

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Cabinet
Date:	18 April 2023
Title:	Constitutional Changes
Report From:	Director of People and Organisation

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Purpose of this Report

1. The purpose of this report is to seek Cabinet's endorsement regarding a reorganisation of the County Council's Select Committees and Advisory Panels which will include the creation of a single Select Committee for Universal Services and the realignment of the work of the Buildings, Land and Procurement Panel (BLAPP), to the new Universal Services Select Committee and to the Hampshire 2050, Corporate Services and Resources Committee.
2. This report also recommends that the present Cabinet Sub-Committee on Economic Growth and Recovery be ceased from the date of this report.

Recommendations

3. Cabinet are asked to agree that the present Cabinet Sub-Committee on Economic Growth and Recovery be ceased from the date of this report.

Cabinet are asked to recommend to the County Council:

4. That the Universal Services – Transport and Environment Select Committee, the Universal Services – Countryside and Regulatory Services Select Committee and BLAPP are ceased.
5. That a new single Universal Services Select Committee be created, to comprise 16 Members, with Terms of References as set out at **Annex 1** of this report.

6. That Membership of the Hampshire 2050, Corporate Services and Resources Select Committee be increased so as to comprise 16 Members.
7. That the Monitoring Officer be authorised to amend the Constitution to allow for the appointment of 4 substitute members per group for Select Committees
8. That the County Council's proportionality table to reviewed to take account of the recommendations set out at Paragraphs 4 and 5 above.

Executive Summary

9. On 24 November 2022, following approval of the new Organisational Structure by the Employment in Hampshire County Council Committee and revised allocation by the Leader of Executive Functions, the County Council subsequently approved a revised allocation of Scrutiny Functions. The new Organisational Structure was implemented on 1 January 2023, and this report reviews a number of matters as outlined below consequential upon the new Operating Model.

Contextual information

Select Committee Functions

10. So far as Scrutiny Functions relating to Universal Services go, there are currently two proportionally constituted Select Committees. These are Universal Services – Transport and Environment and Universal Services – Countryside and Regulatory Services. The Universal Services - Transport, and Environment Select Committee is the lead for budget for Universal Services. Functions currently allocated to the County Council's Select Committees are set out at **Annex 2** for ease of reference.
11. Following implementation of the new Organisational Structure, and the revised Terms of Reference of Scrutiny Functions relating to Universal Services it has become apparent that there is an insufficient work programme so as to justify continuance of two Universal Services Select Committees, bearing in mind also the financial and resource pressures the County Council is facing. It is considered that functions of the Universal Services – Transport, and Environment Select Committee could be combined with the Universal Services - Countryside and Regulatory Services, so as to create a single composite Universal Services Select Committee. It is suggested that a single Select Committee for Universal Services will enable more focused and Co-ordinated scrutiny of the Directorate's functions.
12. In light of the functions of the proposed Universal Services Select Committee, it is suggested that Membership of the Universal Services Select Committee

be 16 Members so as to provide the Member capacity to deal with the anticipated workload of the Committee.

13. Given the increase in size of the Select Committees it is proposed that each political group should be able to appoint up to 4 Substitute Members for each Select Committee to ensure that sufficient Member capacity is always available.

BLAPP

14. As Cabinet will be aware, BLAPP is a proportionally constituted advisory committee of the County Council, advising the Executive Lead Member for Universal Services. BLAPP does not however have any formal decision making powers or Scrutiny functions. It is considered that in light of the new Organisational Structure and to provide both more purchase and a clearer Scrutiny remit that the functions of BLAPP so far as matters relating to Universal Services go, could be included within the Terms of Reference of the proposed new Universal Services Select Committee.
15. It is considered that so far as any strategic land matters go, Scrutiny functions regarding these are already included within the responsibilities of the Hampshire 2050, Corporate Services and Resources Select Committee. Accordingly, it is considered that going forward there is no requirement for a separate BLAPP advisory Committee. Should Cabinet be in favour of this proposal, it is suggested that Membership of the Hampshire 2050, Corporate Services and Resources Select Committee be increased from 14 Members to 16 Members to provide additional Member capacity to deal with the increased workload.

Cabinet Sub-Committee on Economic Growth and Recovery

16. In March 2017 Cabinet approved establishment of a Cabinet Sub-Committee for Economic Growth and Recovery to advise the Leader and Cabinet on the County Council's strategic approach to Economic Development across all relevant Executive Portfolios, to ensure that the County Council's activities achieve the optimum outcomes in terms of supporting the local economy. As a Executive Sub-Committee, membership is consequentially restricted to Members of Cabinet, and it is thus not possible to include within its membership Members other than Cabinet.
17. Going forward, it is considered that the functions of the Cabinet Sub-Committee on Economic Growth and Recovery could equally be undertaken by the Hampshire 2050, Corporate Services and Resources Select Committee, which unlike a Cabinet Sub-Committee is a proportional Committee of the County Council. Accordingly, it is considered that the

Cabinet Sub-Committee on Economic Growth and Recovery is no longer required.

Consultation and Equalities

18. It is considered that this Report will have no adverse impact or cause no disadvantage to groups with protected characteristics.

Climate Change Impact Assessment

19. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

The carbon mitigation tool and/or climate change adaptation tool were not applicable because the decision is administrative in nature.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision for the good governance of the County Council.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

There are no equality impacts arising from this Report.