



- Health Authority  .....
- Police  .....
- Other Bodies/Individuals

**FINAL DECISION NO**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee  .....
- To Council
- To Cabinet  18<sup>th</sup> October 2007
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

## Agenda No

### Stratford on Avon Area Committee - 19 September 2007.

#### Locality Working in Stratford on Avon

#### Report of the Strategic Director for Performance & Development

##### **Recommendation**

That members endorse the outline proposals for locality arrangements for Stratford on Avon

## **1 Introduction**

- 1.1 At its meeting on 18 July 2007 the Area Committee considered a report on the potential for the development of locality working in Stratford on Avon. A number of issues were discussed and specifically it was agreed by the Area Committee that the potential for an option of 3 joint committees with Stratford on Avon District Council should be developed further. It was also agreed that a further report would be brought to this meeting of the Area Committee to update members on any progress.
- 1.2 As reported at the Area Committee meeting on 18 July 2007 a very positive meeting had already been held with officers of Stratford on Avon District Council that included the potential for a shared approach to locality working. Subsequently further positive discussions have been held with officers of the District Council in order to take matters further.

## **2 Joint Committees integrated with Locality Forums**

- 2.1 These officer discussions have identified the possibility of establishing 3 joint committees – i.e. Joint Committees of the County and District Councils, each fully integrated with 2 Locality Forums. Thus, one Joint Committee could include the Studley/Henley and Alcester/Bidford forums, one the Wellesbourne /Kineton and Feldon /Southam forums and the third Stratford and Stour forums. A plan indicating the potential areas for the joint committees is attached as Appendix A.
- 2.2 The Joint Committees would include both District and County Councillors as representatives for that particular area, would be formal committees and would exercise specific responsibilities delegated to them by both District and

County Councils. Whilst other representatives would be encouraged to attend, much as they attend Area Committee, decisions, and voting, on issues would rest solely with District & County Councillors.

- 2.3 Work is currently underway to identify those responsibilities that could be delegated to the Joint Committees. Included within those responsibilities might be some of those those currently exercised by the Area Committee (attached at appendix B are those responsibilities currently delegated to Area Committee). A similar exercise will have to be undertaken by the District Council to identify those functions that can be delegated to the joint committees.
- 2.4 One of the strengths of the current Area Committee arrangements is the ability of members of the public to attend and raise issues. In developing the new arrangements public involvement in joint committees would be maintained and encouraged.
- 2.5 The Locality Forums would be fully integrated with the proposed joint committees and as such should be seen as part of a seamless locality governance arrangement for the District, and would as and when established, enable local people to have their say in helping to identify their issues and how some services would be delivered within their area. The Forums would have the potential to support community engagement and participation at the local level for both County and District, and would link directly to the relevant Joint Committee.
- 2.6 The Locality Forums would each broadly based on the areas covered by the Police PACT Panels. Outstanding issues include the precise boundaries of the Forums as the County & District Council Division and Ward boundaries are not coterminous in all instances.
- 2.7 The Forums would be able to consider a broad range of local issues and not be limited to just County and District Council issues. Discussions have been held with the Police and it has been agreed that the Forums would also be the PACT Panel for the particular area and would therefore have a role to play in helping to shape priorities for the Police within that area.
- 2.8 Representation on the Forums would reflect the range of local interests and could include:
  - County Councillors for the Locality
  - District Councillors for Locality
  - Police
  - Representatives from Town and Parish Councils
  - Representatives from the Health Sector
  - Education/Learning representatives (School and FE College)
  - Business Sector representation
  - Representatives from local voluntary sector and community groups
- 2.9 It would not be proposed that the forums would have formal decision making responsibilities as these would be the responsibility of the three Joint

Committees. Issues that require a formal decision would be fed to the relevant organisation.

- 2.10 The Forums would provide an opportunity for locality planning to be undertaken so that priorities from for example the Local Area Agreement could be addressed at the local level. It would also enable local issues to be addressed over time for example facilities for young people.
- 2.11 In developing this approach there is an important role for Councillors as community leaders who are able to articulate the views of their constituents, highlight local issues, ensure services become more joined up and reflect local circumstance.

### **3 Resources/Administration**

- 3.1 Currently the County Councils Area Committee meets 6 times per year and the District Councils four Area Community Committees meet 4 per year. By adopting joint committees it would be possible, through the sharing of existing resources, to provide the necessary administration for the joint committees, potentially realising savings for both Councils. Every effort would be made to minimise the number of meetings and for example a joint committee could follow a locality forum.
- 3.2 Any future area working arrangements need to be agreed on the basis that each Council and partner involved in them would take a share of the administration and supporting costs required.

### **4. Governance Arrangements**

- 4.1 Many complex governance issues are raised as a result of the development of locality proposals for the District. There are implications for the future of Area Committee as a result of the proposals for the establishment of joint committees. Some of the responsibilities that could be exercised by the joint committees potentially include some or all of those currently the responsibility of the Area Committee. As a consequence, the Area Committee may either be disbanded or change its current role perhaps to focus in the future on district wide issues that otherwise would not be dealt with appropriately in the joint committee structure
- 4.2 Options for the detailed governance arrangements that are necessary to underpin the establishment of localities are currently being developed in conjunction with the District Council and other partners. Information concerning outline governance arrangements is likely to be considered by the Cabinet on 18 October 2007 with more detailed arrangements to be dealt with at a subsequent meeting of the County Council.

### **5. Further Consideration of the Proposals**

- 5.1 Further consideration of the proposals will take place as follows:

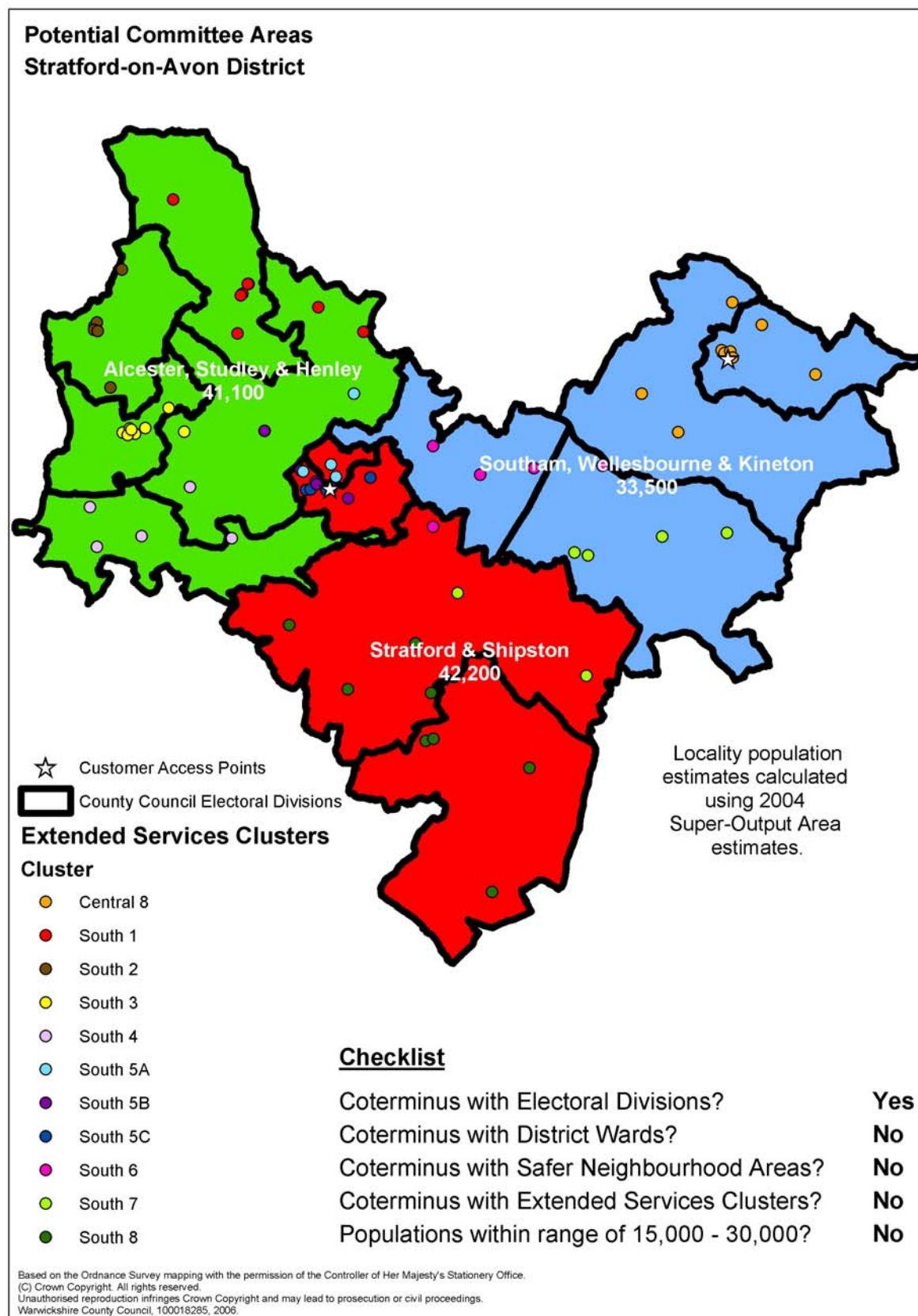
County Council Area Committee – 19 September  
District Council Executive – 1 October  
County Council Cabinet - 18 October

- 5.2 The timescale for reporting to full Council on localities across the County will depend on the proposals which emerge but is likely to be 11<sup>th</sup> December December 2007 .

DAVID CARTER  
STRATEGIC DIRECTOR  
Performance & Development

Shire Hall  
Warwick

21 August 2007



## RESPONSIBILITIES OF AREA COMMITTEES

Function	Type of Function	Statutory reference
To consider the performance of the Council's services delivered locally within the area and to comment to the relevant Overview and Scrutiny Committee or the Executive as appropriate	Executive	Section 111 Local Government Act 1972 Section 3 Local Government Act 1999 and any other relevant enactment
To help the Council shape major proposals affecting the area and to advise the Council about the implications for the area of its objectives, plans, and policies.	Executive	Section 111 Local Government Act 1972 and any other relevant enactment
To approve and monitor County Council district targets and the Council's contribution to local partnership plans within the overall policy and budgetary frameworks of the Council and in a way which promotes the council's overall policies	Executive	Section 111 Local Government Act 1972; Section 3 Local Government Act 1999; Section 2 Local Government Act 2000 and any other relevant enactment
To encourage effective collaboration with public, voluntary and private sector partners locally to meet the aspirations of local people	Executive	Section 111 Local government Act 1972; Section 2 Local Government Act 2000 and any other relevant enactment
To provide a forum for views of local communities and to encourage discussion and debate of matters of particular relevance to the area	Executive	Section 111 Local Government Act 1972 and any other relevant enactment
<b><i>To make decisions on the following matters within their areas, provided those decisions are within the Council's overall policies and budgetary allocations and do not affect other areas of the County:-</i></b>		
Approving area business plan	Executive	Section 2 Local government Act 2000
Approving area community plans	Executive	Section 2 Local government Act 2000
Approving area community learning plans	Executive	Section 2 Local Government Act 2000
<b><i>To make decisions on the following matters within their areas, provided those decisions are within the Council's overall policies and budgetary allocations and do not affect other areas of the County:-</i></b>		
Approving local environmental schemes	Executive	Section 2 Local Government Act 2000



<b>Function</b>	<b>Type of Function</b>	<b>Statutory reference</b>
Approval of local economic schemes	Executive	Section 2 Local Government Act 2000
To discharge the Council's responsibilities to secure the provision of part-time education for 16 –19 year olds and full and part-time education for over 19 year olds including approval monitoring and review of the Area Community Education Development Plans	Executive	Sections 15A, 15B and 508 Education Act 1986
Social Services Grants to voluntary organisations for local services wholly within the area of the committee	Executive	Section 65 Health Services and Public Health Act 1968
Community development grants and well being grants	Executive	Section 2 Local Government Act 2000; Section 111 Local Government Act 1972.
School crossing patrols - consideration of outcomes of three-year review in local area. Decisions on (dis)establishment when a vacancy occurs in the interim period	Executive	Section 26 Road Traffic Regulation Act 1984
Approving changes to Schools Priority Areas	Executive	Section 89 School Standards and Framework Act 1998
Appointments to local trusts, voluntary bodies etc. where the body operates wholly within their area  NB. The Regulatory Committee retains responsibility for the overall distribution of places between the political groups and independent members on the council.	Non-Executive	Any enactment conferring a power to make such appointments other than those appointments reserved to the Council or the Executive by law or other provision within this Constitution.
<b><i>To make decisions on the following matters within their areas, provided those decisions are within the Council's overall policies and budgetary allocations and do not affect other areas of the County:-</i></b>		
Appointment of LEA school governors.  NB. The Regulatory Committee retains responsibility for the overall distribution of places between the political groups and independent members on the council.	Non-Executive	Section 36 School Standards and Framework Act 1998, Section 19 and 39(1) Education Act 2002 and any other enactment conferring a power to make such appointments.
Appointment of County Council representatives to Area Community Education Councils	Non-Executive	Section 111 Local Government Act 1972

<b>Function</b>	<b>Type of Function</b>	<b>Statutory reference</b>
Oversight of other locally based bodies	Executive	Section 111 Local Government Act 1972 and any other relevant enactment
The opening hours of local waste disposal sites provided no additional cost is involved	Executive	Section 51 Environmental Protection Act 1990
Road traffic management and accident prevention schemes and road traffic regulation	Executive	Road Traffic Regulation Act 1984 and any other relevant enactment
Public transport/rural transport and community transport	Executive	Road Traffic Regulation Act 1984 and any other relevant enactment
The stopping up or diversion of highways	Executive	Section 116 Highways Act 1980
The diversion and stopping up of footpaths and bridleways	Non-Executive	Sections 118 and 119 Highways Act 1980
Power to create footpath or bridleway by agreement	Non-Executive	Section 25 Highways Act 1980
Power to create footpaths and bridleways.	Non-Executive	Section 26 of the Highways Act 1980
Power to stop up footpaths and bridleways.	Non-Executive	Section 118 of the Highways Act 1980.
Power to determine application for public path extinguishment order	Non-Executive	Sections 118ZA & 118C(2) Highways Act 1980
Power to make a rail crossing extinguishment order	Non-Executive	Section 118A Highways Act 1980
Powers to make special extinguishment orders	Non-Executive	Section 118B Highways Act 1980
<b><i>To make decisions on the following matters within their areas, provided those decisions are within the Council's overall policies and budgetary allocations and do not affect other areas of the County:-</i></b>		
Powers to divert footpaths and bridleways.	Non-Executive	Section 119 of the Highways Act 1980.
Power to make a public path diversion order	Non-Executive	Section 119ZA and 119C(4) Highways Act 1980
Power to make a rail crossing diversion order	Non-Executive	Section 119A Highways Act 1980
Power to make a special diversion order	Non-Executive	Section 119B Highways Act 1980
Power to require applicant for an order to enter into agreement	Non-Executive	Section 119C Highways Act 1980
Power to make an SSSI diversion order	Non-Executive	Section 119D Highways Act 1980
Power to decline to determine certain applications	Non-Executive	Section 121C Highways Act 1980

<b>Function</b>	<b>Type of Function</b>	<b>Statutory reference</b>
Duty to assert and protect the rights of the public to use and enjoyment of highways.	Non-Executive	Section 130 of the Highways Act 1980.
Duty to serve notice of proposed action in relation to obstruction	Non-Executive	Section 130A Highways Act 1980
Power to apply for a variation of order under section 130B Highways Act 1980	Non-Executive	Section 130B(7) Highways Act 1980
Power to authorise temporary disturbance of surface of footpath or bridleway	Non-Executive	Section 135 Highways Act 1980
Power to temporarily divert footpath or bridleway	Non-Executive	Section 135A Highways Act 1980
Functions relating to the making good of damage and the removal of obstructions	Non-Executive	Section 135B Highways Act 1980
Powers relating to the removal of things so deposited on highways as to be a nuisance.	Non-Executive	Section 149 of the Highways Act 1980.
Power to extinguish certain public rights of way	Non-Executive	Section 32 Acquisition of Land Act 1981
Power to include modifications in other orders	Non-Executive	Section 53A Wildlife and Countryside Act 1981
Duty to reclassify roads used as public paths.	Non-Executive	Section 54 of the Wildlife and Countryside Act 1981.
Power to designate footpath as cycle track	Non-Executive	Section 3 Cycle Tracks Act 1984
<b><i>To make decisions on the following matters within their areas, provided those decisions are within the Council's overall policies and budgetary allocations and do not affect other areas of the County:-</i></b>		
Power to extinguish public right of way over land acquired for clearance	Non-Executive	Section 294 Housing Act 1981
Power to authorise stopping –up of diversion of footpath or bridleway	Non-Executive	Section 257 Town and Country Planning Act 1990
Power to extinguish public rights of way over land held for planning purposes	Non-Executive	Section 258 Town and Country Planning Act 1990
Power to enter into agreements with respect to means of access	Non-Executive	Section 35 Countryside and Rights of Way Act 2000
Power to provide access in absence of agreement	Non-Executive	Section 37 Countryside and Rights of Way Act 2000
Power to permit deposit of builder's skip on highway.	Non-Executive	Section 139 of the Highways Act 1980 .
Power to license planting retention and maintenance of trees etc. in part of highway.	Non-Executive	Section 142 of the Highways Act 1980.
Power to authorise erection of stiles etc. on footpaths or bridleways.	Non-Executive	Section 142 of the Highways Act 1980.

<b>Function</b>	<b>Type of Function</b>	<b>Statutory reference</b>
Power to grant a street works licence.	Non-Executive	Section 50 of the New Roads and Street Works Act 1991.
Power to license works in relation to buildings etc., which obstruct the highway.	Non-Executive	Section 169 of the Highways Act 1980.
Power to consent to temporary deposits or excavations in streets.	Non-Executive	Section 171 of the Highways Act 1980.
Power to dispense with obligation to erect hoarding or fence.	Non-Executive	Section 172 of the Highways Act 1980.
Power to restrict the placing of rails, beams etc. over highways.	Non-Executive	Section 178 of the Highways Act 1980.
Power to consent to construction of cellars etc. under street.	Non-Executive	Section 179 of the Highways Act 1980.
Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	Non-Executive	Section 180 of the Highways Act 1980.
<b><i>To make decisions on the following matters within their areas, provided those decisions are within the Council's overall policies and budgetary allocations and do not affect other areas of the County:-</i></b>		
Power to authorise stopping up or diversion of highway.	Non-Executive	Section 247 of the Town and Country Planning Act 1990