

POLICY AND RESOURCES COMMITTEE

Tuesday, 30 November 2021

Present: Councillor J Williamson (Chair)

Councillors T Anderson T Jones
H Cameron J McManus
P Cleary Y Nolan
W Clements L Rennie
P Gilchrist J Robinson
JE Green P Stuart
S Hayes

Deputy: Councillor S Foulkes (In place of EA Grey)

89 WELCOME AND INTRODUCTION

The Chair welcomed everyone to the meeting and those watching the webcast.

90 APOLOGIES

The Chair confirmed the apologies of Councillor Liz Grey, with Councillor Steve Foulkes deputising.

91 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary interests and any other relevant interest and to state the nature of the interest.

No such declarations were made.

92 PUBLIC AND MEMBER QUESTIONS

The Chair reported that no questions from either members of the public or Members had been submitted. Nor were there any statements or petitions to receive.

93 MINISTERIAL EXTERNAL ASSURANCE REVIEW

The Chief Executive reported that the Council, having applied for exceptional financial support, received a capitalisation directive for 2020/21 and received an offer for 2021/22 subject to an external assurance review focusing on its financial position and on its ability, including the strength of its governance arrangements, to deliver its plans for medium-term sustainability. The reviews

were commissioned by the Government Department with the intention of it resulting in an agreed plan between the Authority and the Secretary of State to address the review's recommendations.

The Minister had written to the Council on 2 November, 2021, enclosing and publishing the two independent reports that made up the External Assurance Review. The letter asked the Council to set out in writing, within the following month, the steps it was taking in the immediate and longer term to respond to the Review and implement the recommendations.

The report highlighted the primary recommendations within the reviews and provided further details on how these would be addressed, including for:

- The development of a financial recovery plan
- Appointment of an independent panel
- A whole Council electoral scheme
- Reducing the number of committees

Responding to comments from Members both the Chief Executive and Director of Law and Governance confirmed the process by which policies, which might need to be reviewed in light of the financial recovery plan, could be undertaken. The Senior Leadership Team were already working closely with the Finance Sub-Committee on the 2022/23 budget and it was a two way process in which policies might naturally come up during these discussions or the Sub-Committee members could be asking officers to review those policies if that was what was required. The Chair and group spokespersons would be consulted on officer decisions when the relevant director considered it necessary to do so. The Director also confirmed that the delegation of decisions to officers, which was already up to £1,5m, did not affect the Constitution as it was always within the ability of a Committee to delegate further.

Councillor Phil Gilchrist spoke against the recommendations within the report and stated that he had reservations about signing the letter of response to the Government.

In response to a Member's comment the Chief Executive stated that as Head of Paid Service it was incumbent on him to encourage all political groups to work together and as Chief Executive he was seeking the co-operation of all groups to turn the organisation around.

The Chair and Members of the Committee expressed their very grave disappointment at the stance being taken by the Leader of the Liberal Democrat Group.

On a motion by the Chair, seconded by Councillor Tom Anderson, it was -

Resolved (14:1) –

That this Committee:

- (1) authorises the Chief Executive, in consultation with the Leader, to provide a written response to the Minister’s letter to the Council of 2nd November 2021 (attached as Appendix A to the report) in the terms of:**
 - (a) acknowledging and accepting the content of the reports;**
 - (b) developing the recommendations for implementation; and, in particular,**
 - (c) emphasising the adoption of the recommendations concerning:**
 - (i) development of a financial recovery plan;**
 - (ii) appointing an independent Panel to support the Council;**
 - (iii) moving to a whole council scheme of elections, subject to consultation, to take effect at the earliest practicable opportunity; and**
 - (iv) review the committee system to reduce the number of committees;**

- (2) authorises the Chief Executive to take such decisions as he considers necessary to implement the recommendations contained in the External Assurance Review (as outlined at Appendix B to the report), such decisions to be taken in consultation with the Leader and Group Leaders wherever appropriate.**

- (3) For the remainder of the 2021/22 municipal year, agree to recommend to all policy committees that:**
 - (a) agenda be reduced so far as is practicable to only those matters associated with the effective maintenance of statutory services, the budget, budget and financial recovery plan development and responding to the external assurance process; and**
 - (b) all other matters, including all key and non-key decisions, be delegated to the relevant Director, in consultation with a committee’s chair and group spokespersons where considered necessary.**

In response to further comments from Members, the Director of Law and Governance clarified the position with regard to possible consideration at the forthcoming Council meeting of any issues which this debate and passing of this decision had raised but emphasised that this decision had now been taken and that this would now be implemented. The Chief Executive confirmed that the letter to the Government would be sent on 1 December, 2021.

The Chair, in seeking to stress the importance of the decision the Committee had just taken and why it had needed to be taken, then read out a paragraph of the letter from the Government Minister as follows:

“As such, I would ask that you set out in writing, within the next month, the steps you are taking in the immediate and longer term to respond to the Review and implement its recommendations. Any faltering in this area would be of considerable concern and could lead to a reconsideration as to whether a different approach might be appropriate to secure the improvements that are necessary.”

94 **CONSULTATION TO CHANGE SCHEME OF ELECTIONS**

The Director of Law and Governance introduced a report which brought forward a process to enable a change to a four year, “all out” electoral cycle at the earliest opportunity following a recommendation made in the External Assurance Review of 2 November 2021, that the Council should move to implement such a change.

The earliest practicable year for a change in electoral scheme to whole council elections was considered to be 2023, which provided the Council with the ability to consult and prepare for the change and was felt to best accord with the Boundary Commission’s planned review. The report detailed the steps required for such a change to take place.

It was moved by Councillor Paul Stuart and seconded by Councillor Yvonne Nolan, that –

“This Committee authorises commencement of a consultation process with a view to changing the Council’s scheme for elections by thirds to a scheme for whole-council elections and that the year for elections be set for the purposes of the consultation as 2023.”

It was then moved as an amendment by Councillor Tom Anderson and seconded by Councillor Lesley Rennie, that –

“This Committee authorises commencement of a consultation process with a view to changing the Council’s scheme for elections by thirds to a scheme for whole-council elections and that the year for elections be set for the purposes of the consultation as 2022.”

Following a considered debate on the amendment and motion, the amendment was put and lost (5:10).

The motion was then put and carried (15:0), and it was therefore –

Resolved (15:0) - That this Committee authorises commencement of a consultation process with a view to changing the Council's scheme for elections by thirds to a scheme for whole-council elections and that the year for elections be set for the purposes of the consultation as 2023.

Responding to a Member's comment the Director of Law and Governance confirmed that the Boundary Commission would be informed of this decision, with the Commission being due to start their review in 2023/24, the impact of their proposals would then come into effect in 2027, should whole-council elections be implemented from 2023.