

Proposed Council Structure.

As a council I believe that we could work smarter not harder. Currently all committees are made up of the full council and there is an emergency committee. However, the monthly parish meeting always runs for more than two hours. After two hours the effectiveness of the decisions and action are considerably reduced. The items on the latter part of the agenda inevitably are carried over to the next meeting, thus not allowing us to complete tasks effectively.

I propose a new structure where discussion and research takes place outside of the monthly meeting by a committee, This means that matters can be fully investigated and proposals are brought to the full council meeting for the full council to vote and resolve on the proposal put forward. For this to be effective and avoid duplication of discussions in full council a proposal is made and a vote taken. If a matter requires a discussion beyond the allocated time slot, then the matter is taken back to the relevant committee.

LO12 a CiLCA qualified officer can advise a council on the different kinds of committee and delegation to the clerk.

Definitions

A committee with delegated powers.

The Local Government Act 1972 S101 states a parish council can make

“Arrangements for discharge of function by local authorities

(1) Subject to any express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their functions:

(a) by a Committee, a sub-committee or an officer of the authority, or

(b) by any other local authority “

The committee must comprise of enough members to form a quorum. This must be a third of the members or three whichever is the greater. The quorum for a committee can be set at a higher number. Decisions can be made in a committee of delegated powers if they fall within the terms of reference set out by the council of that committee and stay within the expenditure limits set. However, there are some areas on which a committee cannot decide such as setting the precept and taking out a loan.

Committees will be agreed at the Annual Meeting and set out in the standing orders. A chairman must be nominated at the first meeting of a committee. ⁽²⁾ Council meetings should not be held in a licensed premises. ⁽³⁾

Delegated powers committee

| Strengths | Weaknesses |
|--|---|
| Shorter full council meetings | More meetings to attend |
| Can utilise councillor strengths in one area | Specialising may limit councillors experience and some may feel excluded. |

Advisory Committee.

This committee cannot make decisions.

| Strengths | Weaknesses |
|---|---|
| Smaller committee means more debate and depth of information reviewed | Issues would need to be discussed again at a full council |
| Could include experts outside of the parish council but will not be able to vote. | Decisions may take longer |

Working groups can work on a short-term basis for a specific purpose, for example Christmas Lights working party.

| Strengths | Weaknesses |
|--|---|
| Can involve more people e.g. young people and do not have to adhere to strict rules of a council meeting | Decision making is not possible and recommendations should be made to the full council for decision making. |
| Meetings do not have to be held in public | Non-members cannot vote |

Delegation of decision making to the clerk.

As stated above in LGA 1972 s101. The clerk/ proper officer is deemed to be professional, independent and objective and the only individual who can decide on behalf of the council. The clerk can make day to day decisions in line with the standing orders and the financial regulations that are agreed and recorded in a meeting.

Legal references

- 1) Local Government Act 1972 s101
- 2) LGA1672 ss 15 (2) and 34(2)
- 3) LGA 1972 sch 12 paras 7a and 23

Sources

<http://www.legislation.gov.uk/ukpga/1972/70/section/101>

Arnold-Baker on Local Council Administration Tenth edition, 2016

A more effective way of running the council would be more proactive rather than reactive and therefore will allow us more control over time and finances, if we have a plan to work towards. I recommend having a strategic committee that can also address the development of a neighbourhood plan.

The roles of Tutbury Parish council are outlined below. Some of these will be relevant all year round some on an adhoc basis. I would suggest a lead councillor for each committee to arrange meetings and provide updates and proposals to be submitted to the clerk for inclusion of the clerk's report before the meeting. The effectiveness of a council is the sum of a team effort with the clerk's assistance and advice. The clerk will still support the actions of the committees but will not need to attend every meeting if updates are sent prior to the meeting.

Only resolutions need to be recorded with clear justifications not all discussions and every meeting needs full minutes unless it is a meeting where a resolution needs recording.

The working groups advisory committees would not need to be quorate as decisions cannot be made unless approved at full council however, if there is an agreement at the full council that decisions can be made under a specified remit and budget the terms of reference for that committee could be written to allow actions of a that particular committee. I would suggest a lead councillor for each role who can arrange relevant meeting with two other members when appropriate. This will mean that members will not be required to attend all meetings just the ones they are interested in. All councillors will need to attend the monthly parish meeting.

This model will mean that members will be on two or three committees.

Please have a think where your own strengths and experience lies and if you think that this is a representative model of the roles required for Tutbury Parish Council

| | Lead Councillor | Councillor 2 | Councillor 3 | |
|---|------------------------|---------------------|---------------------|--|
| Churchyard and burial ground | | | | |
| Cornmill Lane Playing fields | | | | |
| Planning application review Delegated powers to make decisions | | | | |
| Strategy and formulating a parish plan | | | | |
| Employment committee | | | | |
| IT and website committee | | | | |
| Finance- budget setting and grants | | | | |
| Open space and contract management/ Best Kept Village | | | | |
| Community Building Delegated powers to make decisions | | | | |
| Community events/ community engagement | | | | |
| Highways | | | | |