
Amendments to Public Protection Partnership's Inter Authority Agreement (IAA)

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| Committee Considering Report | Executive |
| Date of Committee: | 21 September 2023 |
| Portfolio Member: | Councillor Lee Dillon |
| Date Portfolio Member agreed report: | 07 September 2023 |
| Report Author: | Sean Murphy |
| Forward Plan Ref: | EX4415 |

1 Purpose of the Report

- 1.1 To request that the Executive delegates authority to the Service Lead for Legal and Democratic Services, in consultation with the Service Lead for Public Protection, to amend the IAA to reflect the changes to the constitution in respect of the Joint Public Protection Committee approved by Council on 20 July 2023.

2 Recommendation

That Executive:

- 2.1 **APPROVES** that the Service Lead for Legal and Democratic Services, in consultation with the Service Lead for Public Protection, be authorised to make the amendments to the Inter-Authority Agreement of the 6th January 2017 to reflect the decisions of this Council and Bracknell Forest Borough Council.

3 Implications and Impact Assessment

| Implication | Commentary |
|-------------------|--|
| Financial: | <p>There are no financial implications associated with the compilation of this report or the changes to the agreement.</p> <p>There may be additional costs to the partner authorities associated with the additional member attending meetings.</p> |

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| Human Resource: | There are no HR implications associated with this report. | | | |
| Legal: | <p>The arrangements of the JPPC and the Public Protection Partnership are set out in the Inter Authority Agreement (IAA).</p> <p>The decision making powers of the Committee straddle both Executive and Council Functions. However, any amendments to the IAA are reserved to the Executive. It is therefore a requirement that a report is brought to the Executive to authorise the requisite amendments to the IAA to reflect the constitutional change to the membership of the Committee agreed at the meeting of Full Council on the 20th July 2023.</p> <p>Nicola Thomas has been consulted on the report and will be authorised to make the changes to the IAA should Members be minded to agree this report.</p> | | | |
| Risk Management: | There is a risk that any decision of the JPPC could be challenged. Having clear rules governing the way meetings will be conducted, should reduce the risk of challenges being successful. | | | |
| Property: | There are no property implications associated with this report. | | | |
| Policy: | The Inter Authority Agreement is being amended to reflect the decision that was made at the 20 July 2023 Council meeting to amend Part 6.5 (Appendix Joint Public Protection Committee) and Part 3.1 (JPPC) of the Constitution to reflect the revised membership of the Joint Public Protection Committee. | | | |
| | Positive | Neutral | Negative | Commentary |
| Equalities Impact: | | | | |
| A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality? | | x | | |

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| B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users? | | x | | |
| Environmental Impact: | | x | | |
| Health Impact: | | x | | |
| ICT Impact: | | x | | |
| Digital Services Impact: | | x | | |
| Council Strategy Priorities: | | x | | |
| Core Business: | | x | | |
| Data Impact: | | x | | |
| Consultation and Engagement: | <p>The Joint Public Protection Committee was consulted at the meeting on the 12 June 2023.</p> <p>The Governance and Ethics Committee was consulted at the Special meeting which took place on the 26 June 2023. A decision was taken at the 20 July 2023 Council meeting to amend the membership of the JPPC.</p> <p>Bracknell Forest Council's Executive was consulted at the 19 September 2023 meeting about the changes to the IAA and a decision was taken at their 13 September 2023 Full Council meeting about the additional appointment.</p> | | | |

4 Executive Summary

- 4.1 Following a discussion on the Terms of Reference at the 12 July 2023 Joint Public Protection Committee Members proposed that the membership of the Committee be extended. The proposal was to increase the membership by one additional Council Member from each partner Council reflecting the political composition of the individual

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council. This would extend the total number of members on the Committee from four to six Members.

- 4.2 To enact the constitutional elements of the decision a report was taken to the meeting of Full Council on the 20th July 2023. The Council resolved to amend Parts 3.1 and 6.5 of the Constitution to increase the membership of the JPPC from two to three members from each authority consisting of the Executive Member in whose portfolio Public Protection falls and two Members of the Council.
- 4.3 Amendments to the Inter Authority Agreement (IAA) are reserved to the Executive therefore this matter is before the Executive to seek authorisation for the requisite amendments to the IAA to reflect the change to the membership of the Committee agreed by Council and our partners in Bracknell Forest.
- 4.4 Part 3 of Schedule 1 of the Inter-Authority Agreement of the 6th January 2017 ('the Agreement') sets out the Membership of the Joint Public Protection Committee. It is proposed that the Service Lead for Legal and Democratic Services, in consultation with the Service Lead for Public Protection, be authorised to make the requisite amendments to 'the Agreement' to reflect the decisions of this Council and Bracknell Forest Borough Council.

5 Other options considered

- 5.1 Based on the decisions made at full Council in West Berkshire in July 2023, the Bracknell Forest Council Executive and Full Council in September 2023 and the requirements around amending the IAA no further options are proposed.

6 Conclusion

- 6.1 It was agreed at the Council meeting that the appointment will be effective from the date that the amendments to the Inter Authority Agreement is completed by both authorities.

7 Appendices

- 7.1 None

Background Papers:

West Berkshire Council's Constitution

The Minutes of the 12 June 2023 Joint Public Protection Committee.

The report and minutes considered at the Special Governance and Ethics Committee on the 26 June 2023.

The report and minutes to the 20 July Council 2023 meeting

The report and minutes of the 13 September 2023 Bracknell Forest Council Full Council meeting.

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The report and minutes of the 19 September 2023 Bracknell Forest Council Executive meeting.

Subject to Call-In: Yes: No:

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Wards affected: All

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