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Date: Wednesday, 22 July 2015

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Dear Member

**COUNCIL - THURSDAY, 23 JULY 2015**

I am now able to enclose, for consideration at the Thursday, 23 July 2015 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
13.	<b>Call-in Establishment of Policy Development Groups Report of the Overview and Scrutiny Board</b> Background Information – Record of Decision and Appendices	(Pages 157 - 165)

Yours sincerely

June Gurry  
Clerk

### Record of Decisions

#### Establishment of Policy Development Groups, Transport Working Party and Health and Wellbeing Board

##### Decision Taker

Mayor on 04 June 2015

##### Decision

- (i) that the following be established for 2015/2016 to 2018/2019 with membership and terms of reference as set out in Appendix 1 to this Record of Decision;
  - Joint Commissioning Policy Development Group;
  - Joint Operations Policy Development Group;
  - Transport Working Party; and
  - Health and Wellbeing Board;
- (ii) that the Conservative Group Leader be requested to nominate Conservative Members to fill the remaining places on the 2 Policy Development Groups and the Transport Working Party and advise the Governance Support Manager in writing of his nominations;
- (iii) that the Policy Development Groups operate in accordance with the working arrangements set out in Appendix 2 to this Record of Decision;
- (iv) that the Decision-Making Route set out at Appendix 3 to this Record of Decision be approved; and
- (v) that the following Member Champions be appointed from 2015 to 2019:
  - Armed Forces Champion – Councillor Amil;
  - Youth Trust Champion – Councillor O'Dwyer;
  - Early Years Group Champion – Councillor Stubley; and
  - Corporate Parenting Champion – Councillor Stocks.

##### Reason for the Decision

It is necessary for the Mayor to establish executive-side working parties and a Health and Wellbeing Board each Municipal Year. The Mayor can choose to set up these working parties for a longer period of time (e.g. to coincide with the current term of office for Councillors).

##### Implementation

This decision will come into force and may be implemented on Friday, 12 June 2015 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

##### Information

It is necessary for the Mayor to review executive-side working parties to make sure that they are still required and to establish those that need to continue each Municipal Year. Due to the requirement for senior councillors to take a lead role and the need for cross party

representation the Policy Development Groups are not politically balanced. The proposed membership and terms of reference of all the working parties and informal groups are set out at Appendix 1 to this Record of Decision. The Mayor has also chosen to appoint a number of Member Champions for the next four years.

**Alternative Options considered and rejected at the time of the decision**

None

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

**Published**

4 June 2015

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 4 June 2015

## Membership and Terms of Reference

### Joint Commissioning Policy Development Group

#### Membership

##### Core Members:

- Executive Lead for Children – Mayor Oliver
- Executive Lead for Health and Wellbeing – Councillor Mills
- Executive Lead for Adults – Councillor Parrott
- Executive Lead for Planning, Transport and Housing – Councillor King
- Conservative (3) – to be nominated by the Conservative Group Leader
- Liberal Democrat (1) – Councillor Steve Darling
- Independent (1) – Councillor Stockman
- Scrutiny Lead for Joint Commissioning – Children and Adults – Councillor Barnby
- Scrutiny Lead for Joint Commissioning – Health and Wellbeing and Public Health – Councillor Bent

##### Standing Invitees:

- All other Councillors

#### Terms of Reference

1. To begin early discussions on developing policy in key areas (notably, but not exclusively to those areas that are covered by the Council's Budget and Policy Framework, or are considered Key Decisions).
2. To consider challenges identified for the Policy Development Group Area which may result in the Group identifying recommendations for Policy Development).
3. To advise the Mayor, Executive Leads and Council officers as to the 'what' and 'why' of policy formation considering the evidence from, for example, the Joint Strategic Needs Assessment, previous consultations and the views of community and/or user groups.
4. To advise the Mayor, Executive Leads and Council officers as to the risk appetite for doing things differently, any limitations that should be placed on policy/delivery options (the 'how') and any particular views on standards/targets to be achieved.
5. To review and offer opinions/guidance on the policy/development options put forward by officers to assist in the development of Equality Impact Assessments and other formal papers prior to the decision making process.
6. To consider the most appropriate form of wider consultation and review the outcomes of consultation.
7. To receive and make recommendations to the Mayor on Overview and Scrutiny reports.
8. To feedback to Councillors and receive feedback from Councillors.

## Joint Operations Policy Development Group

### Membership

#### Core Members:

- Executive Lead for Tourism, Culture and Harbours – Councillor Amil
- Executive Lead for Community – Councillor Excell
- Executive Lead for Customer Services – Councillor Morris
- Executive Lead for Corporate Services – Councillor Lang
- Executive Lead for Business – Councillor Haddock
- Executive Lead for Finance and Regeneration – Mayor Oliver
- Executive Lead for Planning, Transport and Housing – Councillor King
- Conservative (3) – to be nominated by the Conservative Group Leader
- Liberal Democrat (1) – Councillor Mandy Darling
- Independent (1) – Councillor Ellery
- Scrutiny Lead for Joint Operations – Councillor Stocks

#### Standing Invitees:

- All other Councillors

### Terms of Reference

1. To begin early discussions on developing policy in key areas (notably, but not exclusively to those areas that are covered by the Council's Budget and Policy Framework, or are considered Key Decisions).
2. To consider challenges identified for the Policy Development Group Area which may result in the Group identifying recommendations for Policy Development).
3. To advise the Mayor, Executive Leads and Council officers as to the 'what' and 'why' of policy formation considering the evidence from, for example, the Joint Strategic Needs Assessment, previous consultations and the views of community and/or user groups.
4. To advise the Mayor, Executive Leads and Council officers as to the risk appetite for doing things differently, any limitations that should be placed on policy/delivery options (the 'how') and any particular views on standards/targets to be achieved.
5. To review and offer opinions/guidance on the policy/development options put forward by officers to assist in the development of Equality Impact Assessments and other formal papers prior to the decision making process.
6. To consider the most appropriate form of wider consultation and review the outcomes of consultation.
7. To receive and make recommendations to the Mayor on Overview and Scrutiny reports.
8. To feedback to Councillors and receive feedback from Councillors.

## Transport Working Party

### Membership

#### Core Members (7):

- Conservatives (x4) (including the Deputy Mayor and Executive Lead for Health and Wellbeing, the Executive Lead for Community Services and the Executive Lead Planning, Transport and Housing) Councillors Excell, King and Mills plus one Member to be nominated by the Conservative Group Leader;
- Liberal Democrat (x2) – Councillors Darling and Doggett ; and
- Independent (1) – Councillor Morey

### Terms of Reference

1. To consider current and emerging highways and transportation issues.

<p><b>Health and Wellbeing Board</b></p> <p><b>Terms of Reference:</b></p> <ol style="list-style-type: none"> <li>1. To encourage those who arrange for the provision of any health or social care services in the area to work in an integrated manner for the purpose of advancing the health and wellbeing of the people in its area.</li> <li>2. To provide advice, assistance and support, as it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 (arrangements between NHS bodies and local authorities) of the National Health Service Act 2006 in connection with the provision of such services.</li> <li>3. To encourage those who arrange for the provision of health-related services in its area to work closely with the Health and Wellbeing Board.</li> <li>4. To encourage those who arrange for the provision of any health or social care services in its area and those who arrange for the provision of any health-related services in its area to work closely together.</li> <li>5. To exercise the functions of Torbay Council and South Devon and Torbay Clinical Commissioning Group under sections 116 (health and social care: joint strategic needs assessments) and 116A (health and social care: joint health and wellbeing strategy) of the Local Government and Public Involvement in Health Act 2007, namely: <ul style="list-style-type: none"> <li>• Preparation of a Joint Strategic Needs Assessment; and</li> <li>• Preparation of a Joint Health and Wellbeing Strategy.</li> </ul> </li> <li>6. To assess needs for pharmaceutical services in Torbay and publish a statement of its first assessment and of any revised assessment.</li> </ol>	<p>Up to five members of the Council (to be appointed by the Mayor);</p> <p>Director of Adult Social Services  Director of Children's Services  Director of Public Health  A representative of Healthwatch Torbay  A representative of South Devon and Torbay Clinical Commissioning Group</p> <p>Conservative (3):  Executive Lead for Children – Mayor Oliver;  Executive Lead for Health and Wellbeing - Councillor Mills; and  Executive Lead for Adults - Councillor Parrott</p> <p>Liberal Democrat (1) – Councillor Doggett</p> <p>Independent Group (1) – Councillor Stockman</p>
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7.	To provide the Council its opinion on whether the local authority is discharging its duty under section 116B (duty to have regard to assessment and strategies) of the Local Government and Public Involvement in Health Act 2007.	
8.	To exercise the statutory duty to promote co-operation between Torbay Council, its relevant partners and other partners or bodies as the Council considers appropriate, to improve the well-being of children in the area.	
9.	To consider the annual report of the Torbay Safeguarding Children's Board.	
10.	To make any decisions that legislation or government guidance reserves to Health and Wellbeing Board's and/or proposes that Health and Wellbeing Boards would be appropriate forum for such decisions to be made.	



### Policy Development Groups Working Arrangements

#### Introduction and Purpose

Policy Development Groups (PDGs) are an integral part of the Council's decision making process and were introduced in 2011 following a request from the Mayor to ensure inclusivity in decision-making. The purpose of PDGs is to enable early discussions on developing policy in key areas. This report will help members and officers understand how PDGs operate and what PDGs are responsible for.

#### Operational guidance

1. PDGs are not decision making bodies and do not have the authority to make decisions.
2. PDGs are not responsible for approving reports before a decision is made.
3. PDGs will have a crucial role in assisting in the development of policy within the Council. Whilst the Overview and Scrutiny Board terms of reference will continue to include a role in developing policy, its primary focus will be on holding the Mayor to account and undertaking its statutory functions.
4. Members who sit on PDGs and the Overview and Scrutiny Board are not prohibited from scrutinising issues that they have discussed at PDGs.
5. PDGs enable issues to be discussed informally before they are fully developed in order to assist officers when preparing reports on which decisions will ultimately be made by the Mayor or the Council.
6. Although PDGs are not decision making bodies they are part of the decision making process and will usually consider issues before they are put on the Forward Plan.
7. It is not necessary for all issues to go through a PDG before a final decision is made on it.
8. Each PDG will have a nominated chair. The agendas for the PDGs will be set by the chair, in consultation with the Mayor, Executive Leads and the Executive Director, ensuring a focus on those issues of critical importance to the Council moving forward.
9. It is up to each PDG whether members of the public and the press are invited to attend their meetings on specific issues and taking into account of advice from the Monitoring Officer.
10. PDGs will be supported by the Corporate Support Team and the Governance Support Team alongside their role of working with the Senior Leadership Team to ensure that policy is developed in such a way that contributes towards the good governance of the Council.
11. Following presentation of an issue all members of the PDG (councillors and officers) will be provided the opportunity to ask questions of the person presenting. Following this all members will be invited to provide their opinions on the issue to the rest of the PDG where they wish to do so.
12. Following the above it is at the discretion of the Chair whether he/she asks for a vote on the recommendations arising from the discussions.

Decision-Making Route

Route 1 - Policy Development Process

