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DEMOCRACY WORKING PARTY

Monday, 8 April 2013

Present: Councillor AR McLachlan (Chair)
Councillors G Davies T Harney
J Hale G Watt
P Gilchrist

87 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST (THIS IS VOLUNTARY, AS AT ALL WORKING PARTY MEETINGS), BUT SUGGESTED GOOD PRACTICE**

No declarations of interest were received.

88 **MINUTES**

Councillor J Hale referred to Minute No. 86. Members' Seminar – 4 April 2013 and to a sentence in the third paragraph as follows:

'The Leader of the Council had expressed a preference for some form of hybrid model of governance.'

Councillor Hale informed that he considered that what was now being proposed was not a hybrid model. He also drew attention to the sentence in the fourth paragraph as follows:

'a consensus on proposals had been sought over the past two years and decisions were now needed.'

and pointed out that the Working Party had not began to meet until November 2011 so it was not an accurate statement. The first meeting in this Municipal Year was not arranged until 17 December 2012.

Councillor Hale referred to the proposal for each of the four Constituency Committees to be allocated an annual budget of £50,000 to be used to focus on reducing inequalities in an area mirroring the priorities set out in the Corporate Plan and informed that currently his Local Area Forum had more funding devolved to it.

Some Members indicated that they did not expect to receive verbatim minutes and as this was a Working Party that could not make decisions it was considered appropriate for minutes to show the flow of ideas that were explored at meetings.

The Minutes of the meeting of the Working Party held on 2 April 2013 and the comments on them were noted.

FINDINGS ARISING FROM THE MEMBERS' SEMINAR AND DISCUSSIONS ON 4 APRIL 2013 AND QUESTIONNAIRE SENT TO ALL MEMBERS

The Head of Neighbourhoods and Engagement distributed a report of the Chief Executive entitled Councillor Consultation and Engagement Feedback. The report provided a breakdown and analysis of the feedback received from Members on proposals around the Council's constitution, scrutiny arrangements and constituency committees. This feedback had been gathered at or following the Seminar held on 4 April 2013 from an associated questionnaire that some Members had completed.

The Performance Manager introduced the report and drew attention to the main themes running through it. She informed that 32 Members had attended the Seminar and that 38 Members had responded to the questionnaire (Lab 26: Con 6: Lib Dem 6) which had been designed to gather views on the following topics, which had been discussed at the Seminar:

- The future of Scrutiny: Policy & Performance Committee
- Constituency Committees
- Council Constitution

A number of questions had been set out in the questionnaire under each of the three topics and the Working Party noted both the detailed feedback from the answers set out in the questionnaires and from the Seminar itself, through workshop sessions which had been held.

Overall, it was noted that Members had considered the merits of a Cabinet versus a Committee system and the desire which had been expressed by some to return to a Committee system. It was also noted that there continued to be differing views expressed on this but the Seminar had been intended to provide all Members of the Council with an opportunity to engage and inform the proposed revisions to the Council's constitution and decision-making arrangements.

Comments had been received on the positive discussions which had taken place at the Seminar during the workshops and how this differed from the debate at Council meetings. The Seminar had been considered a success as there had been a relaxed environment and Members had been less confrontational than at Council meetings.

Members had informed that they considered behaviour and trust to be important elements of the Council and that the new structures should support improvements in behaviour at Council meetings.

The level of support available from officers for the new arrangements had been considered an important element in implementing proposals and a commitment had been given to ensure that there was effective resource in place. Members had also informed that the new arrangements must demonstrate and provide Members with the confidence that it served them and local residents effectively.

It was reported that the Seminar had concluded with comments that had generally focussed on the importance of Members being well informed and trained to run the Council and serve local residents and also that, necessary steps must be taken to address issues and deliver improvements to the Council, that local people deserved.

Councillor Hale indicated that he wished to move an amendment but as this was a Working Party meeting with a membership that was not politically proportionate to the seats on the Council, on advice from the Interim Head of Legal and Member Services, put forward the following views which it was agreed would be recorded in the Minutes of the meeting:

- (1) It is quite clear that there is no consensus on the way forward as to how the Council should operate.
- (2) This Working Party believes there was a majority in favour of returning to the Committee system. This was evidenced by the fact that the only confidential non-whipped indications from Members demonstrated over 70% support for a return to the Committee system.
- (3) This Working Party proposes a return to the Committee system.
- (4) The Committee system would operate as previously with all parties represented according to party strengths.
- (5) This would mean that all Members of all parties were involved in the decision making processes of the Council up to and including the Policy and Resource Committee.
- (6) The Committees would be able to appoint sub-groups to investigate and report on various topics requiring deeper examination.
- (7) The Council would function as it did under the previous Committee system with Members able to debate objections lodged to any Committee decisions and to question Committee Chairmen on any matter and debate Notices of Motion. A case for returning to the Committee system is strengthened by the alternative proposed regarding Overview and Scrutiny which will result in fewer such Committees despite the increased responsibility taken on by the Council.
- (8) The proposals to set up Constituency Committees etc. should be deferred until such time as the Working Groups (with their stated objectives) have been set up and are able to report their findings to a future meeting of the Democracy Working Group. (The Draft Terms of Reference for these Working Groups were set out in a paper dated 25 February 2013 and have not yet been actioned in any way which is considered essential to any progress in this matter).

Councillor Geoffrey Watt was in agreement with Councillor Hale's views and wished his name to be associated with them.

Members agreed that the various views being expressed at this meeting would be set out in the minutes.

Councillor Phil Gilchrist informed that he intended to discuss the feedback from the Members' Seminar and Questionnaire with the Members of his Political Group, and, in the meantime, he would continue to look at what arrangements other councils had in place for decision-making. He also told the Working Party that he had not seen

the draft Council Standing Orders or the Schedule of Meetings and that he considered that there was a whole range of issues the Working Party could have explored but, unfortunately, it appeared that it had run out of time.

Councillor Ann McLachlan told the Working Party that the details had not all emerged yet and they would be worked upon once the Council had determined the way forward at the Extra Ordinary meeting scheduled for 30 April 2013 with a view to the new Constituency Committees coming into being in the autumn. The Working Party was being asked to try to reach a broad consensus.

Councillor Tom Harney proposed that the Chief Executive's report be circulated to all Members of the Council, as soon as possible. He considered that the report set out the problems that existed across the Council and work was already in hand to ensure improvements. Councillor Harney was of the view that input from each of the 66 Members was needed. They all needed to be involved.

Councillor Harney also offered some helpful advice on the content of the report in relation to the use of colour and shading. He suggested that a protocol/standard format should be drawn up, agreed and adhered to on the presentation of graphs, pie charts etc. within reports. This would make report writing easier in future.

Councillor Harney accepted that the writing of the report had been a difficult task which had been accomplished in a short space of time. He agreed that it did reflect the overall findings of the survey that had been conducted and informed the Corporate Performance Manager that she had done a good job on it in difficult circumstances.

Councillor Hale reported that the Conservative Group did not agree to the powers being given to the Co-ordinating Committee because it would then be able to influence and interfere with the rights of the three Policy and Performance Committees aligned to the three strategic directorates to examine those areas they considered important.

Councillor McLachlan pointed out that only 6 Conservative Councillors had completed the Questionnaire which illustrated that the Conservative Group was totally disengaged from the process.

Councillor Gilchrist noted that the Working Party had failed to reach a consensus. He believed that the Working Group had started the process too late in the year to be in a position to report to Council on 29 April 2013 and Councillor Hale agreed.

Councillor McLachlan thanked Corporate Performance Manager for the report which had been produced in a short space of time. She also thanked Members and Officers for their input and the work they had carried out over the period of time the Working Party had been meeting. She informed that it had been a useful and insightful exercise.

RESOLVED: That

- (1) the content of the Chief Executive's report setting out the feedback that was gathered at a seminar held on 4 April 2013 and from an associated questionnaire be noted; and**

- (2) a copy of the report at (1) be circulated to all Members of the Council for their information.**

Officers in attendance:

Joe Blott – Strategic Director: Transformation and Resources
Fiona Johnstone – Director of Public Health, Policy and Performance
Emma Degg – Head of Neighbourhoods and Engagement
Stephen Gerrard – Interim Head of Legal and Member Services
Lucy Barrow – Corporate Performance Manager
Shirley Hudspeth – Democratic Services Manager

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