

THE RELATIONSHIP BETWEEN THE COMMERCIAL AND INVESTMENT COMMITTEE AND THE OTHER POLICY AND SERVICE COMMITTEES

To: **Constitution and Ethics Committee**

Meeting Date: **27 February 2018**

From: **LGSS Director of Law & Governance
and Monitoring Officer**

Electoral division(s): **All**

Purpose: **To consider the relationship between the delegated powers of the Commercial and Investment Committee and those of the other Policy and Service Committees.**

Recommendation: **The Constitution and Ethics Committee is asked to consider the current arrangements for the allocation of responsibilities to policy and service committees and conclude whether any review of the current approach is warranted.**

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1. BACKGROUND

- 1.1 At the last meeting of the Constitution and Ethics Committee on 30 January 2018, questions were raised regarding the relationship of the Commercial and Investment Committee to other committees, particularly as concerned traded services and property management. The example was given of the Outdoor Education Service. As a traded service, it fell within the Commercial and Investment Committee's remit, but the Service's work was entirely relevant to the remit of the Children and Young People Committee.
- 1.2 The Monitoring Officer advised that Full Council had agreed the terms of reference for committees and there was a rationale to having decision making authority located in one committee even where a matter fell within the remit of more than one committee. The point being that it was not advisable to have a decision delegated to two committees because they might arrive at opposing decisions. In addition, it is suggested that it is beneficial for decisions about the council's property assets to be taken within a single committee which can exercise an overview of the council's property holdings.
- 1.3 In cases where there is doubt or disagreement as to which committee should take a particular type of decision the General Purposes Committee has authority to determine which committee should consider the matter.
- 1.4 However, members sought greater clarity on the potential for decisions of the Commercial and Investment Committee to affect the area covered by another Policy and Service Committee, and requested a report to the Committee's next meeting.

2. MAIN ISSUES

Commercial and Investment Committee

- 2.1 Commercial and Investment Committee has delegated authority to ensure all traded activities operate within a commercial framework. It has oversight and operation of all property-related and traded service functions, which includes Cambridgeshire Catering Service, Cambridgeshire Music, Education ICT, Outdoor Education, Professional Centre Services, Property Services and Rural Assets.

Other Policy and Service Committees

- 2.2 The Commercial and Investment Committee considers the above services on a purely commercial basis. Any decision to provide these services on a non-commercial basis will fall within the remit of other Policy and Service Committees.

Decision Making

- 2.3 To ensure clear decision making, it is essential that a decision is taken by one Policy and Service Committee only. This was the expectation when the Committee System was first established. As such the General Purposes Committee has the authority to determine the most appropriate committee for considering any matter which falls within the remit of more than one committee

Involving other Policy and Service Committees

- 2.4 There will be occasions when the service area of a Traded Service is covered by a different Policy and Service Committee. The Children and Young People Policy and Service

Committee has delegated authority for exercising management, oversight and delivery of Learning Outside of the Classroom and environmental education. For example, if Commercial and Investment Committee is considering Cambridgeshire Music or Outdoor Education from a commercial perspective, it may wish to establish a time-limited task group involving representatives from Children and Young People Policy and Service Committee to consider the impact of any proposed changes to the Traded Unit on provision. This could also apply to any property decisions Commercial and Investment Committee might be asked to take.

Source Documents	Location
<p>Council's Constitution</p> <p>Reports to and minutes of Constitution and Ethics Committee 30 January 2018</p>	<p>http://tinyurl.com/Constitution-CCC</p> <p>https://cmis.cambridgeshire.gov.uk/ccclive/Meetings/t/abid/70/ctl/ViewMeetingPublic/mid/397/Meeting/531/Committee/10/Default.aspx</p>