

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

A meeting of the Constitution and Members' Development Committee was held on 24 July 2020.

PRESENT: Councillors J Hobson (Chair), L Garvey (Vice Chair), A Hellaoui, B A Hubbard, J Rathmell, D Rooney, M Saunders, M Storey and J Thompson

OFFICERS: Caroline Breheny - Democratic Services Officer
Sylvia Reynolds - Head of Democratic Services

DECLARATIONS OF INTERESTS

There were no declarations at this point in the meeting.

20/1 **MINUTES - CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE - 4 FEBRUARY 2020**

The minutes of the Constitution and Members' Development Committee held on 4 February 2020 were approved as a correct record.

20/2 **LOCALISM ACT 2011 – REPEAL OF LEGISLATION – DEALING WITH PETITIONS**

The Head of Democratic Services advised the Committee that the purpose of the report was to provide members with the opportunity to review the Council's current Petitions Scheme, as adopted at the Council meeting on 19 May 2010, following the repeal of legislation relating to the requirement for the Council to have a statutory Petitions scheme.

It terms of background information it was explained that the Local Democracy and Construction Act 2009, had made it a statutory duty for all Councils to adopt a formal petition scheme. However, the Localism Act 2011 had repealed the requirement for such a scheme, which had provided the opportunity for the current petitions scheme to be reviewed in order to provide greater clarity and flexibility in respect of dealing with petitions.

It was advised that whilst there was no longer a legal requirement for the authority to have a petitions scheme it was deemed appropriate to have a mechanism that allowed the public to highlight issues that were of importance to many people and required some form of response from the Council. It was noted that there had been some confusion with regards to the process for dealing with petitions received by the Council, which had resulted in some negative experiences by the public. The Head of Democratic Services stated that the revised petition scheme would provide greater clarity in respect of how petitions would be dealt with in the future.

A copy of the Draft Revised Petitions Scheme was attached at Appendix 1 of the report for Members' reference. The Head of Democratic Services suggested that at point 6) Exceptions to the Petitions Scheme there could be value in adding an additional circumstance for where a petition may not be dealt with under this scheme, namely where it may be politically contentious in the run up to elections.

Members were reminded that in order for a petition to be considered at the next ordinary Council meeting the petition must be submitted with a minimum of 10 clear working days' notice prior to the next ordinary Council meeting. This allowed for the necessary governance / administrative processes to take place.

Reference was made to the fact that Petition organisers were welcome to present their petition at full Council up to a maximum of five minutes. Councillors could then debate the petition for up to a maximum of 10 minutes.

It was noted that in relation to e-petitions these were welcomed by the Council. However, it was emphasised that they needed to follow the same guidelines as paper petitions and an individual's name, postcode and valid email address had to be included.

Members were afforded the opportunity to ask questions and the following issues were raised:-

- Reference was made to the fact that under the current petitions scheme 1500 or more signatories were required for the issue to be debated at full Council. Members of the Committee expressed the view that that number appeared particularly high especially in respect of any localised issues. There was a real need to listen to local communities and the view was expressed that the number be reduced to 500 or more signatories in order for it to be debated at full Council.

AGREED that the revised petitions scheme be submitted to full Council for approval, subject to a reduction in the number of signatories required, from 1500 to 500, for a petition to be debated at full Council.

20/3

MEMBERS DEVELOPMENT POLICY

The Head of Democratic Services presented the Members' Development Policy and advised the Committee that Middlesbrough Council was committed to supporting the ongoing development of all Members to enable them to perform effectively in their current roles, and to develop so that they could meet future challenges.

The key aims and objectives of the Member Development Policy were outlined as follows:

- to support the delivery of the Council's strategic priorities
- to respond to the ongoing organisational change within the Council
- to respond to councillors development priorities identified within the annual survey and Personal Development Plans in order to meet Members' individual development needs
- to establish a culture whereby continuous elected Member Development was seen as a key component to the success of the organisation;

In addressing those requirements the policy acknowledged that Members already possessed a range of skills. A further aim of the policy was to seek opportunities where the benefits of such skills might be shared (e.g. mentoring) and to identify and address skills gaps.

It was advised that the Members' Development Policy had been in place since 2018 and although there had been some minor amendments to the framework the majority of the Policy had remained the same. Members were invited to put forward any suggestions in respect of additional training they felt was necessary. In response the view was expressed that mandatory training on what it means to be a corporate parent should be provided to all Members, as a crucial and integral part of the induction programme. It was advised that some work had been undertaken with the Director of Children's Services and a set of actions for Members development formulated.

In terms of the budget available it was advised that a £20,000 training budget had been set aside in response to the Ofsted inspection and additional training in respect of Children's Services would be provided. It was also advised that the Members training budget had been increased for 2020/21 and there was no need for any additional funding to be requested at this time.

AGREED that the proposals outlined in the Members' Development Policy be approved and the additional training referenced in respect of Children's Services be provided in 2020/21.

20/4

EXECUTIVE / SCRUTINY PROTOCOL

The Head of Democratic Services advised that in May 2019 new Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities was issued by the Ministry of Housing, Communities and Local Government (MHCLG). The Statutory Guidance made reference to ensuring regular and early engagement between the Executive and Scrutiny. The Guidance stated that authorities should ensure regular and early discussions were held

between Scrutiny and the Executive, especially regarding the latter's future work programme. Authorities should, though, be mindful of their distinct roles.

It was suggested that one way in which this could be undertaken was via an Executive/Scrutiny Protocol, which could help define the relationship between the two and mitigate any differences of opinion before they manifested themselves in unhelpful and unproductive ways.

Members expressed the view that there would be benefits in developing an Executive/Scrutiny Protocol as it would provide a framework for disagreement and debate, and a way to manage it when it happened. The view was also expressed that one of the major issues with mayoral authorities was that a tremendous amount of power invested was in the Executive. An Executive / Scrutiny Protocol could therefore be critical in helping to secure Scrutiny's role in holding the Executive to account.

AGREED that an Executive / Scrutiny Protocol be drafted and presented to a future meeting of the Committee.