

AD HOC SCRUTINY PANEL

A meeting of the Ad Hoc Scrutiny Panel was held on 13 December 2007.

PRESENT: Councillor Carr (Chair), Councillors Elder, Purvis, Rostron and Williams.

OFFICIALS: J Bennington, C Davies, P Clark and M Storey.

**** PRESENT AS AN OBSERVER:** Councillors Kerr and McPartland.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors J Walker and Ward.

**** DECLARATIONS OF INTEREST**

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

**** MINUTES**

The minutes of the meeting of the Ad Hoc Scrutiny Panel held on 15 November 2007 were taken as read and approved as a correct record.

EXECUTIVE SCHEME OF DELEGATION - AD HOC SCRUTINY PANEL FINDINGS

The Chair presented a report on the Panel's findings regarding the application of the Executive Scheme of Delegation.

The Panel had concluded that the Mayor had devolved a significant proportion of decisions to Members of the Executive and many of the decisions were now taken in Individual Executive Meetings. It was considered that an unintended consequence was that decision making was not as open and transparent as it might be. A distinction needed to be made between those decisions which were purely technical or administrative or which were urgent which could be dealt with at Individual Executive Meetings, and those which were of a wider political and/or public interest which should be considered by the full Executive.

The Panel's recommendations were set out in the report as follows: -

- i) That the Forward Work Programme is brought fully up-to-date as soon as possible.
- ii) That only routine, administrative or technical decisions, or those, which are urgent, are taken at Individual Executive Meetings.
- iii) That, so far as possible, decisions of a wider political or public interest is taken by the Executive as a whole.
- iv) That, subject to the ruling of the Chair, non-executive elected Members are invited to comment on all issues for decision at the Executive.

AGREED that the report be approved and referred to the Overview and Scrutiny Board for consideration and the Constitution Committee.

COUNCIL MEETINGS – STRUCTURE AND CONTENT

Further to the meeting of the Panel held on 15 November a briefing note had been circulated as a basis for the Panel's discussion on possible changes to current arrangements with the aim of making Council meetings more inclusive and to better reflect the difference between the roles of the Council and the Executive.

Members were mindful of both the desirability and the practicality of any proposed changes for consideration by the Constitution Committee.

The main points arising from the Panel's discussion centred on the following areas.

a) Mayor's written report plus statement to each meeting

As previously indicated there was a suggestion for the Mayor to provide a brief written report the debate on which to be limited to 20 minutes. It was also proposed for the Mayor to have the opportunity to make any statements of approximately 10 minutes on urgent items.

A question and answer session was also suggested. The timing of such sessions either at every Council or alternate meetings was discussed.

Members considered that there should be a degree of flexibility in terms of written reports bearing in mind that although Council meetings were held generally every six weeks topics of worthwhile news often arose immediately prior to a meeting.

b) Executive Reports

Members considered that the current system of Executive reports worked reasonably well and should be retained and distributed prior to the Council meeting but that the 30-minute limit on subsequent consideration of Executive matters be enforced to 30 minutes.

In order to assist the process and curtail the current trend of comments and repetitiveness a suggestion was made for a list of questions to be made available prior to a meeting and a time limit of one to two minutes be allocated for each question.

c) Scrutiny Reports earlier on the agenda

Taking into account that legally and constitutionally Scrutiny was one of the main mechanisms of holding the Executive to account it was suggested that the respective items of business should be considered earlier on the agenda.

Given the extent of business to be transacted at Council meetings, which included consideration of policy framework reports it was suggested that there might be occasions when there would be merit in having a separate debate, and discuss scrutiny items in more detail.

d) Council Cycle

Consideration was given to the appropriateness of the current cycle of Council meetings, which was every six weeks.

e) Policy Conference

As previously identified by Members consideration was given to the possibility of defining an opportunity for major discussion on a current issue and if that should be part of the Council meeting.

The possibility of having such debates outside of the Council meetings for example at 6.30 p.m. for a fixed period of one hour immediately preceding Council commencing at 7.30 p.m. on a quarterly basis was discussed.

The suggestion for a wider debate on specific issues on such items as the application of new legislation and policy direction on important issues was welcomed and for such proceedings to be recorded on a written basis and reported to the Executive and /or the Council.

It was felt that further consideration needed to be given as to how such a programme of debate could be determined. It was suggested that the Chair and a group of Executive and Non Executive Members determine such a programme.

f) Ward Issues

If the Mayor was to introduce regular surgeries for all Executive Members which combined with the Member's' One-Stop facility it was felt that the exclusion of Ward matters from Council meetings could be more rigorously applied.

It was felt that the extension of interactive briefings with Executive Briefings should assist in reducing the extent to which specific ward issues were raised in Council meetings. It was acknowledged that Members needed to apply a certain degree of self-discipline over such matters and that the Chair of the Council could enforce the current rules more rigorously.

Reference was made to the Government's direction regarding Community Call For Action regarding the tackling of issues of concern in a community further details on which would be made available in due course.

g) Policy Framework

In order to allow more input at Council it was suggested that the possibility of major Policy Framework plans, such as the Local Development Framework, be brought to Council in the early draft stages for discussion.

In commenting on the extent to which strategy documents could be discussed it was acknowledged that there might be difficulties in identifying which documents should be presented and also the often tight timescale in which such documents had to be formulated and implemented was recognised. It was acknowledged that further discussion was required with CMT.

It was considered that such documents should be considered as part of the scrutiny process and referred to as appropriate in the report of the Chair of Overview and Scrutiny Board to Council.

h) Fixed business and alternating business

Although it was acknowledged that certain items would have to appear on every agenda (apologies, declarations of interest, announcements, Member's' Questions, Public Questions, petitions, business reports, motion, urgent items, policy framework reports) for ordinary meetings of the Council it was suggested that there might be scope for specific items to be considered on an alternating or periodic basis such as that previously identified.

i) Order of Business

Consideration was given to the order of business.

Given the extent of business to be transacted at most Council meetings it was felt necessary that in certain circumstances in particular when there were presentations and awards that consideration be given to Council meetings commencing at an earlier time.

It was considered that time limits needed to be applied for presentations not included under Policy Conference and requiring a resolution.

The main conclusions of the Panel were as follows: -

- i) the Mayor should be encouraged to provide a brief written report of the main areas of work undertaken in the preceding six weeks before a Council meeting the debate on which to be limited to 20 or 30 minutes and that he also be given opportunity to make any statements of approximately 10 minutes on urgent items;
- ii) that in order to assist in the consideration of Executive Reports the 30 minute time limit on the question and answer session be enforced and the possibility of providing a list of questions to the Chair prior to the meeting be explored;

- iii) that consideration be given to scrutiny items being placed earlier on the agenda and that the opportunity of having wider debate at certain times be examined;
- iv) that the current six week cycle be retained;
- v) that further consideration be given to a Policy Conference as outlined to be arranged on a quarterly basis at 6.30 p.m. immediately preceding a Council meeting starting at a later time of 7.30 p.m. on an agreed programme of topics the determination of which to be examined probably by the Chair and a group of Executive and Non-Executive Members;
- vi) that further consideration be given as to the means by which earlier attention could be given to policy/strategy documents as part of the scrutiny process and referred to as appropriate in the report of the Chair of Overview and Scrutiny Board to Council;
- vii) it was considered helpful if the time limits for transacting the fixed items of business was more closely adhered to;
- viii) the suggested order of business was indicated as follows:
- (Policy Conference discussion – pre Council meetings)
 - Mayor's Report (s) plus question time
 - Executive Matters
 - Scrutiny Report
 - Policy Framework discussion
 - Urgent Items
 - Members' Questions
 - Motions
 - Business Reports
- ix) an opportunity is provided in certain circumstances for the order of business to be changed at the discretion of the Chair in discussion with Members;
- x) that in the event of certain presentations and awards consideration be given to earlier starts to Council meetings.

AGREED that the outcome of deliberations as outlined above form the basis of a further report to the Panel and/or Overview and Scrutiny Board prior to submission to the Constitution Committee.