

STROUD DISTRICT COUNCIL
STRATEGY AND RESOURCES COMMITTEE

**AGENDA
ITEM NO**

TO COUNCIL ON 18 OCTOBER 2018

7b(i)

This is a copy of Agenda Item 7b report to the Committee on 4 October 2018

Report Title	First Report of Constitution Working Group 2018
Purpose of Report	For the committee to note the findings of the Working Group; and if appropriate resolve / recommend accordingly.
Decision(s)	<p>The Committee RESOLVES that:</p> <p>(a) no changes be made to the committee structure;</p> <p>(b) the Chairperson and the lead officer for each committee ensure that officer attendance is reduced as outlined in the report paragraph 2.3; and</p> <p>(c) the practice applied to the budget setting process in 2013/2014 to 2017/18 which ensured that all service committees had the opportunity to consider the annual budget proposals, be continued.</p> <p>The Committee RECOMMENDS TO COUNCIL that the terms of reference of the District Planning Review Panel (aka 'PRP') be amended as outlined in the report paragraph 2.7.</p>
Consultation and Feedback	The Group has included both independent members and members from each political group to provide the opportunity for consultation with all members.
Report Author	<p>Andrew Cummings, Head of Finance Services (Section 3) and Karen Trickey, Head of Legal Services on behalf of the Working Group:</p> <p>Cllr Pearson (Chair); Cllr Cooper; Cllr Kay; Cllr Reed; Cllr Studdert-Kennedy; Cllr Townley and Cllr Cornell (the latter attended the group's third and fourth meeting as a Labour Group representative).</p> <p>Tel: 01453 754369 Email: karen.trickey@stroud.gov.uk</p>
Background Papers	Committee Costs 2015 and 2017; Webcasting figures; Notes on number of views; Decisions taken during civic year; Member attendance records.

BACKGROUND

1.1 This is the first of two reports which the Group will be submitting to the Committee. As part of this initial phase of work, the cross party working group was tasked with considering:

- (a) Whether a further redistribution of functions between committees should take place to reduce the number of committees (in particular whether the Environment and Community Services & Licensing Committees might be amalgamated); and
 - (b) A review of the Council's Financial Regulations to assess how best to engage committees and Members in the budget setting process.
- 1.2 Members may recall that (a) was raised with a view to potentially reducing committee costs. The Group's findings on this matter are addressed below in Section 2 of the report. Turning to (b), this issue was raised in response to Members' concerns about the process for setting the annual budget applied in December 2017 and the limited involvement of committees in the budget process flagged up in January 2018's budget meeting. This matter is addressed in Section 3.

2. The Committee Issue

- 2.1 In approaching the question as to whether the Environment and Community Services & Licensing committees (ES and CS&L respectively) might be amalgamated, the Group agreed it was important that the objective of cost reduction should not be considered in isolation of securing effective decision making. In undertaking the review, the Group looked for example, at committee costs, the number of decisions made by each committee, the terms of reference of the committees and webcasting viewing figures. It also discussed the matter with members of the two committees and the Chairpersons / former chairs of the affected committees, namely Cllrs Pickering, Ross and Robinson. The Group records their thanks to the latter members for their constructive comments.
- 2.2 It was noted that the average and total costs of all Member meetings with the exception of Housing Committee had fallen since the committee structure was assessed in 2015. This was due to a reduction in agenda and report printing costs. The key cost was officer time in terms of preparing reports and in particular in attending committee, the latter of which was not always the best use of their time. It was recognised that officer costs were not in practice likely to be significantly reduced (if at all) if the two committees were amalgamated as officers were still needed as part of the democratic decision-making process and for the majority of work undertaken outside of committees.
- 2.3 Members had noted officer attendance at some meetings seemed unnecessary and attendance had increased to some extent since the Group's last review in 2016. The Group considered it incumbent upon committee chairpersons to ensure that their lead officers (i) keep officer attendance to the essential; (ii) avoid officer "buddying" at committee; and (iii) any officers present are able to deal with questions regarding the reports of non essential / non attending colleagues, as indeed some seemed to already. The Group also wished to remind all Members that it was important for them to read the committee papers ASAP before the meeting thereby providing sufficient time to raise any questions on the report with the relevant officers in advance of the committee meeting.

- 2.4 The Group assessed whether or not moving away from evening to earlier committee times might be beneficial (e.g. by officers being 'on call' for committee rather than simply sitting in committee during the evening). This issue had been raised as a potential cost saving although previous considerations of such had indicated savings would be negligible and this would be particularly the case if officer attendance was effectively managed as outlined above.
- 2.5 It was noted that evening meetings remained beneficial as they enabled and encouraged a wider demographic of Members to attend. With the availability of webcasting and a diverse range of working hours etc., it was not considered that evening meetings were as large a driver for public attendance as might have been the case some years ago. Nevertheless, webcasting viewing figures did illustrate that individuals were remotely viewing meetings particularly when contentious items were considered and that (viewer) interest in ES and CS&L was generally lower than the other service committees.
- 2.6 Having considered the views expressed by those who had chaired and / or attended ES and CS&L, the Group noted that the two committees' approach / style of working (not just the nature of their work) varied from each other, such variations being possible and advantageous within the existing Constitution. Whilst the total number of decisions made by both committees together did not exceed that of any other individual committee, it was not considered by those familiar with the work of the two committees, that a single committee would improve the effectiveness of the decision making (given their diverse approach / work) nor significantly reduce costs (as more meetings might be required, meetings would be longer and officers would still have to be engaged by the Council).
- 2.7 In the course the Group's discussion with the Chair of ES, it was highlighted that the work of the District Planning Review Body (known as PRP or the Planning Review Panel) most closely aligns with the strategic local plan responsibilities of ES. Further, in practice local plan matters discussed by the PRP have been reported to ES and are more likely to do so over the coming months in view of the current local plan review. The Group noted that there is overlap between the terms of reference of the PRP regarding which committee it might report to. For example, on local plan issues the ES would be more relevant and for general planning management issues, the responsible committee would be S&R. In short, this is all at odds with the Constitution which provides that the PRP should (only) report to the Strategy and Resources Committee (S&R), being the committee which is currently responsible for PRP. (The PRP's terms of reference cover (i) issues affecting the delivery of the Council's strategic planning policies; (ii) review of planning appeal decisions which have key implications for the Council's strategic planning policy or performance; and (iii) where appropriate, making recommendations to S&R to promote the continuous improvement in planning performance and policy strategy). Consequently, it is proposed that the PRP terms of reference be amended to enable (a) the Group to report to ES or S&R as appropriate and (b) for there to be amendments to the previously resolved requirement that the

body be chaired by a member of S&R, so that the existing chairing arrangements accord with the terms of reference. For the avoidance of doubt, no other changes are proposed to the PRP.

- 2.8 In summary for the 'Committee Issue', taking all matters into account, the Group concludes that the current committee numbers should not be changed. However, relatively minor amendments should be made to the Constitution to address the issues regarding the PRP.

3. The Budget Issue

- 3.1 The Group agreed the importance of clarifying that revenue budget estimates will be presented, by the S151 Officer, to each service committee. These estimates will include those items where the budgeting monitoring process has identified cost pressures or savings within the budget. The estimates will be produced within the overall scope of the Budget Strategy, agreed in advance by Strategy and Resources Committee. Committees will then have the ability to feed into the overall budget process by making recommendations to Strategy and Resources Committee and to Council.
- 3.2 The Group also felt that it was important that service committees have an ability to be involved in the budget process early on rather than just in the final stages. The S151 Officer highlighted that the Q1 Budget Monitoring estimates to Committees are an early indication of the sorts of issues which may be raised when the estimates return to Committees and discussion around those reports should be framed on that basis
- 3.3 With regards to the Financial Regulations, Section B1 is to be adjusted under the delegated powers of the Monitoring Officer to clarify that the committees referred to are the service committees.

4. Next steps

- 4.1 Subject to any additional comments from the Committee regarding the group's next phase of work, the Committee resolved at its meeting in July 2018 that the group would "*undertake a review of the Role Profiles for Councillors (Part 16 Constitution) to further promote and improve Member involvement in the decision making process... the aim of such [being] to help ensure that all Members have the support they need and are clear as to their responsibilities as elected representatives... This potentially includes consideration of a range of matters such as Member engagement including the better recognition of Member Champion roles in promoting Council policy objectives; improving work plans for committees including scrutiny and review functions; extending public speaking; assessing the effectiveness of the current opportunities for Members to challenge committees; and the possible use of substitutes.*" It is anticipated that the Working Group will reconvene in early November.