference is attached to the report as **Appendix A**.
- 1.3 The Strategic Alliance Joint Committee requested that the composition of the Committee remain the same and that it continue to comprise of 9 Councillors from each Council including the Leader and Deputy Leader, and that each block of 9 seats per Council be assigned on the political proportionality basis. The Strategic Alliance Joint Committee also requested that the quorum of the Committee remain at 4 or more Members from each Council being in attendance at the meeting.

- 1.4 When considering its Terms of Reference the Strategic Alliance Joint Committee did make a number of amendments and these are reflected in Appendix A as struck out text. Additionally, the Committee sought to implement new text into the Terms of Reference, and this is reflected in Appendix A as those points marked in “red”.

2 Conclusions and Reasons for Recommendation

- 2.1 As set out previously in the report at its meeting on 12 June 2018, the Strategic Alliance Joint Committee considered its Terms of Reference and if these needed to be revised. Consequently, the Committee made a number of amendments to the Terms of Reference and these are reflected in Appendix A.
- 2.2 In line with the established procedure for amending Terms of Reference for Council Committees, these have been referred to the Standards Committee for consideration prior to reporting to full Council for approval.

3 Consultation and Equality Impact

- 3.1 There are no direct equality impact issues arising from the review of the Terms of Reference for the Strategic Alliance Joint Committee. In terms of consultation, the Committee has been engaged in the process of considering its own Terms of Reference and has consequently made suggestions or revisions as per Appendix A of the report.

4 Alternative Options and Reasons for Rejection

- 4.1 Not to change the Terms of Reference. This was rejected as the Terms of Reference need updating to reflect the Joint Committee’s current role in relation to the Strategic Alliance

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 There are none arising directly from this report.

5.2 Legal Implications including Data Protection

- 5.2.1 There are no direct legal implications arising from this report. It is good practice regularly to review a Committee’s Terms of Reference. However, in line with established practices the revised Terms of Reference are reported through the Council’s Standards Committee prior to consideration by each of the respective Councils for approval.

5.3 Human Resources Implications

- 5.3.1 There are none arising directly from the report.

6 Recommendations

- 6.1 That the Standards Committee note the proposed changes to the Terms of Reference for the Strategic Alliance Joint Committee and recommend them to the Council for approval.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	Yes/No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	Yes/No
<p>District Wards Affected</p>	All indirectly
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
Appendix A	Proposed revised Terms of Reference
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Dan Swaine	7001/2462

Strategic Alliance Joint Committee

Composition and Structure

- The Alliance Joint Committee is a joint committee of both North East Derbyshire District Council and Bolsover District Council
- Membership of the Committee comprises of 9 Councillors from each Council including the Leader and Deputy Leader of each Council. Each block of 9 seats per Council will be assigned on the political proportionality of that Council
- The Committee shall be quorate if 4 or more Members from each Council are in attendance at the meeting
- Unless determined otherwise by both Councils the Alliance Joint Committee will not be a decision-making body save where specific delegations have been made to it by the Councils. At present, the Council have delegated to the Alliance Joint Committee the power to form panels for the interview and appointment of Joint Directors
- Either Leader of the Council will Chair the Committee. Chairmanship will normally rotate annually. In the event of the absence of both Leaders the Committee will elect a Chairman for that meeting alone by a majority show of hands
- Voting will be by a simple majority of those present on a show of hands. The Chair of the Committee will not have a casting vote on any matter. In the event of an equality of votes, the matter will be referred to each Council
- The frequency and scheduling of meetings will be as determined by the Committee

Strategic Alliance Joint Committee

Terms of Reference

- ~~To develop a Strategic Transformation Programme for approval by the Councils~~
- ~~To monitor the implementation of the Strategic Transformation Programme~~
- ~~To develop an Action Plan for the implementation of the Strategic Transformation Programme for approval by the Councils~~
- To monitor the delivery and performance of joint services within the Strategic Alliance
- To monitor the cash and non – cash efficiencies delivered by the Strategic Alliance
- To consider options for further development of the Strategic Alliance and make recommendations to the Executives or full Council meetings of each Council where appropriate
- To be the primary body for resolving any disputes that may arise over the interpretation of the Strategic Transformation Programme or over any joint arrangements within the Alliance
- To deal with any matter in relation to the Alliance or joint working arrangements and to take such decisions under any power delegated to it by the Councils including decisions in respect of the appointment and terms and conditions of joint employees of the Council
- To appoint such sub-committees, working groups or panels as it considers appropriate to carry out these functions and to decide the terms of reference and membership of such sub-committees, working groups or panels