

AD HOC SCRUTINY PANEL

A meeting of the Ad Hoc Scrutiny Panel was held on 15 November 2007.

PRESENT: Councillor Carr (Chair), Councillors Elder, Majid, Mawston, Purvis, Rostron, J Walker and Williams.

OFFICIALS: J Bennington, M A Braithwaite, C Davies, P Clark and R G Long.

**** DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

EXECUTIVE SCHEME OF DELEGATION

In a report of the Senior Scrutiny Officer and in the Chair's introduction, the Panel was reminded that the Overview and Scrutiny Board at its meeting held on 24 September 2007 had agreed the suggested terms of reference for the initial and future topics for the Ad Hoc Scrutiny Panel as follows: -

- a) To examine the current process of the Executive Scheme of Delegation and the process for undertaking Executive decisions.
- b) To undertake scrutiny examination on corporate issues as directed by the Overview and Scrutiny Board.

The report gave a brief outline of the Executive Scheme of Delegation as currently determined by the Mayor, which covered the following five areas of delegated power: -

- The Executive
- Individual Executive Members
- Officers
- Executive Sub-Committees
- Joint Arrangements.

Reference was made to the legal requirement for the Executive to set out its programme of work for the coming months in its Forward Plan. The requirements of the current process were for all key decisions to be placed in the Forward Plan four months in advance of that decision being made. Current arrangements also incorporated the Call-In process, which within certain rules provided the opportunity for a decision to be reconsidered before implementation.

The Panel discussed comments which had previously been raised by Members and identified at Overview and Scrutiny Board and the Constitution Committee concerning the current Executive Scheme of Delegation the key points of which were as follows: -

- a) whilst in general terms a scheme of delegation was supported and that it was acknowledged that decisions were being taken in the appropriate manner there were concerns that in recent years the current decision making process had become fragmented and an increasing amount of significant business had been transacted at meetings of Individual Executive Members rather than by the Executive as demonstrated in the statistical information circulated at the meeting;
- b) although at least half of the business transacted at Individual Executive Member meetings had been items of general interest it was considered that a number of significant matters would have benefited from debate in a wider and open forum and of interest to other Executive Members and of the Council;
- c) given the amount and type of information made available within a relatively short period of time Members felt that it was difficult in some cases to determine which items were worthy of wider debate and attendance at the appropriate meeting and had also experienced problems in attending numerous Individual Executive Member meetings within a tight timescale;

- d) the costs involved in increasing the amount of hard copies of reports and/or background information provided to all Members of the Council was recognised;
- e) although the Government's intention of recent legislation was to make the current decision making system more open and transparent it was acknowledged that the onus to pursue items of significance was largely on Members by way of the Forward Work Programme.

The Panel discussed ways of strengthening the current process of the Executive Scheme of Delegation:

- i) It was considered important to ensure that the Forward Work Programme provided sufficient detailed information within the prescribed timescale;
- ii) in order to expedite the decision-making process Members agreed that items of routine and/or technical nature should continue to be considered at the appropriate Individual Executive Member meetings;
- iii) It was agreed that in order to raise Members' awareness and have a greater influence in the decision-making process, items of significant interest to Wards and the Town as a whole should be considered by the Executive.

The Panel concluded that the Executive be asked to consider the extent to which business was delegated to Individual Executive Members in particular items affecting the wider public which would benefit from being deliberated in a larger public forum as the Executive.

AGREED that based on the conclusions of the Panel as outlined above a draft report be compiled for consideration at the next meeting of the Ad Hoc Scrutiny Panel.

COUNCIL MEETINGS – FUTURE STRUCTURE AND CONTENT

The Members' Office Manager submitted an introductory report regarding the structure and content of Council meetings, which had developed over the years, more recently as a result of the 1998 White Paper 'Modern Local Government: In Touch with the People' and the subsequent Local Government Act 2000. Amongst many other changes the White Paper and legislation had led to the introduction of scrutiny, directly elected mayors and the new roles of Council and the executive.

The most recent changes to Council procedure rules had been agreed in May 2006 and included broadening the scope of questions without notice; the submission of petitions to Council; relaxing the rules relating to the receipt and consideration of announcements from the Chair; and changing the order of business of Council meetings.

Reference was made to a recent meeting of the Constitution Committee held on 17 September 2007 when Members had expressed the view that further improvements could be made to Council meetings. A suggestion had been made for shorter and more focussed Council meetings and further encouraging full participation and debate by all Members in Council Meetings.

At that meeting a number of ideas had been identified for further discussion including a review of agenda items that must be included in every Council meeting; the possibility of alternating the Mayor's question time and Executive question time; whether there might be merit in quarterly or half-yearly meetings focussing on the work and findings of Scrutiny.

The main points arising from the Panel's discussion on current arrangements included the following: -

- a) it was acknowledged that Council meetings provided an opportunity for all Members to have responsibility on a limited range of decisions and holding the Mayor and Executive to account;

- b) it was considered that certain elements of the current arrangements especially the opportunities for asking questions of Executive Members and for Members to ask specific questions worked well;
- c) it was considered that the extent of current business to be transacted at most Council meetings reduced the opportunity to have full debates where thought appropriate on such items as policy documents; scrutiny reports focussing on recommendations accepted by the Executive; and to ask in depth questions of the Mayor and Executive Members;
- d) specific reference was made to the lack of opportunity to demonstrate the work of the non-Executive Members and the influence of the scrutiny process on the policy making process;
- e) in order to achieve more focussed Council meetings it was suggested that the following elements be concentrated upon on an alternate basis;
 - Mayor's question time;
 - Executive Members question time;
 - Scrutiny reports (2 or 3 times a year);
- f) Members expressed a preference for a written report to be provided from the Mayor in addition to any verbal statement in order to assist Members in directing relevant questions to the Mayor;
- g) Members expressed support for informal briefing sessions currently arranged by certain Executive Members which were considered useful in clarifying ward issues thus reducing the need to raise such business at Council meetings.

AGREED that prior to submission to the Constitution Committee a further detailed report based on the general comments made on suggested changes to the current arrangements for Council meetings be presented for discussion at the next meeting of the Panel.