

<b>SUBJECT:</b>	Review of Political Management Arrangements
<b>REPORT OF:</b>	Monitoring Officer
<b>RESPONSIBLE OFFICER</b>	Jim Burness, Director of Resources
<b>REPORT AUTHOR</b>	Joanna Swift, Head of Legal and Democratic Services and Monitoring Officer
<b>WARD/S AFFECTED</b>	None

## 1. Purpose of Report

To consider possible changes to the Council's current political management arrangements alongside the review and updating of the Constitution.

## RECOMMENDATION

**Members are asked to consider the following options and indicate whether they want officers to bring further information and/or more detailed proposals to the next meeting:-**

- (i) Whether to reduce the cycle of meeting from 6 to 4**
- (ii) Whether to establish a single Overview Committee**
- (iii) Whether to agree the principle of establishing joint scrutiny functions with South Bucks District Council subject to in principle agreement by South Bucks**
- (iv) Whether the current PAG arrangements require any amendment**
- (v) The introduction of individual cabinet member decision-making**
- (vi) Whether to agree the principle of establishing a joint Personnel Committee with South Bucks by extending the terms of reference of JAIC, subject to in principle agreement by South Bucks**
- (vii) If a joint Personnel Committee is established to delegate any residual personnel issues for CDC staff to Governance and Electoral Arrangements Committee**

## 2. Reasons for Recommendation

To enable the Committee to review current decision-making processes to ensure they remain efficient and effective for both members and officers and reflect the shared working arrangements in place with South Bucks District Council.

## 3. Content of Report

- 3.1 The Council's political management arrangements were last reviewed in 2014 when the Constitution Review Committee made a number of recommendations including reducing the cycle of meetings from 8 to 6; reducing the number of Overview

Committees from 3 to 2; introducing Policy Advisory Groups for each cabinet portfolio and amalgamating some committees. The full recommendations are set out in the Minutes attached at Appendix 1 for ease of reference and these are being incorporated into the updated Constitution.

- 3.2 The Committee has indicated that alongside the review and updating of the Council's Constitution they also wish to review current political management arrangements and consider further options for streamlining the decision-making process, particularly in view of the joint working arrangements in place with South Bucks District Council (SBDC). Various options are therefore discussed in more detail below.

#### **4. Cycle of Meetings**

- 4.1 The number and cycle of meetings that are held in each municipal year are a matter of local discretion for councils based on their particular functions and the matters that require member involvement and decisions. As mentioned above the cycle of meetings was last reviewed in 2014 when members of the Constitutional Review Committee recommended a reduction from 8 to 6 cycles per year which was agreed by Full Council and implemented from July 2015. This reduction reflected a general agreement that the Council held too many meetings; with some Members having to attend multiple meetings during an evening, including a concern for the workload for members. It was acknowledged that further joint working with SBDC may result in additional joint meetings for cabinet members and members of the Joint Appointments and Implementation Committee (JAIC).
- 4.2 However, the introduction of PAGs and a recent increase in the number of unscheduled meetings and additional working groups has meant the reduction in meeting cycles has not significantly reduced the overall number of meetings or members' workload. There have been additional meetings arranged (mainly to deal with the implementation of shared services through Joint Committee/JAIC/Personnel Committee), however a number of scheduled meetings have been cancelled due to lack of business. A table showing the additional and cancelled meetings over the past 2 years is attached at Appendix 2.
- 4.3 One option is to consider reducing the cycle of meetings further from 6 to 4 per annum. This is the current cycle of meetings at SBDC and has proved to work effectively. This reduction would not apply to the Planning Committee which needs to meet more frequently due to its particular work load. Other committees already meet on an ad hoc basis such as Appeals and Complaints and Licensing Sub-Committee and this arrangement would continue. An illustrative calendar of meetings based on 4 cycles a year is attached at Appendix 3 and an illustrative calendar for 2017/18 based on the current 6 cycles is also attached at Appendix 4. Reducing to 4 cycles a year would reduce the number scheduled meetings by 13.

## 5. Overview and Scrutiny Committees

### Legal Background

- 5.1 Councils are required by the Local Government Act 2000 to have at least 1 overview and scrutiny committee with powers to review or scrutinise decisions made, or other actions taken, by the cabinet and council committees and make reports to Full Council or Cabinet. They were modelled on parliamentary select committees with the additional power to require cabinet decisions which are not yet implemented to be reconsidered (the right to "call-in" decisions). An overview and scrutiny committee can appoint 1 or more sub-committees (often on a task and finish basis) to discharge any of its functions.

### Options

- 5.2 As already mentioned the number of overview committees was reduced from 3 to 2 in 2014 but despite this reduction and the reduction in the number of meetings per year, it is noticeable that there have been a high number of cancellations. Members are referred to Appendix 2 in this respect. With the introduction of PAGs the role of the overview committees in policy development has become less clear and their focus has turned to performance and financial monitoring and the review of specific topics. The Committees' work was recently summarised in the Annual Scrutiny Review to the last Audit & Standards Committee which is attached at Appendix 5.
- 5.3 It is suggested that the current level of work overview and scrutiny work could be undertaken by a single committee, as is the position as SBDC. The ability to appoint sub-committees/task and finish group would still enable project-specific reviews to be undertaken.
- 5.4 The opportunity for joint scrutiny with SBDC on cross-cutting areas and topics of mutual to both Councils is also an option for consideration. Examples of successful joint scrutiny include: West Sussex's joint scrutiny projects on Community Advice Services, Flooding and Housing for Care Leavers and Cumbria's joint scrutiny in respect of CCTV provision, Affordable Housing and Strategic Waste. Each Council would continue to keep its own Overview and Scrutiny Committee/s.

## 6 Policy Advisory Groups (PAGs)

- 6.1 The setting up of PAGs for cabinet portfolio holders is a matter of local discretion for councils. PAGs can only be advisory as non-cabinet members cannot take executive (cabinet) decisions. Following the recommendation by Constitution Review Committee in July 2014 5 PAGs established with 6 to 8 selected by the cabinet portfolio holder. The intention was to give the wider membership of the Council greater involvement in, and awareness of, cabinet decision and policy development. Now PAGs have been in operation for nearly 2 years it may be useful to reflect on their operation in practise. The matter for consideration could be the

format and style of the meetings as well as the content of information being submitted to each PAG, and the need to avoid duplication of reporting.

- 6.2 An area of possible duplication identified by officers is the information and reports being considered by PAGs and the relevant Overview Committee. There is also a lack of clarity around what reports should be referred to PAGs as their role is advisory/consultative in nature. Members may also wish to note that a number of separate working groups have been set up recently which overlap to varying degrees with the work of PAGs, for example:-

- Joint Planning Policy Member Reference Group
- Affordable Housing Member Working Group
- Leisure Needs Member Working Group

There is also a long standing Corporate Asset Management Group that overlaps with the work of Environment PAG.

- 6.3 Members may wish to comment on possible alternative approaches to streamlining the information being considered at PAGs, Overview Committees and the additional working groups; for example improved work programmes for consideration of items that work across service areas and different stages of decision making. Another option may be for PAGs to work more as Task and Finish Groups rather than standing advisory groups, so that the Group meets for a specific period of time to consider a piece of work, conclude their work and then disband so that Groups do not continue indefinitely. A successful example of this in the past was the Council Tax Support Working Group. An alternative approach taken at SBDC is for PAGs to act in a consultative capacity when Cabinet members take non-key decisions. This form of decision-making is referred to in more detail below.

## **7 Individual Cabinet Member Decision-making**

### **Legal Background**

- 7.1 The Local Government Act 2000 introduced the power for the Leader and member of the cabinet to take decisions individually, as well as collectively in cabinet meetings. Before a decision can be taken individually a report must be published in the usual way for 5 clear days. A record (minute) of the decision taken must also be published. That decision is subject to the same call-in procedure as Cabinet decisions and can be actioned 5 clear days after publication (provided it has not been called-in). The procedure enables decisions to be taken between scheduled cabinet meetings whilst retaining the transparency of the usual cabinet decision-making process. Details of the process would be set out in a separate protocol.

### **Options**

- 7.2 SBDC and Aylesbury Vale District Council have both introduced individual cabinet member decision-making. At SBDC cabinet portfolio holders can take non-key decisions individually after consultation with their PAG. The Committee may wish to

consider introducing this power in conjunction with a reduction in the number of meeting cycles per year.

## 8 Joint Personnel Committee and JAIC

- 8.1 In view of the on-going creation of joint officer teams serving both CDC and SBDC, as well as the adoption of harmonised terms and conditions for all staff at both authorities, the creation of a joint personnel committee becomes increasingly appropriate in order to effectively discharge the strategic personnel function of both Councils. This could be achieved by extending the terms of reference of JAIC. Consideration of this item is obviously subject to the views of SBDC members but CDC members may wish to share their views on this matter and seek and in principle view from SBDC.
- 8.2 For any residual personnel issues that may be specific to officers at CDC e.g. pension rights; these could be delegated to an existing committee such as Governance & Electoral Arrangements, whose terms of reference could be amended accordingly.

## 9. Consultation

The Committee is asked to consider whether, and if so how, they wish to consult on any proposed changes with members more widely, either via committees/cabinet or individually.

## 10 Corporate Implications

Financial – There are no financial implications arising directly from this report

Legal – As set out in the report

Risks issues – None specific

Equalities - None specific

## 11 Links to Council Policy Objectives

There are no direct links to the policy objectives. But as efficient and effective decision-making process accords with best practice and good governance generally.

## 12 Next Steps

To bring more detailed information and proposals to the Committee if required

<b>Background Papers:</b>	None except those referred to in the report
<b>Appendices</b>	1 Recommendations from the meeting of the

	<p>Constitution Review Committee held on 2 July 2014</p> <ol style="list-style-type: none"><li>2 Number of Cancelled / Additional Meetings</li><li>3 Schedule of Meetings based on 4 cycles of meetings</li><li>4 Schedule of Meetings based on 6 cycles of meetings</li><li>5 Annual Scrutiny Review 2015/16</li></ol>
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