

BRECKLAND COUNCIL

REPORT OF THE DIRECTOR OF ORGANISATIONAL DEVELOPMENT TO THE (AUTHOR: STEPHEN MCGRATH – MEMBER SERVICES MANAGER)

EXECUTIVE BOARD – 19 APRIL 2010

OVERVIEW AND SCRUTINY COMMISSION – 29 APRIL 2010

CABINET – 11 MAY 2010

COUNCIL – 13 MAY 2010

REVIEW OF COMMITTEE STRUCTURE

1. Purpose of Report

- 1.1 The report responds to the request from Full Council in November 2009 for a review of the committee structure by making a number of proposals to streamline the current decision making processes at Breckland Council.

2. Recommendations

That the Overview and Scrutiny Commission requests Cabinet to recommend to Full Council that the following changes be made to the Political Management Structure at Breckland Council (with appropriate changes made to the Council's Constitution):

(a) Committee Structure

- 2.1 That no changes be made to the existing Committee Structure.
- 2.2 That the number of Task and Finish Groups that can be operated by the Overview and Scrutiny Commission (OSC) be limited to a maximum of three at any one time (including the LDF Group, but excluding the Joint OSC on Shared Services).
- NB The Council's Constitution will include a clause whereby Full Council OR the Leader of the Council and Chairman of the OSC can establish a further Task Group, if the item for discussion is considered suitably expedient.
- 2.3 That, in future, the Three Task and Finish Group Chairmen be appointed by the Overview and Scrutiny Commission (from within their own membership) on a task by task basis rather than at the Annual Meeting of Council.

(b) Meeting Schedule

- 2.4 That no changes be made to the 2010/11 Meeting Schedule, as agreed by Full Council on 12 November 2009.

(c) Committee Membership

- 2.5 That committee membership is revised in accordance with the proposal in paragraph 3.2.8.
- 2.6 That, during the 2010/11 municipal year, the use of two named Conservative substitutes and one opposition substitute is trialled for appropriate committees.

Note: In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

3. Information, Issues and Options

3.1 Background

3.1.1 At Full Council on 12 November 2009, it was agreed that a review of Breckland Council's Decision Making processes be undertaken.

3.1.2 The review has considered the following:

- The potential to amalgamate committees, where feasible;
- To review the meeting schedule to improve the speed of decision making;
- To examine the potential to reduce the number of Member seats on certain committees.

3.1.3 Against this background, the procedure adopted for the review involved detailed discussions with Executive Members, several Committee Chairmen, other Elected Members and a range of officers to identify the strengths and weaknesses of the Council's existing arrangements.

3.1.4 Furthermore, it should be noted that the decision making processes were only recently reviewed by the former Deputy Chief Executive in April 2008. A number of recommendations have subsequently been implemented to improve the Overview and Scrutiny function, report clearance process and to develop Members as Community Leaders.

3.2 Issues

(a) Committee Structure

3.2.1 The Local Government Act 2000 established new decision-making models that were designed to create high visible leadership and enhanced democratic legitimacy. The Council's Constitution is based on the Leader and Cabinet decision-making model, with the Overview and Scrutiny function (and Audit Committee) providing the checks and balances.

3.2.2 If Members were to consider amalgamating committees, then the Licensing Committee legally has to remain stand-alone. Full Council, Cabinet, Scrutiny, Standards and the Regulatory Committees must also be retained. It is entirely feasible to merge the General Purposes Committee with Appeals, but the benefits to be derived from doing this need to be considered.

3.2.3 Having consulted Members and officers, and bearing in mind legal requirements stated above, it is felt that the committee structure operates as effectively as it can under the Cabinet model.

3.2.4 A suggestion has been made, however, to limit the number of current Task and Finish Groups set up by the Overview and Scrutiny Commission to a maximum of three at any one time. This would prevent a plethora of Groups from being established and ensure that Member and officer resources are targeted at those areas where value can be added. One of those Task and Finish Groups will be the LDF Group. However, the Joint OSC Group on Shared Services is exempt from this ruling as that is undertaking a joint review with South Norfolk.

3.2.5 Furthermore, it has been proposed that the three Task and Finish Group Chairmen should be appointed by the Overview and Scrutiny Commission on a task by task basis rather than in advance at the Annual Meeting of Council. They would, however, have to be serving Members of the Overview and Scrutiny Commission, but it would allow flexibility to utilise the knowledge/experience of Members dependent of the review being undertaken.

(b) Meeting Schedule

3.2.6 The possibility of utilising an eight weekly or quarterly committee meeting cycle has been considered. However, it is felt that the current six weekly meeting cycle

generally achieves the right balance between speed of decision making and having sufficient business for the various committees to consider.

- 3.2.7 Under the committee timetable for the 2010/11 Municipal Year (which was agreed by Full Council on 12 November 2009), the only exceptions are Development Control (meeting three weekly); and Audit and Licensing which will convene quarterly.

(c) Committee Membership

- 3.2.8 The current committee membership is:-

<u>Committee</u>	<u>Current Membership</u>	<u>Suggested Membership</u>
Anglia Revenues and Benefits Partnership Joint Committee	2 *	2
Appeals	6	6
Audit	6	6
Development Control	16	12
General Purposes (GP)	12	12
Licensing	12	12
Local Joint Consultative Committee (LJCC)	10 (albeit only 5 Breckland Councillors)	10 (albeit only 5 Breckland Councillors)
Overview and Scrutiny Commission	16	12
Staff Appointments	9	9
Standards	9 (albeit only 3 Breckland Councillors) *	9 (albeit only 3 Breckland Councillors) *

- 3.2.9 The membership of the two Committees indicated with a “*” above cannot be amended due to legal requirements (Standards) or Constitutional implications with partners (Anglia Revs).

- 3.2.10 It is felt that the membership of the remaining committees should be standardised with main committees having 12 seats and smaller committees having 6 seats. It is suggested that the Staff Appointments Panel (7 Executive Members, Chairman of GP and Leader of Opposition) and LJCC (due to need to match Member numbers with those from staff side) be exempt. These changes, if implemented, will net an overall reduction of 8 seats.

- 3.2.11 If the membership of the main committees is reduced to 12 seats each, then consideration should be given to implementing a system of named substitutes. It is suggested that the use of two named Conservative substitutes and one opposition substitute be trialled during the 2010/11 municipal year for appropriate committees.

3.3 Options

- 3.3.1 To agree the recommendations as outlined above.

- 3.3.2 To not agree (all or part of) the recommendations, or to suggest alternatives for consideration.

3.4 Reasons for Recommendation(s)

3.4.1 Members and officers have identified a number of areas where the Political Management Arrangements can be improved at Breckland. By implementing the recommendations, Breckland Council will be able to improve the effectiveness of the Scrutiny Task Groups by focusing resources on areas of importance and make better use of Member time at committees.

3.4.2 Failure to implement the recommendations will delay the improvement of the Political Management Arrangements at Breckland Council.

4. Risk and Financial Implications

4.1 Risk

4.1.1 I have completed the Risk Management questionnaire and this report does not require a risk assessment because the matters covered are not significant in terms of risk.

4.2 Financial

4.2.1 None

5. Legal Implications

5.1 The legal implications of the review of the Political Management Arrangements have been addressed as part of the review process.

6. Other Implications

a) Equalities: None

b) Section 17, Crime & Disorder Act 1998: None

c) Section 40, Natural Environment & Rural Communities Act 2006: None

d) Human Resources: None

e) Human Rights: None

f) Other: [e.g. Children's Act 2004] None

7. Alignment to Council Priorities

7.1 The matters raised in this report falls within the following Council priorities:-

(a) A safe and healthy environment

(b) A well planned place to live and work which encourages vibrant communities

(c) A prosperous place to live and work.

8. Ward/Community Affected

8.1 None

Background Papers

Report by Tim Leader – Review of Political Management Arrangements (Cabinet – 29 April 2008)

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Key Decision Status (Executive Decisions only):

[State whether Key or Non-Key decision & whether or not on Forward Plan]

Non-Key

Appendices attached to this report:

None