

Phil Norrey  
Chief Executive

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To: The Chairman and Members of  
the Procedures Committee

County Hall  
Topsham Road  
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Devon  
EX2 4QD

(See below)

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Your ref :  
Our ref :

Date : 25 January 2017  
Please ask for : Rob Hooper 01392 382300

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## **PROCEDURES COMMITTEE**

Thursday, 2nd February, 2017

A meeting of the Procedures Committee is to be held on the above date at 2.15 pm in the Committee Suite - County Hall to consider the following matters.

P NORREY  
Chief Executive

## **AGENDA**

### **PART I - OPEN COMMITTEE**

- 1 Apologies for absence
- 2 Minutes  
Minutes of the meeting held on 14 September 2016, previously circulated
- 3 Items requiring urgent attention  
Items which in the opinion of the Chairman should be considered at the meeting as a matter of urgency.

### **MATTERS FOR DECISION**

- 4 Heart of the South West Devolution: Establishment of Joint Committee  
The Cabinet will, at its next meeting, receive a report on progress with the Devolution Deal/ Combined Authority. It will seek also approval to (a) arrangements agreed by partner Councils for the preparation and approval of a HoSW Productivity Plan in support of the partnership's aspirations for a devolution deal previously approved by the Council (Minute 157/10 December 2016)) and (b) agreement, in principle, to the creation of a Joint Committee for the HoSW to start work, in the Autumn of 2017, (subject to ratification at the next Annual Meeting of the Council and following County Council elections).

5 Members Allowances: Independent Members Allowances Remuneration Panel Report (Pages 1 - 20)

Report of the Independent Members Allowances Remuneration Panel for 2017, attached.

*[Mr Brian Tanner, Chairman of the Independent Panel, will attend to present the Annual Report and respond to any questions.]*

6 Distribution of Information to Members (Pages 21 - 22)

The Council's Working Practices contain a number of general principles, shown below in italics, which are followed when distributing information to members of the Council **by Officers** over and above the rights of members set out in the Access to Information Procedure Rules (para 13.3) and the Member/Officer Protocol (para 4), also attached.

*'When Information is asked for by a Member*

*If it is purely a local constituency problem or question of fact a reply will only be sent to the member raising the question. If the issue raised impinges on the policy of a specific Cabinet Member holder or Committee the member will be advised that, unless he or she has asked that the exchange of correspondence be confidential, a copy of the correspondence will be sent to the appropriate Cabinet Member /Committee Chairman and spokespersons.*

*Information Prepared by an Officer for an Cabinet Member or Chairman of a Committee*

*If the information is provided at the request of the Cabinet Member or Chairman it will not be further distributed. If the information being provided also raises questions of appointments or nominations by a Committee, the Group Whips/Secretary will be advised. If the information provided for an Cabinet Member/Chairman is general information relating to a particular area of the County then a copy will be sent to the Local Member(s) for information.*

*Rights Under the General Law*

*A Member also has a right to see papers where he/she genuinely has a "need to know" in connection with his/her duties as a County Councillor. This test is easily satisfied if he/she is a Member of the Committee to which the issue relates but less so in other cases. Applications should be made to the Chief Officer/Head of Service who will refer the request to the Monitoring Officer in doubtful cases.*

*Conventions Adopted Constraining the Legal Rights set out above*

*The following Code of Guidance has been adopted by the Council:*

- (i) a member who has a right to inspect documents should consider whether he/she has a personal or prejudicial interest in the matter covered by the document and whether any action contemplated in the light of the information obtained might conflict with the Members' Code of Conduct;*
- (ii) a member requiring information should make application to a senior officer of the Department holding that information. Applications should not be made direct to junior officers;*
- (iii) an application must allow the officer time to satisfy him/herself that records do not contain exempt information which a member cannot have access to. If they do, such material may have to be removed'.*

The Committee is asked to:

(a) confirm that these principles should also apply to any information distributed by a Cabinet Member or Chairman where such information relates generally to County Council Services or any matter for which the Council has responsibility and was provided by or based upon information provided by an Officer in line with the protocol and to agree to the Council's Working Practices being revised accordingly;

(b) note that Officers will be reminded of the need to maintain confidentiality of information provided to a local member, in line with the protocol, where so requested.

**MATTERS FOR INFORMATION**

None

**PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED**

None

*Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).  
Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.*

**MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER**

**Membership**

Councillors A Moulding (Chairman), F Biederman, A Connett, T Dempster, J Hart, S Hughes, R Julian, J Owen, R Vint, N Way and R Westlake

**Declaration of Interests**

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

**Access to Information**

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Rob Hooper on 01392 382300.

Agenda and minutes of the Committee are published on the Council's Website.

**Webcasting, Recording or Reporting of Meetings and Proceedings**

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In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

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