# Crawley Borough Council

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## Report to Overview and Scrutiny Commission
### 7 November 2016

## Report to Governance Committee
### 14 November 2016

## Review of Democratic Structures Scrutiny Panel Final Report

Report by the Chair of the Review of Democratic Structures Scrutiny Panel:
Councillor B A Smith, **OSC/253**

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## 1.    Purpose

1.1    The Review of Democratic Structures Scrutiny Panel was established in October 2015 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. This report presents the findings and recommendations.

1.2    The Panel met 8 times between October 2015 and September 2016. The Members of the Panel were:
Councillors B A Smith (Chair), Dr H S Bloom, R G Burgess, I T Irvine, T Lunnon, K Sudan and K J Trussell

## 2.    Recommendations

2.1    To the Overview and Scrutiny Commission:

That the Commission considers the work of the Scrutiny Panel and the recommendations below (further expanded upon in section 8), endorses its findings, deciding what comments, if any, it wishes to submit to the Governance Committee.

a)    Retain the current model of governance (Strong Leader Model ie Leader and Cabinet Executive)

b)    Establish 2 'Portfolio Advisory Groups' (Hybrid arrangements)

c)    Introduce Cabinet Members updates to all Members to communicate information relating to their portfolio to be provided prior to Full Council.

d)    Establish seminars for the 'big' issues where officers can obtain Member input and feedback at an early stage.

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

f)    Acquire a "Member Mix" on the Overview and Scrutiny Commission.

g)    Increase the size of the Overview and Scrutiny Commission.

h)    (New) Members having the opportunity to attend all committees.

i)    Increase training for Members either through Members' Executive Support Group or arranged independently via the Commission.

2.2     To the Governance Committee:

     a)      That the Committee considers and approves the recommendations in paragraph 2.1 as endorsed or amended by the Overview and Scrutiny Commission.

     b)      i)      Request Full Council to approve those recommendations from those listed a-i in paragraph 2.1, that fall within its remit.

              ii)     Delegate to the Head of Legal and Democratic Services the enablement of any consequences of this review throughout the constitution with immediate effect.

     c)      Agree that the Constitutional Review Working Group undertake a review of the new governance arrangements after 12 months of operation (if approved).


## 3.      Reasons for the Recommendations

3.1     To enable the Council to consider improvements to its governance arrangements.

3.2     That the Council's decision-making culture should continue to promote the following governance principles:

- Timely decision making
- Greater engagement and involvement of Members
- Accountable decision making
- Clarity of process
- Transparent decisions
- Public involvement and understanding

3.3     Following consultation with Members and Officers, evidence identified that there was not a strong, Council-wide desire to change the current governance model of a Leader and Cabinet Executive and the report recommends that it would be possible to improve Member engagement, openness, transparency and further involvement within the current Leader/Cabinet model and these options are proposed within section 8 of report OSC/253.


## 4.      Background - The Panel's investigations and information gathering

4.1     Following a Scrutiny suggestion request by a Member, a Scrutiny Panel was established to examine whether the Council would be best served by retaining a  Cabinet system of governance or a system of committees, including how the Council works and to obtain views on what works best, for the Council, elected Members and the people being represented.

4.2     The Centre for Public Scrutiny 'Musical Chairs' (2012) and 'Rethinking Governance' (2014) guidance documents (fundamental for all local authorities wishing to improve or amend their governance arrangements) recommend assessing the baseline – 'do you  need to change your governance arrangements?'

4.3     It is important to -
- assess the current position of governance
- consider the key attributes for an effective governance system
- consider the drivers for change
- consider improvements to the current system

4.4     The importance of the Council's decision making process should not be overlooked.  These processes can determine the relationships between Members, officers and Members and local people and their Council.

## 5. Current Situation

5.1 Legislative Context

5.1.1 Until the passing of the Local Government Act 2000 ('the 2000 Act'), local government in England operated under a committee system model of governance (Local Government Act 1972).

The Local Government Act 2000 (the 2000 Act) required all principal local authorities over 85,000 population to adopt 'executive arrangements in one of three forms:

- Mayor and Cabinet Executive
- Leader and Cabinet Executive
- Mayor and Council Manager

5.1.2 Within the Leader and Cabinet Executive model there was a degree of local choice as to the relative strengths of Council and of the Leader, ranging from a 'Weak Leader' pattern in which Council appointer both the Leader and the members of the Cabinet, and in which no delegations were allowed to an individual Cabinet member, so that the Cabinet became the sole member-level executive decision-maker The position was changed by Part 3 of the Local Government and Public Involvement in Health Act 2007. This amended the 2000 Act and established the Leader and Cabinet Executive referred to as a 'Strong Leader' Model where the Council elected the Leader for a term of office of 4 years and then the Leader appointed the Cabinet, the Leader determined the degree of delegation of executive powers to himself, the Cabinet, individual Cabinet members, to officers and to committees of the Cabinet

5.1.3 The Localism Act 2011 followed and made it easier for local authorities to make changes to their governance arrangements.

5.1.4 The Act allows Local Authorities to review their governance arrangements. There are now two governance options:
- Mayor and Cabinet  }
- Leader and Cabinet }  both known as Executive Arrangements
- The Committee System

5.1.5 It is possible to propose a different approach which the Secretary of State would consider if it could be shown to suit local circumstances.

5.1.6 A change from one form of governance to another can be brought about either by:-
- a resolution of the  Council
- a referendum proposed by the Council or
- by a referendum followed by a petition signed by 5% of Crawley's electorate (3,965)

5.1.7 Any change from one form of governance to another is subject to a Full Council resolution.  The change takes effect at an Annual Meeting, either the first one after the Resolution or a later one as specified in the Resolution.

5.1.8 Once a Council passes a Resolution to change its form of governance, copies of documents setting out the provisions of the arrangements have to be made available for public inspection and notice has to be published in a local newspaper.  There are no specific requirements for consultation.

5.1.9 Once change is made, no further change in the form of governance is permitted within 5 years, except as a result of approval in a referendum.   Under the relevant regulations, any resolution or referendum for a change of governance is not concerned with the detail of a new system.  It is simply a matter of deciding which system of governance is to be adopted.

Permitted Forms of Governance

5.2     Directly elected Mayor and Cabinet
5.2.1   Councils who have adopted a Mayor and Cabinet Executive have a directly elected Executive Mayor with wide decision making powers.  The Mayor appoints a Cabinet made up of other Councillors who may also have decision making powers.  These Councils must also have a Scrutiny Committee.

5.3     Leader and Cabinet Executive
        This is the governance system that most councils operate. The Executive is led by the Leader, decision making powers are vested in the Leader who may delegate to himself, the cabinet, cabinet members as well as officers.

5.3.1   The Council currently operates the Leader and Cabinet Executive Model of governance.  Under this system, Councillors elect the Leader from the membership of the Council for a four year term of office by a majority vote. The Leader then appoints (and can remove) Cabinet Members and assigns portfolio responsibilities to those Members.

5.3.2   The Leader appoints a Cabinet of a minimum of 2 and up to a maximum of 9 Members.  The Leader decides how Executive Decisions are taken through a scheme of delegation either to the Leader, the Cabinet, Cabinet Member, a Committee of the Executive and to an Officer.

5.3.3   Under Executive arrangements, a Local Authority must appoint one or more Overview and Scrutiny Committees, such a Committee must have the power to review or scrutinise decisions taken by the Executive and submit reports to the Council or to the Executive.

5.3.4   The Cabinet is not subject to political balance rules, so may comprise Members from a single political group.  Legislation specifies what matters must be discharged to the Executive, these are the majority of the decisions made by the Authority.

5.3.5   Under the Local Authorities (Functions and Responsibility Regulations 2000 as amended) the Full Council must set the Budget and Policy Framework of the Authority within which the Executive will operate, specifically the Regulations require Full Council to:

        • Adopt or approve specified plans and strategies of the Local Authority
        • Adopt or approve the Budget and any plan or strategy for the control of the Authority's borrowing or capital expenditure.
        • Determine the Scheme of Members' Allowance.
        • Approve the Council's Constitution.

5.4     The Committee System
5.4.1   The alternative to Executive Governance is a Committee System.  There is a scheme of delegation from Full Council with most decisions taken in Committees.  Each  Committee would be appointed by the Council and would have powers delegated to it from the Council to discharge specific Council functions.  Committees would be subjected to political balance.  Sub Committees can also be appointed with delegated  powers.  Functions can be delegated to Officers.

5.4.2   In most cases, Committees would have the power to make decisions without the need for full ratification by Full Council.  However, there could be a procedure to allow referral of certain decisions to Full Council before they are implemented.

5.4.3   A Committee System would be largely self-regulating, but it is possible to include a Scrutiny Committee although it is not mandatory, as required under Executive arrangements.

5.5     Hybrid arrangements
5.5.1   The term 'hybrid' was introduced in the document 'Rethinking Governance' published by the Local Government Association and Centre for Public Scrutiny (2013).  A 'hybrid' arrangement is one which retains the Leader/Cabinet Executive model but effectively adds an advisory element prior to decisions being made by the Cabinet for example through an advisory board or committee.

5.6 Local Context- Decision making

5.6.1 Crawley Borough Council operates the Leader/Cabinet Executive system, which was introduced in 2000. The 'strong leader' Cabinet Executive model was subsequently adopted by the Council in 2010. Currently there is Cabinet consisting of 7 Councillors.

5.6.2 At Crawley Executive Decisions are made by the Leader, collectively by the Cabinet, by Cabinet Members as well as by Officers. Councillors that are not Members of the Cabinet carry out overview and scrutiny functions whereby they provide advice and recommendations to the Cabinet about decisions that the Cabinet are about to take, they also participate in the Council's regulatory Committees e.g. Planning, Licensing, Audit and Governance Committee. The Cabinet (or Executive) makes decisions on key strategic issues and is responsible for implementing the agreed policies of the Council. The Council's current decision-making structure is attached as Appendix A.

## 6. Methods of Investigation and Evidence Gathering

### 6.1 Witnesses

The following officers have been involved in the Review, as the most appropriate stakeholder representatives that had been identified through the Scoping Framework:

- Ann-Maria Brown (Head of Legal and Democratic Services and Monitoring Officer)
- Steve Lappage (the then Democratic Services Manager)
- CMT Officers were interviewed
- CBC Members were interviewed (exclusive of Panel Members)
- A Member workshop took place to request feedback on the Scrutiny Panel options

### 6.2 Site visits to Reading and Tunbridge Wells Borough Councils

6.2.1 Site visits were conducted with authorities who had undertaken reviews of their governance arrangements. Councillors Burgess and Sudan, together with the Democratic Services Officer attended Reading Borough Council which had adopted a Committee System in 2013. Councillors Burgess and Lunnon, with the Democratic Services Officer attended Tunbridge Wells Borough Council which had retained a Leader/Cabinet model but introduced Cabinet Advisory Boards and amended their Scrutiny arrangements (hybrid).

6.2.2 At Reading Borough Council service committees take executive decisions about the function covered by their service areas whilst monitoring and scrutinising 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 the grounds of urgency. Full Council is also be able to take any decision on behalf of its committees. Pre meetings are still held with Lead Members and Chairs to discuss items of business. It was felt that the change to a Committee System resulted in an open discussion.

6.2.3 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) have decision making powers and budget

6.2.4 At Tunbridge Wells Borough Council there was an introduction of 3 Cabinet Advisory Boards (CAB) comprising of non-executive Members and Cabinet Members. The meetings covered items on the Forward Plan and had set prescribed recommendations to Cabinet. The Overview and Scrutiny remit had been altered to focus on 'external' scrutiny issues and now met less often. A main reason for adopting a 'hybrid' approach was a perceived lack of Member engagement in decision-marking and back-bench Members not feeling involved. As a result of the introduction of CABs, Members felt more informed and engaged.

- 3 Cabinet Advisory Boards (CAB) - Meet approximately 3 weeks prior to Cabinet.
  - Finance & Governance CAB
  - Communities CAB
  - Planning and Transportation CAB

### 6.3 **Press Release and Public Responses to Web Survey**

A press release was issued on behalf of the Scrutiny Panel by the Council's Communications Department in March 2016, together with a web survey asking for views and improvements on the current model of governance and decision making process.

### 6.4 **Desk Based Research**

Desk based research was undertaken to survey other authorities that had reviewed their governance arrangements. These included: Basildon, Guildford, Horsham, Norfolk, Maidstone, Brighton and Hove, Tunbridge Wells, Sutton and Reading and were followed by discussions with Horsham DC and consultation with Group Leaders at Brighton and Hove CC.

6.5 The table sets out those authorities that have undertaken a governance review and what changes have been made.

| Authority | Option |
|---|---|
| Brighton and Hove City Council | Committee System |
| Cornwall Council (unitary authority) Leader/Cabinet - hybrid | Policy Advisory Committee for each Cabinet Portfolio (x10)<br>• Communities Policy Advisory Committee<br>• Economy and Culture Policy Advisory Committee<br>• Housing and Environment Policy Advisory Committee<br>• Localism Policy Advisory Committee<br>• Planning Policy Advisory Committee<br>• Reputation and Performance Policy Advisory Committee<br>• Resources Policy Advisory Committee<br>• Transport Policy Advisory Committee<br>• Young People Policy Advisory Committee<br><br>Each Committee consists of 10 Members appointed in accordance with the political balance of the Authority. |
| Guildford Borough Council Leader/Cabinet - hybrid | Executive Advisory Boards (x2)<br>• The Borough, Economy, and Infrastructure] Executive Advisory Board<br>• The Society, Environment, and Council Development Executive Advisory Board<br><br>Each Executive Advisory Board shall comprise of 12 non-executive councillors, one of whom shall be appointed by the Council as chairman, with normal voting rights. |
| Horsham District Council Leader/Cabinet - hybrid | Policy Development Advisory Group for each Cabinet Portfolio (x7)<br>• Community and Wellbeing Policy Development Advisory Group<br>• Finance and Assets Policy Development Advisory Group<br>• Housing and Public Protection Policy Development Advisory Group<br>• Leisure and Culture Policy Development Advisory Group<br>• Local Economy Policy Development Advisory Group<br>• Planning and Development Policy Development Advisory Group<br>• Waste, Recycling and Cleansing Policy Development |

| | Advisory Group<br><br>Each PDAG consists of 11 Members and includes the Cabinet Member |
|---|---|
| Reading Borough Council | Committee System |
| Sevenoaks District Council<br>Leader/Cabinet - hybrid | Cabinet Advisory Committee for each Cabinet Portfolio (x7)<br>• Policy and Performance Advisory Committee<br>• Direct and Trading Advisory Committee<br>• Economic & Community Development Advisory Committee<br>• Finance Advisory Committee<br>• Housing & Health Advisory Committee<br>• Legal and Democratic Services Advisory Committee<br>• Planning Advisory Committee<br><br>Each Cabinet Advisory Committee consists of 12 Members to include Portfolio Holder |
| Sutton (London Borough) | Committee System |
| Tunbridge Wells Borough Council<br>Leader/Cabinet - hybrid | Cabinet Advisory Boards (x 3)<br>• Communities Cabinet Advisory Board<br>• Finance & Governance Cabinet Advisory Board<br>• Planning & Transportation Cabinet Advisory Board<br><br>Each Cabinet Advisory Board consists of 11 members of the Council (to be composed of at least 8 non-executive members and the relevant Portfolio Holders. Proportionality rules will apply. Each Cabinet Advisory Board will be Chaired by the relevant Portfolio Holder |
| Waverley Borough Council | Advisory Panels as required. |

## 7. Findings

### 7.1 Advantages and Disadvantages of each Governance Model

Some of the perceived advantages and disadvantages for each model of governance are documented below:

It should be recognised that other authorities and agencies have carried out similar exercises. The advantages and disadvantages are well documented and researched but can also be mirror images. They can also relate to the culture of the organisation.

| Leader/Cabinet<br>Advantages | Leader/Cabinet<br>Disadvantages |
|---|---|
| • Strategic decisions can be taken more quickly in a coordinated way.<br>• It can be easier for other organisations to work with a Cabinet rather than a number of committees.<br>• Cabinet members are a clear point of contact for the both the public, businesses and other organisations.<br>• The system is more aligned to the Cabinet and Select Committee System and governance operated by central Government which could make it more easily understandable to Members of the public. | • Decision making can be rushed.<br>• Backbench Members not on the Cabinet can feel disengaged with the decision making process.<br>• Large responsibility for individual council members.<br>• Decision making powers are allocated to a relatively small group of Councillors and it excludes other Councillors from any real decision making except in regulatory functions and where major decisions have to be taken at Full Council. |
| **Committee** | **Committee** |

| Advantages | Disadvantages |
|---|---|
| • Can allow more Councillors to be directly involved in making and influencing decisions.<br>• More open – decisions taken in public after questioning and discussion.<br>• Allows Members to develop in-depth knowledge of specific areas (specialisms).<br>• Takes pressure off individual Lead Members. | • There is a risk of decisions being made in silo as cross-cutting issues can be difficult to address.<br>• Perceived to be inefficient and slow in decision making.<br>• This system could require greater resource time in support and meetings than has generally been experienced under most Executive Systems, also more Member time – depending on number of meetings scheduled.<br>• Following Member and CMT Officer consultation, 77% of those that responded had positive comments regarding the current form of governance, whilst 23% remarked upon the Committee system. |
| **Hybrid**<br>**Advantages** | **Hybrid**<br>**Disadvantages** |
| • Wider Member buy-in and involvement in the decision making process<br>• Building up expertise<br>• Greater Member satisfaction<br>• Wider debate and challenge in pre-decision. | • Decision making can at times be slower<br>• Blurred accountability<br>• Some Members don't always contribute<br>• There could be a risk that distinction between the administration and opposition may be lost. |

## 7.2    **Public Feedback**

7.2.1    The web survey requested members of the public to respond with views and improvements on the current model of governance and decision making process.  Only 3 surveys were returned, with the majority (67%) believing that the current Cabinet system of local government involves and represents them sufficiently.  None of the responses indicated any suggestions or comments on how the current system could be improved.

A copy of the web survey report is attached as Appendix B.

7.2.2    Given the lack of responses, it could be determined that the public are attuned to the practices and procedures of Executive Decision making.  Alternatively there is still a lack of engagement with the public in local government.

## 7.3    **Officer and Councillor Feedback**

7.3.1    The Scrutiny Panel sought views from internal stakeholders (Councillors and officers) through a consultation exercise and workshop.

A summary of the consultation survey results is attached as Appendix C.

7.3.2    A Members' workshop was undertaken on 31st March 2016 with Members on the Review of Democratic Structures and Decision Making Process. The workshop considered various options in order to improve engagement, involvement & transparency.  It was acknowledged that feedback provided from the workshop considered there did not appear to be a strong desire to change the governance model.  It was thought possible to improve Member engagement, openness, transparency and further involvement within the current Leader/Cabinet model.
A summary of the workshop findings is attached as Appendix D.

## 8.    **Actions & Supporting Recommendations**

8.1 Following consultation with members of the public, Members and officers, the Panel has proposed the following as the most likely and effective solutions that would focus on increasing and improving engagement, involvement and transparency -

**a)** **That the Council should seek to retain the current model of governance (strong leader model ie Leader and Cabinet Executive).**

The Scrutiny Panel believes that the benefits of the existing Leader and Cabinet Executive arrangements can be retained, whilst taking measures to improve decision making process and inclusiveness, through the adoption of hybrid arrangements.

**b)** **Adopt a hybrid arrangement with the establishment of 2 'Portfolio Advisory Groups'**

A diagram of the new model is attached as Appendix E.

The configuration of 2 'Portfolio Advisory Groups' to be established – merging 'related' portfolios (NB it is still acknowledged there may be cross-over), operating as informal groups, partly for consultation purposes, and for the development and exploration of new policy ideas.

The Groups would be kept small in number, for example 5 core non-executive Members including the Chair (3:2), with the addition of the Cabinet Member(s) and the Shadow Cabinet Members(s) attending for appropriate items of business, ultimately increasing the size of the groups. The addition of Cabinet and Shadow Cabinet Members would assist in greater involvement and engagement. However, a group could comprise of greater numbers. Set out below are the terms of reference based on a Portfolio Advisory Group for 5 Members.

In order to recognise the importance of maintaining an independent scrutiny function it is questionable whether Portfolio Advisory Group members should generally not sit on the OSC. However it is acknowledged that in order for pre-decision scrutiny to be successful, feedback may need to be provided to the OSC. Consequently it may be beneficial to have at least one OSC Member on each Portfolio Advisory Group.

| Portfolio Advisory Group | Portfolio Advisory Group |
|---|---|
| Planning & Economic Development | Housing |
| Environmental Services & Sustainability | Resources |
| Wellbeing | Strategy, Finance, & Performance |
| Public Protection & Community Engagement | |

**Terms of Reference**

The Portfolio Advisory Groups will be to advise the Cabinet Member(s) on their functions and responsibilities as listed within their Portfolio in Part 4 of the Constitution.

Each Portfolio Advisory Group will have the following general responsibilities:

Assist in the development of Cabinet key decisions and support the development of policy, including providing constructive challenge to the responsible Cabinet Member on proposals and exploring options for future policy development. In contributing to the development of policy, and where appropriate, the Groups will be able to assist in the formulation of the initial proposals, the review of options and any consultation ideas. The Groups will be able to assist in the development of the Budget and Policy Framework and receive information reports within the remit of the Group. The Groups to provide Members with the opportunity to identify themselves with areas of activity in which they have a particular interest and to provide officers with an immediate point of reference and enable Members to build up a body of expertise and knowledge together.

Each Portfolio Advisory Group will consist of 5 Core Members (3:2) including Chair:

- <u>Chair</u>
- <u>4 non-Cabinet Members</u> (on the nomination of political groups)
- Cabinet Member(s) attending for appropriate items of business.
- Shadow Cabinet Members(s) attending for appropriate items of business.
- <u>Lead Officer (and officers)</u>, who will be a Head of Service (and/or their representative) nominated on the basis of the subject that is being discussed by the Portfolio Advisory Group. They will be responsible for ensuring that all relevant information is available to the Portfolio Advisory Group.
- The quorum for a Portfolio Advisory Group shall be 3 members.

Each Portfolio Advisory Group will:

Take place prior to any 'confirmed' Cabinet meeting <u>and</u> subject to sufficient items of business being available for consideration.

Legal Implications

The Portfolio Advisory Group would be a working group of the Council. A working group is an informal group of the Council and would be appointed by the Council. The Access to Information Provisions, which covers the publication of agendas, the right of the public and press to attend meetings and to inspect documents together with the publication of formal minutes would not apply.

The membership of the group would not be subject to the rules on proportionality, however it is the Council policy to allocate seats on working groups on a proportional basis.

8.2  Any alternative action would have to produce an effective decision making system.  It may be the current Leader/Cabinet structure could produce the required involvement for non-executive Members.  This would require greater relationship building, involvement and engagement.  As a result the following proposals have also been considered as options:

c)  **Introduce Cabinet Members updates via email to all Members to communicate information relating to their portfolio to be provided prior to Full Council (once a cycle).**

Whilst concerns have been acknowledged regarding the inclusion of Part B information it has been recognised that Members currently receive sensitive information. This option would provide Cabinet Members an opportunity to communicate and inform Members on topics relating to their Portfolio, whilst providing greater engagement and involvement. Information could easily be provided via email quickly and easily.

d)  **Establish seminars for the 'big' issues where officers can obtain Member input and feedback at an early stage.**

19% of those who responded to the Member/Officer consultation referred to the possibility of Members being engaged via events/seminars.  It would be key to link to the Council's strategic aims in order to ensure the 'big' issues are addressed, whilst it was acknowledged these currently only take place when officers arrange seminars. Although it was also recognised that it would be Members' choice to attend.

e)  **The Commission request that Cabinet Members introduce reports at Overview and Scrutiny Commission meetings.**

Cabinet Members have responsibility and ownership for the reports and should be held accountable for decisions.  It is acknowledged that the OSC Comments Sheet that is presented to Cabinet is limited however there is benefit in the Cabinet Member being informed of the full discussion being undertaken. However, it is recognised that some factual OSC reports require officer dialogue and input. It was therefore recommended that Cabinet Members attend all relevant OSC meetings to present reports and Cabinet Member discussions.

Under the Scrutiny Procedure Rules, the OSC may require any Member of the Cabinet to attend before it to explain in relation to matters within their remit:
- Any particular decision or series of decisions;
- The extent to which the actions taken implement Council policy;
- Their performance;

and it is the duty of those persons to attend if so required.

**f)      Acquire a "Member Mix" on the Overview and Scrutiny Commission**

It is necessary to gain a balance and mix of new and experienced Members on OSC in order to offer a mixture of subject matter to new Members and provide a mixture of membership, sharing of information and to gain experience.  It was noted that the decision would be considered as part of the committee nomination process however it was recommended that Members should serve no more than 3 years on the Commission at a time.

**g)      Increase the size of the Overview and Scrutiny Commission**

The increase of OSC would positively increase the number of backbencher involvement and engagement - particularly as the OSC considers a variety of reports.  The increase would result in a "richer" Commission with more input, knowledge and experience.  It is therefore recommended to increase the OSC by 2 Members.

**h)      (New) Members having the opportunity to attend all committees.**

It is recommended that Committee Chairs invite Members to all first meetings of each committee and recommend attendance as this would assist with building knowledge and having a duty to be aware of council business/operations.   Furthermore when there are items on committee agendas that are pertinent and affect the whole town (ie transformation updates) Members should be encouraged to attend meetings.

**i)      Increase training for Members either through Members' Executive Support Group or arranged independently via the Commission.**

It is recommended that it was paramount to encourage training through Group meetings as well as this Scrutiny Review, particularly as it was recognised that some matters ie political induction should be undertaken through individual Groups. Training for Members on chairing skills, questioning skills and scrutiny training.

## 9.      Financial and Other Implications

9.1      Whilst the council is striving to work in a 'less-paper' environment, should recommendation 'b' be approved, this can be expected to carry resource implications in terms of additional officer time, support and potentially incur costs (printing, Members Mail delivery/fuel costs). It is anticipated these would be met within the current resources for the time being, although a full evaluation of the impact on Democratic Services and service departments would be carried out as part of the review.

| System | Approx Number of Meetings in 2016/2017 |
|---|---|
| Current Model | 84 Meetings |
| New Model | 94 Meetings |

9.2      The previous Policy Development Forums administered by Democratic Services were only actioned when required, these forums had met on limited occasions. The effectiveness of the Forums was reviewed and a decision taken in July 2015 to disband both Forums. In order for any further meetings to be established, there needs to be sufficient business to warrant the need.

## 10. Legal Implications

10.1 The Council is permitted to review its governance arrangements pursuant to the Localism Act 2011.

10.2 Part 1A of the Local Government Act 2000 contains detailed provisions in respect of local authority governance. Chapter 4 outlines the legal provisions for changing governance arrangements. Under Section 9KA of the 2000 Act (as amended), a local authority which operates executive arrangements may:

- Vary the arrangements to provide for a different form of executive (9KA(1))
- Vary the arrangements whilst providing for the same form of executive (9KAB)

10.3 The proposals outlined in this report do not include a formal change in governance arrangements as defined by the 2000 Act.

## 11. Background Papers

Minutes Review of Democratic Structures Scrutiny Panel 13.10.15
Minutes Review of Democratic Structures Scrutiny Panel 26.11.15
Minutes Review of Democratic Structures Scrutiny Panel 25.1.16
Minutes Review of Democratic Structures Scrutiny Panel 23.2.16
Minutes Review of Democratic Structures Scrutiny Panel 21.3.16
Minutes Review of Democratic Structures Scrutiny Panel 19.4.16
Minutes Review of Democratic Structures Scrutiny Panel 21.7.16
Minutes Review of Democratic Structures Scrutiny Panel 15.9.16
Review of Democratic Structures Scrutiny Panel Consultation Responses 2015
Key Findings from Consultation with Members and CMT Members 23.2.16
Options for consideration – hybrid model options September 2016

## 12. Panel Membership and thanks

The Panel would like to thank all the Members and officers who gave up their time to attend the various Panel meetings, and for their valued comments, views and advice.

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**Appendix A – Council's Current Structure**
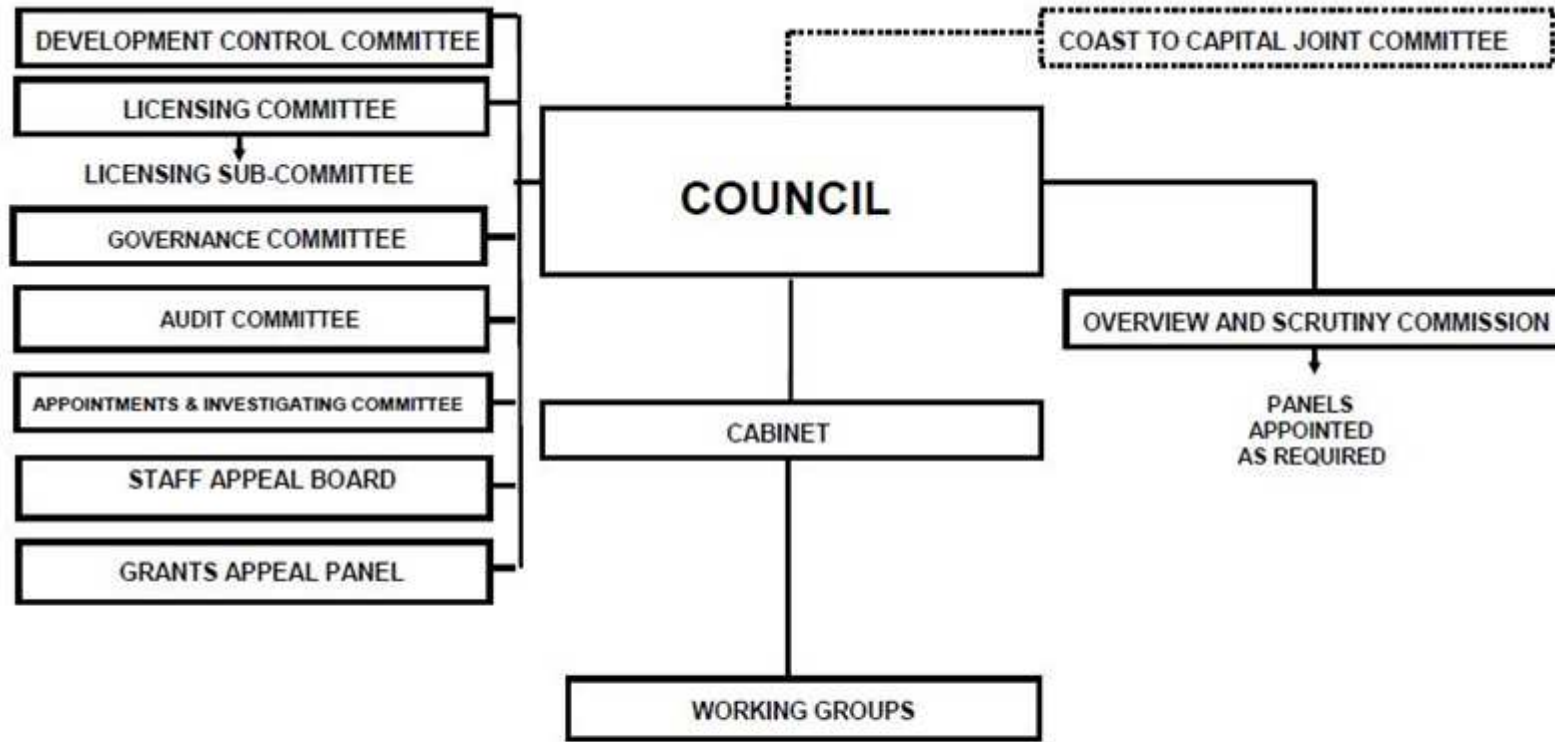


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DEVELOPMENT CONTROL COMMITTEE
LICENSING COMMITTEE
  LICENSING SUB-COMMITTEE
GOVERNANCE COMMITTEE
AUDIT COMMITTEE
APPOINTMENTS & INVESTIGATING COMMITTEE
STAFF APPEAL BOARD
GRANTS APPEAL PANEL

COUNCIL

COAST TO CAPITAL JOINT COMMITTEE

OVERVIEW AND SCRUTINY COMMISSION
  PANELS APPOINTED AS REQUIRED

CABINET

WORKING GROUPS
  * BUDGET ADVISORY
  * TOWN CENTRE
  * LOCAL PLAN
  * EMPLOYEES' JOINT CONSULTATIVE FORUM
  * MEMBER DEVELOPMENT EXECUTIVE SUPPORT GROUP
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**Appendix B**
**Web Survey Results**

This report was generated on 29/03/16. Overall 3 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'.

The following charts are restricted to the top 12 codes. Lists are restricted to the most recent 100 rows.

### Do you think the current cabinet system of local government involves and represents you sufficiently?

Yes (2)  67%
No (1)  33%
Unsure (-)
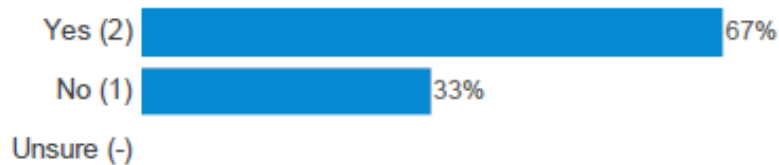
### Please explain your answer:

Petition discussed at Monday and Wednesday meeting and able to ask questions at both. Able to attend full council and ask questions there to. Whole process happened quickly and informed during.

no issues with decision council make

### Please outline the ways in which you engage with local decision making and why:

Vote at elections

Read about council local paper & vote. Why should it change.

**Appendix C**
**Consultation Survey Results Members and Officers**

**What works well under the current system?**
**Councillor Responses**

| | |
|---|---|
| 1 | Good communication between Members and officers. |
| 2 | Knows little about Cabinet system. Has worked the committee system as a councillor in another borough. This worked well because there was a meeting before the main meeting to discuss matters. The opposition had input into decision making. |
| 3 | It is clear where responsibility lies. Quick response due to Executive function. |
| 4 | Decision making is faster but less democratic. Scrutiny works well if it does not get overloaded. BAG works well and sub groups that can investigate are worthwhile. |
| 5 | There is clear accountability – it is the role of the controlling group to hold the Cabinet to account. There is clarity about who to approach about issues – whether Members or officers (although this might not apply if an issue crosses different portfolios).  Cabinet is a good-sized working group. |
| 6 | There is speed and ease with the decision making. The system is transparent and lines of accountability are clear. Pre-decision Scrutiny through OSC and the call-in process allow Members to have advance knowledge of decisions. |
| 7 | Meeting structure works well but timings mean that it is difficult to make changes. |
| 8 | Fewer formal meetings. Meetings easier to organise as fewer individuals involved for each one. Easier to react/intervene quickly: for example in the event of a natural disaster, or difficult political situation. The same people at each stage of decision-making ensures a consistent approach (committees may be comprised of different individuals, pursuing different agendas at different meetings), which has the added benefit of enabling officers to produce new options for achieving well established goals. Easier for officers regarding reports. These can be almost complete when reach stage of final consideration. Lines of accountability are clear.  Contains a formal system for scrutinising proposals, kept impartial by using different Members from those taking the decisions. |
| 9 | Regulatory committees work well. Cabinet works well in getting things done and driving the Council's agenda. |
| 10 | Years ago when there were committees most of us knew what was going on. The Cabinet is not transparent enough - we don't get enough information. Once a decision is made by Cabinet all Members should know about it. |
| 11 | This system seems to work well, it has checks and balances; decisions are made after advice and discussion. |
| 12 | Speed of decision making. Joined up working in public- the Cabinet works cohesively, bringing together all the functions in their deliberations. Cabinet briefing (private) works well.  Scrutiny can work well and didn't really exist under the committee system. OSC contributes to the Council's transparency. The Scheme of Delegation under a strong Leader works well - the Leader has the power to delegate and appoint his/her own Cabinet. Call-in works well with 4 signatories- rarely used but is a safeguard. The lines of accountability to Cabinet Members can be tested. |
| 13 | Not a lot, Cabinet is not open and transparent enough, very closed, information is not shared. |
| 14 | It is helpful to have individual Members who have in depth knowledge of a topic, who can become very knowledgeable across a range of services, providing they inform the group of what's going on, they can work well with officers to develop policy, decision making is stream lined, extra knowledge allows that Member to provide Leadership in that area, as well as share their knowledge with. Scrutiny can work well, but it does depend on Members having a clear idea of what Scrutiny is.  Cabinet Members can be held to account through Scrutiny. |
| 15 | Present Leader/Cabinet approach is efficient but depends upon ability of the Members. |
| 16 | Not experienced in the process at this time although feel that Leader/Cabinet would tend to be quicker. The makeup of OSC as part of that process, and given its present political makeup, is not representative given the 1 seat majority and the voting in the borough. |
| 17 | Favour the Committee option in that it provides backbenchers with more influence/decision making. |

**What works well under the current system?**
**Officer Responses**

| | |
|---|---|
| 1 | Decision making is much slicker. Under the committee system you had to wait for the committee cycle. It is easier linking with the Portfolio holder. |
| 2 | Officers know where reports are heading, Cabinet briefings are useful – the less formal structure is conducive to useful discussion and open questioning, Scrutiny system ensures that issues are thoroughly dealt with, and that decisions are challenged, and the Cabinet system is less time-consuming for officers. |
| 3 | Happy with the current set up as it provides quick decisions and is flexible (Quoted Cemetery quick decision without which no decision would have been made). |
| 4 | The Leader/Cabinet set up as it is quicker. |
| 5 | Clarity of accountability and which is also true for the public – committees can be quite anonymous. In the Cabinet system the Leader is elected by Council and appoints Cabinet Members under Scheme of Delegation, which provides clarity of who is responsible. Decisions are time responsive and officers can form good working relationships in briefing Cabinet Members |
| 6 | Quick, efficient, timely decision making which provides transparency and accountability. Officers and Members work well under current system, roles clear and understood. Members can receive as much or as little information so can be engaged in a Cabinet form of governance. (Being engaged will not change under a Committee form of governance). It is down to individual Members, they will be those who want to do more and engage but perhaps do not know how to. |

**What improvements would you make to the current system?**
**Councillor Responses**

| | |
|---|---|
| 1 | One to one consultation with officers on a quarterly basis so Members can be updated. |
| 2 | Need more group involvement in policies. In opposition we do not get to hear about anything. With the committee system the opposition was involved in decision making. With the Cabinet system fewer people are involved. |
| 3 | Make meetings shorter. Have more if that is the answer. |
| 4 | Try to find a way to make non-Cabinet Members feel more involved. This would, however, require more meetings. Under the committee system there was much greater involvement but was resource intense requiring larger staffing. |
| 5 | Perhaps a 'buddy system' (assistant/deputy Cabinet Members?) might enable back-bench Members to gain knowledge about different areas. Some areas are complicated (housing and finance for example) and Members' lack of understanding can mean that the workings of Cabinet can appear to be a bit of a 'closed book'. Officer accountability could perhaps be made a little clearer. |
| 6 | The current system works well – it has been improved through use. Concerns felt at the time of the change to a Cabinet system have not been borne out. |
| 7 | Needs more time to address issues – only two days between OSC and Cabinet. The Forward plan needs 'beefing up'. If items on the forward plan are not being scrutinised why are they on the Forward Plan? If an item is on the Forward Plan it needs to be factored into meetings. Any changes involving the town must be consulted on. |
| 8 | There are potential problems with accountability: Members can call-in items for Full Council to discuss. However, the item would only be referred back to Cabinet, and in theory Cabinet may not take account of what the Council has recommended. All Members have an equal mandate, a majority of Members at Full Council should have the power to override any Cabinet-level decision. Leader potentially has too much power – chooses Cabinet/delegated decision-making. Although there is scope within the system for Members to initiate change/raise issues etc., in practice it can be difficult for them to obtain information, and there may be more opportunity for them to 'tweak' when things already have momentum. Scrutiny was an afterthought in the Cabinet Model, consequently it doesn't have much genuine ability to revise proposals. Could be made more powerful? |
| 9 | OSC should have a greater role, like this project, for example. A committee system would be too |

| | |
|---|---|
| | expensive. Seminars are a good idea. OSC could bring forward cross-party policy. |
| 10 | Strengthen the OSC, which should be seen as advising, not opposing Cabinet. |
| 11 | Have limited experience on the alternatives. |
| 12 | Increase resources available to OSC so it has more time to deliberate. More officer time to support the opposition. The Council needs to look at Member induction to include political induction. Cabinet Members need to 'front' their portfolios, and should introduce reports, not the officers. |
| 13 | Some portfolios have more content than others, (can't fix), and some overlap, eg environmental and health cross over quite a lot and it's not always clear who is responsible, eg who is responsible for grass cutting of sports fields? So not always known who is responsible. |
| 14 | Make it more open and transparent, too much is left to reading stuff, rather than having a discussion and being treated as an adult, make it inclusive as. |
| 15 | People need to think a bit more about what is involved in Scrutiny, training has helped with regards, Scrutiny could be more effective, tend to be too low level (eg how we vote), whereas high level overview (eg of Tilgate park) improvements might be better. Sometimes when there is a lot of Member interest in a topic, Cabinet could float ideas with Scrutiny at an early stage, causing ideas to be modified based on the thoughts of Scrutiny. |
| 16 | The Scrutiny process could be improved by including all backbenchers are included via a setup of specialism in subcommittees e,g. Environment, Sport + Leisure, Finance, etc esp which would develop an expertise in an area which would lead to more efficient Scrutiny and input to development. |
| 17 | With regard to the current Strong Leader/Cabinet option, OSC should be provided with more decision powers to the extent of being able to hold officers more accountable. |

**What improvements would you make to the current system?**
**Officer Responses**

| | |
|---|---|
| 1 | Cabinet system works well. The problem is engagement with backbenchers. Progress planning could become tricky. |
| 2 | Members' questions can consume a great deal of officer time, and when these are submitted late in the cycle it can add to the difficulty (Full Council), the relationship between Democratic Services and officers is generally good, but sometimes there could be greater clarity as to what is required. Members sometimes ask questions at meetings, when it might be more appropriate for these to be asked of officers directly, some meetings seem longer than necessary – could they be better managed? |
| 3 | Change Constitution to encourage more cross party agreement and more use of seminars etc.as part of that. More events to be introduced to allow Councillors time to review decisions on large projects. |
| 4 | Scrutiny should be given more time to look at large projects rather than cursory looks to gain cross party agreement (refer Hawth) eg seminars or events. |
| 5 | Simplify the scheme of delegation, e.g. Housing- Cabinet will take the initial decision and the portfolio holder takes the detailed decisions. Look at what more could be delegated. Not sure Scrutiny adds a great deal. Overview works better. |
| 6 | Change the timing of Cabinet and Scrutiny meeting, two days before is not ideal - consider (two weeks before). Improve pre-Scrutiny to engage Members. At the moment call-in is undertaken by the Council: It should be a role for Scrutiny, which in other local authorities is the norm. After a decision was called in if OSC was still concerned over the decision they could refer it to the person making the decision or Cabinet for reconsideration or refer the matter to Council. Improve training of Members to challenge and influence decisions. Some Members need a greater understanding of Scrutiny in order to contribute to it effectively and proactively. Provide training to new Members on how to get involved particularly, in terms of asking questions at meetings to give them confidence and knowledge so as to ask the right questions. (Suggest Training could be given at Group). Encourage Members to ask questions outside of meetings of officers where appropriate. |

**Do you feel you are involved in the decision making process?**
**Councillor Responses**

| | |
|---|---|
| 1 | Yes. More now than before. You get out what you put in. |
| 2 | No apart from Audit and Governance. |
| 3 | Yes as a Cabinet Member. Also involved in Planning. |
| 4 | Yes as a Cabinet Member. |
| 5 | Yes. However, in order to exercise influence, it is very necessary to have a good knowledge and read background papers thoroughly – and be tenacious! |
| 6 | Not as much as when own group was in control, but this is because of loss of control, and not due to the Cabinet system. Certainly do not feel disengaged. |
| 7 | Yes as a Member of OSC. Can express a contrary opinion that can be minuted. |
| 8 | Yes, but even as the Leader you are often still participating in a reactive way. The system relies upon delegation, with the Leader dependent upon trusting Cabinet Members and officers to progress much of the workload. Not everything which goes out to Members is quite as I would have liked it to have been. Involved in a co-ordinating capacity, rather than a dictatorial one. |
| 9 | YES!! |
| 10 | Not necessarily, no. Decisions are made by Cabinet, there is some input at Group meetings. |
| 11 | No. Even in DC where there is open discussion, I feel pushed towards the officers' recommendation. |
| 12 | At the periphery. It is an unfortunate reality that you aren't credited with making good points when in opposition. 3rds elections can embed a Party. |
| 13 | In opposition, you don't know everything going on. Would it be different in committee? some like DC you are involved. Full council is predictable, decisions are already made. |
| 14 | I am not involved in the decision making process. When housing portfolio holder, like to have joint Cabinet briefings, more collaboration between parties prior to decision being made. Full council is rubber stamping process. You felt that we're too officer led. Not a criticism, just an observation, when an officer doesn't want something to happen, very difficult. |
| 15 | By and large, yes I do (Cabinet Member) |

**Do you feel you are involved in the decision making process?**
**Officer Responses**

| | |
|---|---|
| 1 | Yes given seniority. |
| 2 | Yes – the meetings with the Head of Democratic Services are useful. |
| 3 | Officers advise because Members cannot take decisions without a report with professional advice. I feel 100% involved. |

**Do you feel there is sufficient engagement between Members and officers? (If not how could this be improved?)**
**Councillor Responses**

| | |
|---|---|
| 1 | If you have issues see the officer(s) directly |
| 2 | No. Speak to individual officers on particular issues. |
| 3 | Yes – kept aware of what is happening. It is a two-way process. |
| 4 | No. Backbenchers rely to a large extent on group reports back, where often there is not enough time to go into detail. The answer may be more seminars etc. but this would require a greater commitment on Members to attend. |
| 5 | Sometimes it is not always easy to know whether to approach a Cabinet Member or a senior officer. Initiative has to come from Members (unless ward-defined) – could this balance be better worked? |
| 6 | Yes |

| 7 | Whenever I need to speak to officers they are available to talk to, to give advice, to make suggestions as to ways forward. |
|---|---|
| 8 | Every Member in theory has access to officers but it can be tricky in practice, particularly in opposition. Members can sometimes feel awkward about approaching officers for information – particularly if they need information in order to 'feed in' to processes at an earlier stage. Options are restricted for all councillors when the council is under severe financial restraints. Perhaps some sort of guide or formalisation of process could help. |
| 9 | The hardest thing is to get hold of an officer, but they are fine when I do. There should be a mechanism, perhaps informal, for officers and Members to get to know each other. |
| 10 | Personally, I can go to any officer. I do get on with the officers & have always had a good working relationship with them. And they have been very helpful with any issues I have raised. |
| 11 | The officers I have had contact with have always been very helpful and approachable. |
| 12 | Not really. When you are new there is a lot to pick up. Established councillors could help. When in Cabinet the interaction is pretty good; not so good for other Councillors. |
| 13 | That's up to the Member, can't have officers running around after Members. |
| 14 | No, could be more, but feel that is down to councillors rather than officers, tend to sit back from the officers, and praise and listen to them more, we're there to help them. Councillors should be integrated near to staff. |
| 15 | With the committee system, all Members did get to meet a range of officers, people who haven't experienced it won't understand that, so officer-Member engagement was better then, I still have relationships based from that. I wouldn't advocate a return to the committee system. Member officer engagement as a Cabinet Member is quite good, but for other Members they are quite removed. This is an issue which needs attention. I do seek officers, and I'm used to it. Some officers don't understand the democratic dimension, and don't understand where Members' pressures come from. |

**Do you feel there is sufficient engagement between Members and officers? (If not how could this be improved?)**
**Officer Responses**

| 1 | Depends on the role of Members. If they are engaged with community issues then there is more involvement but if not there is less. Involvement in community issues leads to Members automatically being more involved. Some Members may be happy to attend fewer meetings which they would have to do under the old committee system. In the past what used to work well were informal meetings between Members and officers – it involved backbenchers. Not many new policies being developed currently. |
|---|---|
| 2 | Generally yes, but would welcome more engagement with some Members. If Members need further explanation etc. officers are happy to repeat and go over things again (though important to arrange this in ways that respect the needs of officers – demands on time etc.) |
| 3 | There is really good engagement between Cabinet & the CMT, regular meetings and email contact, etc. 1-2-1s with the opposition Leader and meetings with the Shadow Cabinet. Junior officers have less exposure to Councillors and this represents a development challenge as to how they progress. Engagement could be improved between backbench Councillors and officers and seminars help to fill the gap to some extent. I think there is also a development challenge to enable backbench Members to step up into Cabinet roles. |
| 4 | Yes at a higher level (Cabinet, OSC etc, formal meetings and briefings) but not so for other Members although Seminars are providing that engagement to an extent. |

**How is the public voice integrated in the way decisions are made?**
**Councillor Response**

| 1 | Not sure. Literature. Departmental newsletters. Community notice boards. |
|---|---|
| 2 | Petitions. Questions at full council. Forums help. |
| 3 | Indirectly. Members represent the residents. Depends on Member involvement. How do we seek out the quiet voice? All public meetings have opportunities for input – particularly DC and |

| | |
|---|---|
| | Licencing. |
| 4 | Through consultation both local and town-wide. The communications department can be and is used. The local papers report on council activities. Communication is well covered and comments and points are taken on board. |
| 5 | The public voice is heard through the CLCs.  There is sometimes a feeling that we are 'jumping for people' who shout out the loudest, and there may be individuals/groups whose voice is not heard. |
| 6 | Dialogue with the public is an obvious part of Development Control; it is less evident within Cabinet and OSC, although there are consultation processes.  It is the role of elected Members to hear and understand the public voice, and to represent those views accordingly when making decisions. |
| 7 | There could be more involvement but cannot accommodate every viewpoint. |
| 8 | Through Members who receive their mandate through being elected on a (majority) Party manifesto.  Annual elections mean that the electorate have a regular opportunity to exercise an 'objecting voice'.  The petition system allows the public to raise issues. Decision-making is transparent - Members of the public can attend meetings; there is an opportunity for questions to be asked at council meetings.  Level of public interest is disappointingly low, though it is difficult to see what could be done about this. |
| 9 | There is consultation. There are local forums, representations to Development Control and petitions. Members of the public can suggest Scrutiny topics. |
| 10 | The public doesn't have much say. We don't always get many Council officers attending Talk Broadfield. In general, the public doesn't seem to want to get involved (issue dependent). |
| 11 | Difficult to say.  Residents' views may be acted upon in a limited way behind the scenes by councillors, but I have no evidence of this.  Many local people think they do not have a voice.  My experience is limited to DC where residents have the opportunity to voice an opinion, but the officers' recommendation is the overriding position.  This gives the impression that the local voice does not carry weight. When residents are asked, through a public consultation, the number of replies needs to be greater. With a population of over 100 000, a survey with less than 1000 replies is not representative and has little value; consultation methods should be more robust. |
| 12 | This is very variable. Multi-channel engagement is getting better. Apathy can be conscious and you have to respect that. It doesn't help being in a 2 tier system of local government. |
| 13 | Contact councillors directly, and we bare it in mind. Write letters in the press, and we bare that in mind. Listen to the media. We talk and listen to people in the ward we represent. Make sure we listen to the public. |
| 14 | By me coming here having listened to my residents have said and getting it heard in the council. Don't think they are always heard very well. Residents need to be listened to. Three Bridges Forum gives opportunity for officers to question. Get the forums working together. |
| 15 | Through elections, people's representations to Members, formal consultation, open to outside ideas. |

**How is the public voice integrated in the way decisions are made?**
**Officer Response**

| | |
|---|---|
| 1 | Consultation on reports – there is some input particularly if it concerns a policy issue. There are never many questions at Cabinet or OSC. If public consultation is needed then it is completed. |
| 2 | It is possible to identify some decisions that have been made as a direct result of public opinion being expressed (particularly in the Leisure area). It is likely that there are groups and communities within the town who are less likely to express a voice. Perhaps this could be improved. |
| 3 | Major decisions are not made without public consultation. The Labour Group was elected on a manifesto which produces a mandate. There are petitions. Members of the public can ask questions at Council, OSC & Cabinet. The public can have influence- see the cemetery & Ely Close. There are also the local forums. |
| 4 | Council undertakes consultation and engagement with the public on specific issues.  Public can ask questions in Cabinet and Council representations can be made at DC.  The petition Scheme also provides engagement to an extent. Whilst is recognised that there is some participation in local democratic processes, this is perhaps an area that should be developed so that the public |

| | are engaged in decisions particularly about changes to Council services and policies thereby providing greater public ownership of decisions. |
|---|---|

**Other comments**

| 1 | The Cabinet system can encourage personal resentments – e.g. among Members who were not appointed. There could also be an inherent resentment due to the fact that the system was imposed on councils by central Government. A committee system would be very difficult to manage with the current pace of decision-making; difficulties would be exacerbated when the controlling Party has a narrow majority as at present (i.e. Members would need 100% attendance rates in order to retain control of policy and meetings would need to be far more frequent).<br><br>There are major cost implications associated, while in principle you can't put a price on democracy, in practice we'd need to cut a few things in order to adopt a more convoluted process. Under any system, internal party processes and whips mean in practice decision-making would remain in the majority group's meetings and under the rules (at least the Labour ones) Cabinet posts and committee chairs are both within the Leader's gift. |
|---|---|
| 2 | The present system works well but there is room for improvement and room to help Members engage more fully in the current system. Had 9 years' experience of committee system which gave an impression of silo working. Sometimes Councillors appeared to be making decisions in isolation. There would still have to be private meetings of the Leader/Deputy Leader and committee Chairs and officers if the structure was changed. |
| 3 | Quite content with system as it is, if I had a problem, I'd say it. |
| 4 | I know people can have fond memories of the committee system, as it does teach a lot if you're in it, learnt though observing and picking things up (not structured). Not possible for a Member to pick up as much as what's going on as it used to be. One myth was that everyone was involved, a golden age of Member involvement, the reality was the chair and the vice chair, had most influence and information, involved in pre report activity, yes things got discussed and kicked around and sometimes changed, but actual extent was not that high, and a lot happened in group before it went into committee. Things were not thrown up into air at committee, so like Full Council now, didn't stop discussion about stuff, and did learn about services. As an opposition Member you can find out information, you can't necessarily join up the dots (get the bigger picture) just a morsel at the moment it comes out, but not whole strategy. Members could ask more.<br><br>The Cabinet system has evolved since we started, there are potentially some problems with current version, strong Leader model can if someone authoritarian frame of mind, the system lends itself to focus the officers and public attention to be on Leader, which can detract from Cabinet team approach, that is a little bit different when the committee chairs were more of a Team. Scope is there for whoever the Leader is to forget the more collegiate team approach, can provide an avenue for careerism. Don't think the Leader of a district council should be a full time job, should be able to be combined with other work. I don't think this is a good thing. Leader of unitary or county might be full time, but not district. District councillors are closer to their constituents, should be possible to be done, and shouldn't be a political profession locally.<br><br>Stick with evening meetings to allow a wide variety of councillors, and maybe look at Cabinet positions to allow that to be evening/weekend only. Understanding within council that it can gain from having a wide variety of councillors and Cabinet Members. It would help Members if they didn't see just a bunch of full time workers. Cabinet Members shouldn't be sticking around the town hall all day and stick on officers' cases to get jobs done. |
| 5 | Overall, my preference is for the Cabinet system. |

**Appendix D**
**Member Workshop Findings**

Following the Members' Workshop on 30 March 2016, an evaluation analysis was undertaken (a copy of which was provided to Members 31 March 2016).
This document provides a summary of those responses.

**Review of Democratic Structures Scrutiny Panel – Members' Workshop 30.4.16**

Members were presented with various options for consideration and asked to 'score' each option as follows:

Green = strengths or specific preferred options
Orange = potential opportunities
Pink = weakness or areas to be avoided
Comments were also documented.

**Section 1**
Those Options that scored predominately "Green" - "a strength or preferred option" are below -

### 1. (New) Members having the opportunity to attend all committees?

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 17 | 2 | 0 |

**Comments**
Already possible, just communicate it.
Already can - so need to be encourage ie by Leader of the group.
They already can, needs to be informed.
Needs spelling out.
Already possible, just communicate it.
As above.

### 2. Cabinet Members to introduce reports at OSC

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 9 | 5 | 0 |

**Comments**
Already happens. Started in 2006. Just communicate it.
Except when the report is a factual one by officers.
They already do it!
Already do!
Already do.
As long as it is done in good time for the decision to be made.

### 4. New Members appointed onto OSC

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 7 | 3 | 3 |

**Comments**
Is this all new Members??? This is not clear?!
That's up to each group's standing orders
That's up to each group's standing orders
That's up to each group's standing orders
New Members are already included on OSC
But there needs to be a balance of new and experienced - within a larger OSC
OSC has an important function and we should not lose sight of this.
This can happen anyway. Do not prescribe, just communicate.

**6. Seminars for the 'big' issues where officers can obtain Member input and feedback at an early stage.**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 8 | 4 | 0 |

**Comments**

We have done this successfully in Planning/Economic Development. Not always well attended. Members complain of too many meetings.
How do you differentiate 'big' from others?!
Already happens eg Ifield Millpond.
We already do this don't we?
We already do this don't we?

**7. Introduction of Cabinet Members updates for all Members, either by newsletter or email (to be agreed by each Cabinet Member and Members) to communicate information relating to their portfolio. These updates could be provided once a cycle prior to Full Council.**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 8 | 5 | 0 |

**Comments**

All Members - both Labour and Conservative please.
Will Members read them?!
Already do it for Group meetings. Do people promise to read them?!
Or add section to MIB
Sensitivities related to content and timing eg Part B, commercial issues.

**8. Ensure accountability and transparency are maintained with regards to decisions.**
**(publications currently used include the Forward Plan and Members' Information Bulletin).**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 7 | 4 | 0 |

**Comments**

Publicise Cabinet decisions away from MIB.
Already has to go through both. Members don't pay attention to them.
Forward Plan means little to me.
Vague!
Need to define 'decisions'? Constitution already covers formal decisions.
Whatever we put out there is no substitute for it actually being read.

**9. Notes of procedure be added to agendas regarding Members seeking factual information. This does not preclude questions being raised at the relevant meeting, however it does permit Members to analyse the reports prior to the meeting and enquire regarding factual information, leaving the meeting available to probe, challenge and ensure decisions are made affecting the Council services.**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 9 | 4 | 1 |

**Comments**

This could lead to less transparency.
Questions and answers should be shared with all Members and included in the minutes.
Does this act as a disincentive to participate in meetings?
Members obviously would need to work closely with officers to analyse appropriately.
Why not just do it?!!! OSC decision.

## Section 2
Those Options that scored predominately "Orange" - "a potential opportunity" are below –

**3. Increase the size of OSC**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 5 | 6 | 3 |

**Comments**

I'd rather improve the quality of the input.
Bigger with more new Members!
I like new Members contributing new insights!
The function of OSC should be paramount.

**10. Amend call-in arrangements so the decision is examined by OSC.**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 1 | 7 | 4 |

Comments

Agree with above, please can 'call in' be amended.
Reconsider number of Members required for call-in, as proposal carries more power.

OSC is held before Cabinet. That means most of the time delaying the decision is a committee cycle. Practical impact will be greater use of urgency resulting in call-ins being overruled, hence less Member input. Full Council is greater than OSC.

## Section 3

Those Options that scored predominately "Red" – "a weakness or areas to be avoided" are below –

**11. Consider that the OSC has set prescribed recommendations to Cabinet**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 1 | 4 | 7 |

Comments

Just do it? A decision for OSC?
Seems a bit cumbersome?
This is over-engineering and could limit spontaneity at the OSC, which also needs a 'defer' option to recommend.

**12. Propose to split OSC role between internal and external scrutiny functions**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 4 | 3 | 6 |

Comments

CAB move not ideal as can imply a wholly owned subsidiary of Cabinet.
Great idea. Take a holistic view of all local issues.
Quite a good idea. Just don't reduce the number of meetings.
Staffing implications? CAB a bit underpowered?

**13. Recommend returning to a committee system**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 4 | 4 | 8 |

Comments

There are a lot of cross-cutting issues.
Need to have effective, speedy, 21st century decision making!
Committees are too slow, silo decision making, controlling group(s) still meet in private to make the big decisions.
Committees are too slow, silo decision making, controlling group(s) still meet in private to make the big decisions.
Committees encourage better working relationships
Would be interested in the council that works in the hybrid system

## Section 4

One Option received scores equating to both "a strength/preferred option" and "a potential opportunity" (Green and Orange) –

**5. Training for Members (Chairing skills, Questioning skills and Scrutiny) – linked to Members' Executive Support Group or arranged independently (eg OSC).**

| Green (strengths or specific preferred options) | Orange (amber) potential opportunities | Pink (weakness or areas to be avoided) |
|---|---|---|
| 6 | 6 | 1 |

Comments

Full review of Member induction, add political induction.
Yes, but when there was a (very good) training event about scrutiny less than half Members turned up!
One or the other?
Training for most of this is/has been made available. People don't take it up. What has this got to do with it anyway?

**Appendix E**
**Proposed Hybrid Model**

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┌────────────────────────────────┐              ┌ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ┐
│      PLANNING COMMITTEE         │─┐            │   COAST TO CAPITAL JOINT COMMITTEE      │
└────────────────────────────────┘ │            └ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ─ ┘

┌────────────────────────────────┐ │
│      LICENSING COMMITTEE        │─┤     ┌──────────────────────────┐
└────────────────────────────────┘ │     │                          │
      LICENSING SUB-COMMITTEE       │     │        COUNCIL           │
┌────────────────────────────────┐ │     │                          │
│     GOVERNANCE COMMITTEE        │─┤     └──────────────────────────┘
└────────────────────────────────┘ │
┌────────────────────────────────┐ │                                    ┌─────────────────────────────────────┐
│       AUDIT COMMITTEE           │─┤                                    │  OVERVIEW AND SCRUTINY COMMISSION   │
└────────────────────────────────┘ │                                    └─────────────────────────────────────┘
┌────────────────────────────────┐ │                                                   PANELS
│ APPOINTMENTS & INVESTIGATING COMMITTEE │─┤                                            APPOINTED
└────────────────────────────────┘ │     ┌──────────────────────────┐                 AS REQUIRED
┌────────────────────────────────┐ │     │         CABINET          │
│      STAFF APPEAL BOARD         │─┤     └──────────────────────────┘
└────────────────────────────────┘ │
┌────────────────────────────────┐ │
│      GRANTS APPEAL PANEL        │─┘
└────────────────────────────────┘

        ┌──────────────────────────┐                    ┌──────────────────────────────┐
        │      WORKING GROUPS      │                    │  PORTFOLIO ADVISORY GROUPS   │
        └──────────────────────────┘                    └──────────────────────────────┘
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* BUDGET ADVISORY
* TOWN CENTRE
* LOCAL PLAN
* EMPLOYEES' JOINT CONSULTATIVE FORUM
* MEMBER DEVELOPMENT EXECUTIVE SUPPORT GROUP

Portfolio Advisory Group
Planning & Economic Development
Environmental Services & Sustainability Wellbeing
Public Protection & Community Engagement

Portfolio Advisory Group
Housing
Resources
Strategy, Finance, & Performance