

Key Decision Required	No	In the Forward Plan	No
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CABINET

23 OCTOBER 2015

REFERENCE REPORT FROM CORPORATE MANAGEMENT SCRUTINY COMMITTEE OF 28 SEPTEMBER 2015

A.1 PERFORMANCE REPORT - QUARTER ONE 2015 (APRIL TO JUNE 2015)

(Report Prepared by Colin Sweeney)

BACKGROUND

At its meeting held on 28 September 2015, the Committee received the Performance Report for Quarter One 2015 (April to June 2015), which contained details of 18 key project areas, as well as 12 performance indicators and which gave details of business-critical areas of the Council's work. The report also contained details of sickness levels, complaints handling and a number of approved surveillances.

It was noted that, of the 30 indicators and projects reported, 27 (90%) were on, or above, their expected target, with three (10%) not in line with the expected performance.

The report had previously been presented to Cabinet at its meeting held on 4 September 2015.

Officers responded to questions from Members in respect of:

- The Council's recycling targets
- The Committee's role in delivering the Essex Rally Stage
- The Portfolio Holder for Finance and Transformation Rural Infrastructure Working Party (FTRIWP)

With regard to the FTRIWP, Members requested details as to its membership and whether this was subject to the rules of proportionality as required by Widdicombe. It was reported that whilst working parties were not required to be "Widdicombed", the Leader of the Council, in announcing the establishment of it, and other Portfolio Holder Working Parties, instructed that they be so.

Whilst recognising that the appointment of Members to the Working Parties rested with respective Group Leaders, given that there was no formal requirement for Working Parties to comply with the Widdicombe Rules and that all such Working Parties were being led by specific Members of the Cabinet, the Committee wished to comment on the make-up of the FTRIWP.

COMMITTEE RECOMMENDATIONS AND COMMENTS TO CABINET

Cabinet is now asked to consider the comments of the Corporate Management Committee and to note the response of the Portfolio Holder.

The Committee **COMMENTED TO CABINET** that the membership be reviewed to reflect rural Members on bodies discussing rural matters.

PORTFOLIO HOLDER'S COMMENTS AND RECOMMENDATIONS TO CABINET

I thank the Corporate Management Committee for its comment regarding the membership of the RIWP. While working parties are not required to be "Widdicombed", I have been advised that the constitution requires them to be broadly "Widdicombed". While I understand concerns expressed regarding the structure, it is not possible to make the working party broadly Widdicombed and only contain councillors from rural wards.

To this end, I put considerable thought into the writing of the Terms of Reference (ToR) for the Rural Infrastructure Working Party in order to make it as inclusive as possible while also maximising rural membership.

I have ensured that all political groups (and ungrouped members who represent parties with only one member) are invited to join. I have also defined members in terms of the emerging Local Plan to identify whether they are a 'Rural' member or not, and have indicated that preference should be given to choosing these 'Rural' members when group leaders nominate their members.

It is important to remember that group leaders are entitled to put forward their representatives and while I have provided guidelines in the ToR as to what constitutes a rural member, I have no wish to interfere with the freedom of group leaders in their selections of who they wish to represent their group on this or any other working party.

I am satisfied that the group leaders have made reasonable efforts to put forward the most rural members that they have to represent them.

As mentioned by the leader of the council when this working party was announced, Tendring is a rural district and therefore all members are to some extent representative of a rural area.

I am to some extent disappointed that the CMC have felt the need to comment on a working party that has not yet met, particularly when I suspect that they have not yet read the Terms of Reference which address the rural make up of the working party in some depth. I note that the original recommendation that was put to me even got the name of the working party wrong, and perhaps indicates that there is a misunderstanding that it is a straight continuation of the Rural Panel set up by the previous administration, which it is not.

While many of the issues to be examined are the same (as defined in the ToR for the RIWP), I am keen for this working party to be more open than its predecessor, and to this end any councillor representing a ward that contains a smaller rural settlement or a key rural service centre will be welcome to attend and participate in meetings of the Rural Infrastructure Working Party. Voting will however be limited to those who are members of the working party.

In order to further enhance the rural make up of the Rural Infrastructure Working Party, I shall increase the membership by one member and will join the Working Party myself, and I will chair the RIWP.

Councillor Tom Howard
Portfolio Holder for Finance and Transformation