

## **REMIT OF AREA COMMITTEES**

### Report of the Assistant Director for Legal & Democratic Governance

#### **1. INTRODUCTION AND PURPOSE OF REPORT**

1.1 The report asks the Working Party to consider the current range of delegations to area committees and other associated matters. This follows a request made at the 27 September 2023 meeting of the Working Party that further consideration be given to:-

- (a) the remit of area committees including models of area governance implemented in other localities;
- (b) the current workload of area committees including agenda and meeting length;
- (c) arrangements for the chairing of area committees; and
- (d) venues for area committees.

#### **2. BACKGROUND**

2.1 At the 27 September 2023 meeting of the Working Party, a report was submitted seeking members' views on the current boundaries of area committees and whether these remained appropriate.

2.2 At the meeting, it was suggested that before any view was taken on the alignment of area committee boundaries, it would be prudent to consider the current remit of area committees and the various delegations that have been made to them.

#### **3. AREA COMMITTEE DELEGATIONS**

3.1 The range of powers and functions that have been delegated to area committees is detailed within Section 4 of the Council's Scheme of Delegation which is attached at Appendix 1 to the report.

3.2 These delegations are split between **executive functions** (delegated by the Leader of the Council) and include highways powers, control over the use of parks and authority to make grants to community groups; and **non-executive functions** (delegated by the Council Meeting) and include authority to determine some development applications; the making of tree preservation orders and public rights of way powers.

3.3 The current range of delegations to area committees was largely settled upon in the period between 1999-2001 in the lead up to the transfer from a committee system of governance to Leader and executive arrangements and then codified within the new Constitution.

3.4 Following the request from the Working Party, work has been undertaken to provide a comparative analysis other models of area governance in operation in Greater Manchester and elsewhere. This is provided at Appendix 2 to the report.

## Alternative models of delivering area governance

- 3.5 However, it should be noted that there are relatively limited examples of alternative area governance models from across the country. This is largely because most of England is served by a network of parish (or town) councils that otherwise compete with models of area governance that can be implemented by principal councils.
- 3.6 Parish and town councils are the smallest tier of governance in England, operating below 'principal authorities' (county, district and unitary councils). They manage local amenities such as village halls, footpaths, parks and cemeteries, and larger town councils may operate larger facilities such as leisure centres. They are also statutory consultees in the planning process and frequently have their own planning sub-committees where the parish council will formulate their formal recommendation.
- 3.7 Parish and town councils cover some 91% of the geography of England. Although this excludes many urban areas, in Greater Manchester only Bury, Rochdale, Salford and Stockport are wholly unparished.
- 3.8 Stockport previously had one parish council within its area, however this was abolished in 2011 as part of a statutory community governance review that stated:-

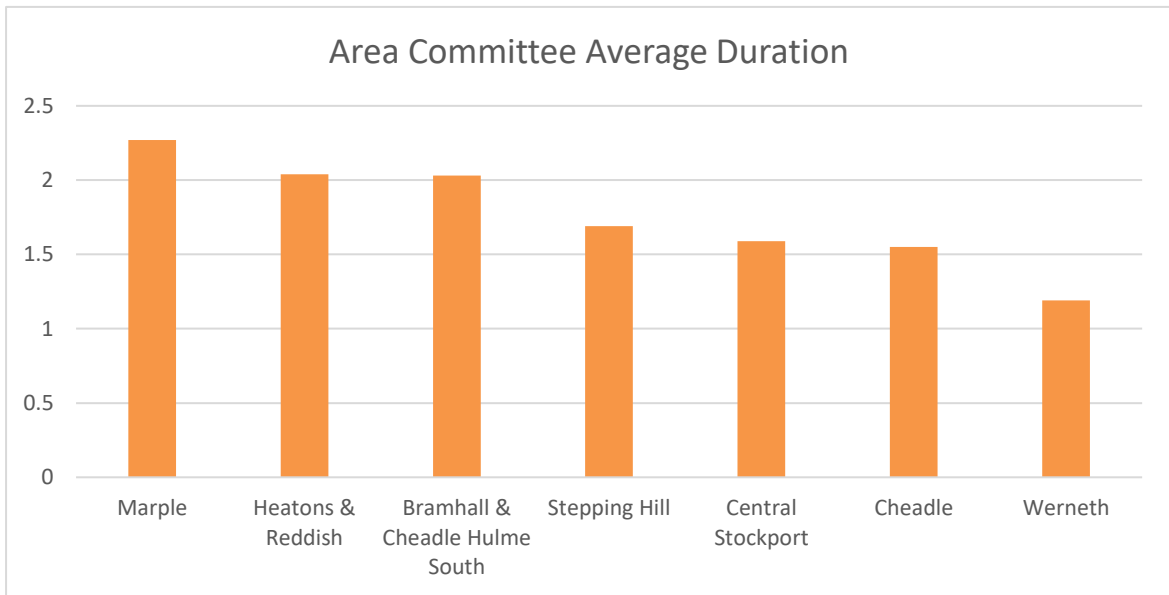
*“Although Department for Local Government & Communities/ Electoral Commission Guidance stated that it was undesirable to abolish parishes without effective governance arrangements in place, it was recognised that there were alternative arrangements in place in the area that provided a satisfactory opportunity for community engagement and representation, including the Stepping Hill Area Committee...”*

- 3.9 Even where local authorities don't necessarily have a system of area governance in place, many do have area-based planning models with planning sub-committees organised on a geographical basis with delegated powers within their area. Examples include Bradford City Council. Durham County Council. East Riding Council, Elmbridge Borough Council and North Yorkshire Council.

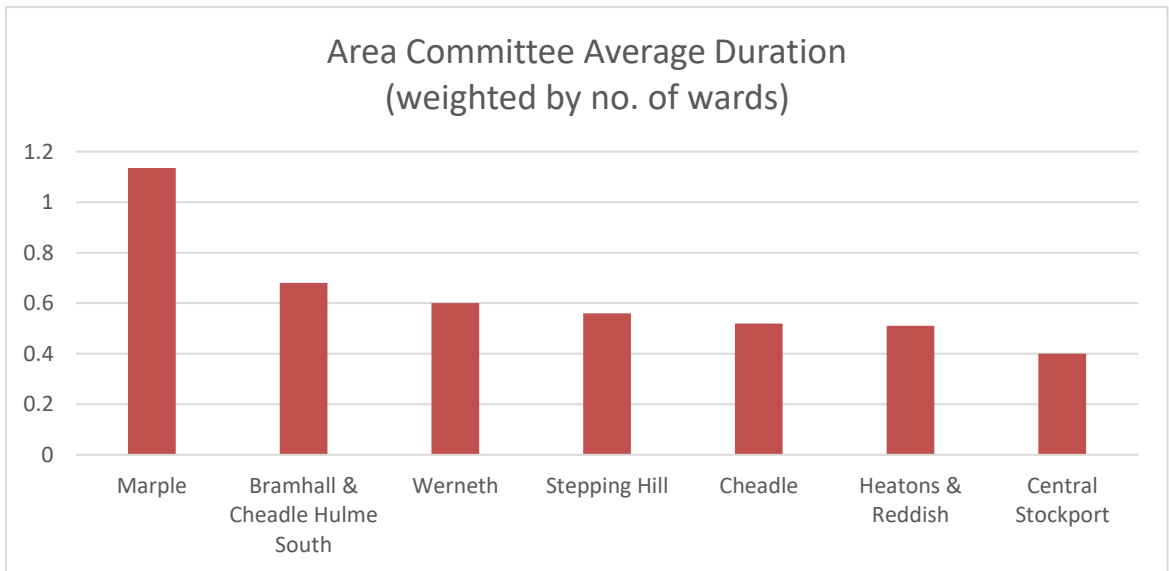
## **4. WORKLOAD OF AREA COMMITTEES**

- 4.1 As part of the discussion in relation to the varying sizes of area committees, it was queried whether this had an impact on the duration of meetings. It was further suggested that some area committees, by virtue of the area they represented, had a disproportionate number of development applications to consider that occupied a large proportion of the business of the meeting.
- 4.2 An analysis has been undertaken of the 19 area committee cycles that have taken place since the resumption of face-to-face meetings of area committees (i.e from July 2021 to present) to provide some basic data around the average duration of meetings, the overall number of reports considered, the length of agendas and the number of planning applications considered. The detail of this is presented in **Appendix 3**.

4.3 It had been suggested that the disparity in the size of area committees may mean that those committees that represented larger geographical areas suffered from proportionately longer meetings. However, the data does not support a correlation between geographical size and the duration of meetings.



4.4 Over the study period, Marple Area Committee (two wards) had the longest average meeting duration. If the meeting duration is weighted by the number of wards each committee represents, the average duration of meetings is relatively consistent across the board, with the notable exception of Marple Area Committee which, by ward, lasts approximately double the length of the others.



4.5 It is further notable that the number of planning applications considered by a committee doesn't appear to have a direct relationship to the length of the meeting. Bramhall & Cheadle Hulme South Area Committee has by far the highest number of development applications with an average more than double the next highest (Marple Area Committee), but its meetings are only the third longest in duration. Cheadle has the third highest number of development applications, but is the second shortest committee.

4.6 Crucially, the average duration of meetings is significantly shorter than the constitutionally imposed limit of 4 hours (the guillotine), with the majority at, or around half that figure. Only two meetings (out of 133) have hit the guillotine in the period covered by the study.

## **5. ARRANGEMENTS FOR CHAIRING COMMITTEES**

5.1 Members noted that it had been custom and practice at a number area committees to rotate chairs of committees either by ward, or by other local convention. It was requested that information be provided to the Working Party as to whether it would be possible to codify such arrangements within the Constitution.

5.2 The summoning, constitution and conduct of meetings is governed partly by statute and partly by common law. However, the statutory provisions affect a comparatively small part of the relevant law. The standing orders that local authorities are required or empowered to make, seek to regulate matters that would otherwise have to be dealt with in accordance with the practices and conventions recognised at law.

5.3 Every constituted body has an inherent right to regulate its own proceedings, though necessarily within the law. In other words, where a statute deals specifically with a subject matter, standing orders cannot lawfully go further; but where this is not so the local authority is free to apply a standing order to the subject matter.

5.4 In the light of the above, some local authorities have sought to place restrictions on the eligibility of councillors to become chairs of committees. For example, a former county council included in their standing orders provision that the Mayor could not chair a committee, and nor could a councillor chair more than one committee, or be appointed as a vice-chair. It is also common practice at authorities that have established joint committees to require that the chair of that body should alternate between the two establishing authorities.

5.5 It would therefore appear to be the case that it is lawful for a local authority to mandate through its procedure rules the principles under which a councillor can be elected chair.

5.6 The following draft procedure rule may service as a suitable starting point for debate by the Working Party:-

*“The chair of an area committee shall rotate between each of the wards represented by the area committee on an alphabetical basis. Only those members from the eligible ward may be moved and seconded for election to the vacancy. Should a ward decline to take up a nomination, the vacancy shall be nominated to from the next ward in the schedule.”*

5.7 Members may wish to consider the desirability of removing the discretion of area committees to elect a chair of their choosing from across the whole membership of the committee, including maintaining the continuity of chair where this was a

matter of local preference, against the benefit of increasing the opportunity for minority parties to secure a place as chair of their local area committee.

## **6. AREA COMMITTEE VENUES**

- 6.1 The Working Party also noted that some area committees met at the Town Hall, whereas others met within the localities, and it was queried whether this had an impact on the transaction of business at those meetings or how the meetings ran and whether there was a significant cost burden to the council for meeting outside the civic complex.
- 6.2 The current accommodation arrangements for area committees is as follows:-

<u>Area Committee</u>	<u>Venue</u>
Bramhall & Cheadle Hulme South	Cheadle Hulme Methodist Church
Central Stockport	Town Hall
Cheadle	Trinity Church, Cheadle
Heatons & Reddish	Town Hall
Marple	Marple Senior Citizen's Hall
Stepping Hill	Town Hall
Werneth	Woodley Civic Hall

- 6.3 The actual cost of meeting at venues outside the civic complex is relatively small, ranging from £15 to £30 per hour for room hire. There will be additional costs in terms of officer time for travel to external venues which can range between 15-30 minutes depending on location, however this is difficult to quantify.
- 6.4 While there is no direct cost for the hire of rooms for the use of meeting space within the civic complex, there may be ancillary costs to the council if the venue is being kept open solely for those meetings (heating, lighting etc) that is not directly incurred for the use of external venues. Additionally, if the area committee is required to meet in either Fred Perry House or Stopford House, further staffing costs are incurred for a security presence to open the building as these buildings would ordinarily be closed to public outside of operational hours.
- 6.5 It is noted that as a consequence of meeting within the civic complex, two area committees (Heatons & Reddish and Stepping Hill) meet outside of the area that they represent. The choice of venue is a matter for the area committee itself to determine, however for some localities it can be difficult to find a venue within the area that can be reasonably accessed by all residents within that area committee area. The Town Hall as a centrally located facility is well connected for access by public transport from most parts of the borough.

## **7. CONCLUSIONS AND RECOMMENDATIONS**

- 7.1 The Working Party is recommended to comment on the report and agree a way forward in relation to the following issues:-
- (a) the remit of area committees including models of area governance implemented in other localities;
  - (b) the current workload of area committees including agenda and meeting length;

- (c) arrangements for the chairing of area committees; and
- (d) venues for area committees.

## BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Damian Eaton on 0161 474 3207 or by email on [damian.eaton@stockport.gov.uk](mailto:damian.eaton@stockport.gov.uk)