

Review of Democratic Structures Scrutiny Panel held on 25 January 2016 at 6.30pm



18. Present

Councillors: B A Smith (Chair), Dr H S Bloom, R G Burgess, I T Irvine, T Lunnon, K Sudan and K J Trussell

19. Apologies

None

20. Officers Present

Ann-Maria Brown (Head of Legal and Democratic Services)
Heather Girling (Democratic Services Officer)

21. Disclosure of Interest and Whipping Declarations

There were no disclosures of interest or whipping declarations made.

22. Notes

The notes of the meeting of the held on [26 November 2015](#) were approved as a correct record and signed by the Chair.

23. Update on Site Visits

Panel Members had conducted two recent site visits with authorities who had undertaken reviews of their governance arrangements. Reading Borough Council had adopted a Committee System, whilst Tunbridge Wells Borough Council had retained a Leader/Cabinet model but introduced Cabinet Advisory Boards and amended their Scrutiny arrangements.

Reading

Reading adopted committee system in 2013. The Cabinet was replaced by:

- 1 Policy Committee (meets 10 times a year)
 - 3 service committees (each meets 3 times a year) has decision making powers and budget

Service committees take executive decisions about the function covered by their services areas and monitor and scrutinise performance. To avoid unnecessary delay in decision-making, there is a fall back delegation to the Policy Committee to take decisions on behalf of other committees in between cycles and on grounds of urgency. Full Council is also be able to take any decision on behalf of its committees.

Pre meetings were still held with Lead Members and Chairs.

The change was politically driven with support from Members. Officers had more anxiety, particularly around the number of meetings, however an effort was made not to overly increase the number of meetings. Under a committee system, all functions of the authority would be for the authority as a whole to exercise, either by Full Council or by delegation to a committee or officer.

Questions must be submitted in writing prior to the meeting.

It was felt that the change resulted in an open discussion, however it was acknowledged that opposition Members attended more meetings.

Tunbridge Wells

Tunbridge Wells adopted a change in 2012. The Leader at the time considered the structure at the time complex that did not present a clear opportunity for non-executive Members to input into the development of key decisions to be taken by the Cabinet. It was also felt that the decision making processes should be more transparent, inclusive and accessible.

The council established –

- 3 Cabinet Advisory Boards (CAB) – meeting approximately 9 times a year (although some of these were provisional)
They meet approximately 3 weeks prior to Cabinet.
 - Finance & Governance CAB (more reports come to this Board than the other two)
 - June, July, Aug, Oct, Nov, Dec (canx), Jan, Feb (Prov), March (Prov)
 - Communities CAB
 - June, July, Aug (canx), Nov, Dec, Jan, Feb, March
 - Planning and Transportation CAB
 - June, July, Aug (canx), 5 Oct, 22 Oct, Nov (canx), Dec, Jan, Feb (prov), March (prov)

Cabinet Advisory Boards are composed of non-executive Members and Cabinet Members. They cover items on the Forward Plan only and have set prescribed recommendations to Cabinet which focuses Members on the report and the task in hand.

Questions must be submitted in writing prior to the meeting.

- Overview and Scrutiny now meets approximately 6 times year (although this is dependent on the work)

Focuses on 'external' scrutiny –

- Aircraft noise
- Flooding/drainage
- Health
- Crime and disorder

It was discussed that the call-in function was dealt by Overview and Scrutiny and the Head of Legal and Democratic Services informed Members that this is the norm at other Councils. Members commented that this may be beneficial to consider an amendment to the current procedure as part of the review.

The notes from both site visits would be circulated to Panel Members.

Some Members commented that the committee system offered advantages as there were no delegated decisions by Cabinet Members and decisions were made by Full Council, committees or officers. Additionally the system had resulted in open discussion.

In contrast, other members felt there were advantages to the Tunbridge Wells model with the increased gap between Scrutiny and Cabinet and possible option to 'splitting' the Overview and Scrutiny roles between Forward Plan items and other work (transformation plan, contractor updates, Cabinet Member updates, health, crime and disorder and flooding). However it was noted that the council's Forward Plan is limited in terms of items of business compared to other councils. As a result it was suggested that the Democratic Services Officer complete an investigation into other authorities' Forward Plans (particularly Tunbridge Wells and Guildford) regarding items of business. **(Action HG)**.

It was commented that Panel Members needed to be thorough in their deliberations and these should be shared with other Members. As a result, despite some Members views on the ineffectiveness of seminars in terms of attendance, it was decided that an event be arranged on Wednesday 30 March for all Members to share feedback on the 'Review of Democratic Structures and the Decision Making process'.

24. General Updates and Further Meetings

The consultation interviews that had taken place with Members and CMT Members regarding the governance arrangements were discussed. There were various views obtained from Members and Officers concerning the Cabinet/Leader model and committee system. It was agreed that there was a requirement to categorise the results in terms of those relating to each form of governance **(Action HG)** and to evaluate the responses in terms of advantages and disadvantages **(Action ALL Panel Members)**. This would be completed prior to the next Panel meeting.

Members felt that the general public should be consulted on the governance arrangements and a press release and web survey would be compiled in order to obtain views. **(Action Cllr Smith & HG)**

It was commented that some Members are not always aware of the decisions made under delegated authority. It was noted that the programmed key decisions under delegated authority are noted on the Forward Plan. Additionally, once a decision has been made, notification is published in the Members' Information Bulletin.

It was also agreed that further work would be beneficial to obtain/draft structures and options for consideration prior to the next Panel meeting **(Action HG)**.

The Panel agreed that:

The next meeting was agreed as Tuesday 23 February 2016 at 6.30pm (committee room B).
A further meeting would be held on Tuesday 29 March 2016 at 6.30pm (committee room B).

25. Closure of Meeting

With the business of the Panel concluded, the Chair declared the meeting closed at 8.20pm.

B A Smith
Chair