

# Crawley Borough Council

## Minutes of Governance Committee 14 November 2016 at 7.00pm

### Present:

Councillor	J Stanley (Chair)
Councillor	R D Burrett (Vice-Chair)
Councillors	D Crow, C R Eade, M G Jones, S J Joyce, P K Lamb, R A Lanzer, T Lunnon, and A C Skudder

### Also in Attendance:

Councillor R G Burgess	(Acting Chair of the Overview and Scrutiny Commission and member of the Review of Democratic Structures Scrutiny Panel)
Councillor I T Irvine	

### Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Heather Girling	Democratic Services Officer
Mez Matthews	Democratic Services Officer
Andrew Oakley	Electoral Services Manager

### Apologies for Absence:

#### Absent:

Councillor K McCarthy

### 8. Death of Honorary Freeman and Alderman Jim Smith MBE

The Committee observed one minute's silence in memory of former Councillor, Mayor and Honorary Freeman and Alderman Jim Smith MBE. Jim sadly passed away on 9 November 2016.

### 9. Members' Disclosure of Interests

No disclosures of interests were made by Members.

## 10. Minutes

The minutes of the meeting of the Committee held on [20 September 2016](#) were approved as a correct record and signed by the Chair.

## 11. Review of Democratic Structures Scrutiny Panel Final Report

The Committee considered report [OSC/253](#) of the Chair of the Review of Democratic Structures Scrutiny Panel. The Scrutiny Panel had been established to consider assessing the Council's current governance arrangements, to consider the key attributes for an effective governance system, consider the drivers for change and then consider improvements to the current system. The report before the Committee presented the findings and recommendations of the Panel.

Councillor R G Burgess, Acting Chair of the Overview and Scrutiny Commission, presented the Panel's report and drew the Committee's attention to the comments made by the Overview and Scrutiny Commission at its meeting held on 7 November 2016 on the above report (comments are attached as Appendix 1 to these minutes). The Committee noted that reference to the "Development Control Committee" on page B13 of the report should be deleted and replaced with the "Planning Committee".

The Committee considered the recommendations proposed by the Scrutiny Panel and made the following comments:

### (a) Retention of the current model of Governance (Strong Leader Model ie Leader and Cabinet Executive)

It was acknowledged that the Review had been established following a desire by some Councillors to return to the 'Committee System' as they were of the view that such a system would increase the involvement of back bench Members. The Committee was satisfied that the Strong Leader Model had worked well for the Council since its introduction and it agreed overwhelmingly to support the retention of the current model of Governance.

### (b) Establishment of 2 'Portfolio Advisory Groups' (hybrid arrangements)

The Committee discussed the proposal to establish Portfolio Advisory Groups (PAGs) in detail. Many Committee members felt that the work which would be undertaken by the proposed PAGs was currently within the remit of the Overview and Scrutiny Commission (OSC) and that there was little evidence to suggest that Members were not currently involved in the development of policy. However some Members expressed the view that, as the OSC currently met two days prior to the relevant Cabinet meeting, the impact the Commission had on policy development was limited.

Whilst some Members were of the view that the introduction of PAGs could improve decision making and could be useful in developing or refining complex policies the majority of the Committee felt that PAGs would not add value, would not deliver the benefits envisaged and would be a re-creation of the 'failed' Policy Development Forums which had been deemed unnecessary and therefore disbanded in 2015. Several Committee members also expressed concern at, what they considered to be, a small membership for the PAGs and subsequently felt that could result in a struggle for attendance at meetings.

The majority of the Committee viewed all-Member seminars as a more effective way to involve Members in policy development and that cross-party Working Groups could be established when necessary. The Committee therefore did not support the establishment of PAGs.

(c) Introduction of Cabinet Members updates to all Members to communicate information relating to their portfolio to be provided prior to Full Council

The majority of the Committee were of the opinion that Cabinet Members already had the opportunity to provide updates at Full Council meetings during the “Announcements by Cabinet Members” item and therefore the proposal was not necessary. The Committee therefore did not support the recommendation.

(d) Establishment of seminars for the ‘big’ issues where officers can obtain Member input and feedback at an early stage

The Committee supported seminars as an effective and valuable way of encouraging Member involvement in policy development and ‘big’ issues. Although seminars could be useful as a ‘brainstorming session’ it was noted that they were less productive when initial ideas had not been formulated enough to enable coherent debate. Disappointment was expressed at the regular low attendance at seminars and the Committee hoped that attendance would improve. The Committee supported the recommendation.

(e) The Commission’s request that Cabinet Members introduce reports at Overview and Scrutiny Commission (OSC) meetings

Although the Committee supported the recommendation, several Committee members were of the view that the Commission could already request that a Cabinet Member attend a meeting, and it was acknowledged that most Cabinet Members already attended when a report relating to their portfolio was to be considered by the Commission.

(f) Acquiring a “Member Mix” on the Overview and Scrutiny Commission

The Committee was very concerned that limiting the length of time a Member could serve on the Commission to three years could have a significantly negative impact on the membership of other Committees, especially if the size of the Commission was increased as per recommendation (g) below. The Committee was unsure whether the recommendation set out in the report relating to the acquisition of a “Member Mix” included the imposition of a term limit for membership on the Commission. For clarification purposes an amendment was moved, seconded and considered as follows:

**Amendment:**

It was moved by Councillor P K Lamb, and seconded by Councillor R A Lanzer that Recommendation 2.1(f) of the Panel be amended as follows (additional wording shown in bold):

“Acquire a “Member Mix” on the Overview and Scrutiny Commission, **no formal term limit is implied by this recommendation.**”

The amendment upon being put to the Committee was declared to be CARRIED.

The Committee was then asked to vote on the recommendation as amended. However, although the Committee agreed that a balance and mix of new and experienced Members on the Commission would be nice, it was of the opinion that the Commission was best served by Members who had a specific interest in that area and that details relating to the Commission’s membership was the responsibility of the

political groups and should not be stipulated. The Committee therefore did not support that a "Member Mix" be acquired on the Overview and Scrutiny Commission.

(g) An increase in the size of the Overview and Scrutiny Commission

The Committee was of the opinion that an increase in the size of the Commission should not be looked at in isolation as it would impact on the membership of other Committees. To ensure that membership reflected the political balance of the Council, and to minimise disruption to other Committees an amendment was moved, seconded and considered as follows:

**Amendment:**

It was moved by Councillor M G Jones, and seconded by Councillor P K Lamb that Recommendation 2.1(g) of the Panel be amended as follows (additional wording shown in bold):

"Increase the size of the Overview and Scrutiny Commission **with effect from the next municipal year.**"

The amendment upon being put to the Committee was declared to be CARRIED.

Although concern was raised that an increased membership would lengthen the duration of Commission meetings, on balance the Committee agreed that the membership should be increased if that was the wish of the Commission. The Committee therefore supported the recommendation as amended.

Member's attendance at meetings

Although it did not form part of the report, a query was raised regarding what appeared to be a lack of consistency when recording Members as "also in attendance" at meetings. The Head of Legal and Democratic Services agreed to look into the matter to ensure consistency.

The Committee thanked Councillor R G Burgess, members of the Scrutiny Panel and the Democratic Services Officer (HG) for a thorough review and detailed report, as well as the Overview and Scrutiny Commission for its comments.

**RESOLVED**

1. That the Full Council be recommended to:
  - (i) Support and endorse the continuation of the current model of governance (Strong Leader Model i.e. Leader and Cabinet Executive).
  - (ii) Agree an increase to the size of the Overview and Scrutiny Commission, with effect from the next municipal year
2. That
  - (i) Seminars be established for the 'big' issues where officers can obtain Member input and feedback at an early stage.
  - (ii) Cabinet Members introduce reports at Overview and Scrutiny Commission meetings.

## 12. 2018 Review of Parliamentary Constituencies

The Committee considered report [LDS/122](#) of the Head of Legal and Democratic Services which informed the Committee of the initial proposals of the Boundary Commission for England for new Parliamentary constituency boundaries as they affected Crawley. The Commission had proposed that the Borough of Crawley be retained in one constituency, with the inclusion of Copthorne and Worth Ward (which was currently within the Horsham constituency). The report requested that, in addition to the Copthorne and Worth Ward, the Committee consider making representations to the Commission to include Kilnwood Vale polling district in Crawley constituency.

It was noted that some wording had been omitted from the end of paragraph 6.2 and the paragraph should read “The urban character of Kilnwood Vale is different to the rest of the ward, particularly the western section”.

Several members of the Committee were of the opinion that such an inclusion of Kilnwood Vale would be premature at this stage as it did not currently lie within the Crawley Borough and its incorporation would require a split of the Rusper and Colgate Ward. However, the majority of the Committee supported the proposal to include Kilnwood Vale in the Crawley constituency as Kilnwood Vale would receive most of its services from Crawley and not Horsham. It was also felt that the character of Kilnwood Vale more closely matched that of Crawley and it was hoped that the area would be incorporated within the Crawley Borough in future.

### **RESOLVED**

That representations be made to the Boundary Commission for England on the initial draft proposals that the Kilnwood Vale Polling District be included in Crawley constituency.

## 13. Electoral Review 2017/18

The Committee considered report [LDS/123](#) of the Head of Legal and Democratic Services which informed the Committee that the Local Government Boundary Commission for England was planning to conduct an electoral review to improve electoral equality in Crawley. The Committee was recommended to establish an informal working group known as the Electoral Review Panel to lead on the detailed work needed to take place during the period of the review.

### **RESOLVED**

1. That the information relating to the electoral review be noted.
2. That an Electoral Review Panel of 5 (3:2) members of the Governance Committee be established to:
  - a) Undertake the detailed work necessary for the review.
  - b) Submit recommendations to the Governance Committee as necessary, prior to any proposals being submitted to the Boundary Commission for England.

3. That the Group Leaders inform the Head of Legal and Democratic Services of their nominations for membership on the Electoral Review Panel.

#### **14. Electoral Services Team Report**

The Committee considered report [LDS/124](#) of the Head of Legal and Democratic Services which informed Members of current electoral matters. Members sought and received clarification on a number of issues raised including matters relating to voter ID, the possible impact of Brexit on overseas voters and the retention of voters on the register who did not respond to the Household Enquiry Form.

#### **RESOLVED**

That the report be noted.

#### **15. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 9.15pm.

J STANLEY  
Chair

**APPENDIX 1**

## **Comments from the Overview and Scrutiny Commission on Review of Democratic Structures Scrutiny Panel at its meeting on Monday 7 November 2016**

**OSC/254**

### **OSC Agenda Item 8 – Review of Democratic Structures Scrutiny Panel Final Report**

#### **Comments and Recommendations**

The Commission held a discussion on report OSC/253 of the Chair of the Review of Democratic Structures Scrutiny Panel with the Acting Chair of the Overview and Scrutiny Commission.

Members were in favour of Recommendations 2.1a, b, c, d, e, f and g.

- It was felt that recommendation 'h' was unnecessary as this was already understood to be actioned.
- It was commented that recommendation 'i' should be removed as training should be arranged by the Members' Executive Support Group as the independent body as opposed to the Overview and Scrutiny Commission.
- The Commission would seek to instigate recommendation 'e' as it was within its remit to do so.
- Support made to the important reference of the Portfolio Advisory Groups taking place only subject to sufficient items of business being available for consideration, which would avoid unnecessary meetings. However it was questioned who would consider when a meeting would then occur and how.
- It was felt there were areas of uncertainty covering the Portfolio Advisory Groups. In particular, greater clarity was sought as to the formalisation and operation of the Portfolio Advisory Groups, in particular the membership and chairing. Some Members felt the Groups should be chaired by a Cabinet Member so the Portfolio Holder could 'advise' other Members of initial policy proposals (as in most other authorities' models). Other Members from the Scrutiny Panel agreed that having evaluated the merits and options that the Portfolio Advisory Groups should not be chaired by a Cabinet Member.
- Recognition that the Portfolio Advisory Groups could support the development of policy, although there was also concern expressed that the Portfolio Advisory Groups may slow the decision making process.
- Financial implications were noted.
- It was felt that if recommendation 2.1b was approved, the need to establish a review within 12 months of operation was of paramount importance.

**Councillor R G Burgess (Acting Chair, Overview and Scrutiny Commission)  
7 November 2016**