

Policy and Resources Committee Additional Meeting

Date: **Monday, 20 April 2015**

Time: **10 am**

Venue: **Edwards Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Mr G Nobbs (Chair)

Mr S Agnew
Mr M Baker
Mr B Borrett
Mr M Castle
Mr A Dearnley
Mr J Dobson
Mr D Harrison
Mr C Jordan

Mrs J Leggett
Mr I Monson
Mr S Morphew
Mr A Proctor
Mr D Ramsbotham
Mr R Smith
Dr M Strong
Mrs A Thomas

**For further details and general enquiries about this Agenda
please contact the Committee Officer:**

Tim Shaw on 01603 222948
or email committees@norfolk.gov.uk

Under the Council's protocol on the use of media equipment at meetings held in public, this meeting may be filmed, recorded or photographed. Anyone who wishes to do so must inform the Chairman and ensure that it is done in a manner clearly visible to anyone present. The wishes of any individual not to be recorded or filmed must be appropriately respected.

Agenda

1. To receive apologies and details of any substitute members attending
2. Members to Declare any Interests

If you have a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter.

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an Other Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare an interest but can speak and vote on the matter.

3. To receive any items of business which the Chairman decides should be considered as a matter of urgency
4. Review of Governance Arrangements
Report by the Head of Law and Monitoring Officer

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Group Meetings

| | | |
|----------------------------|--------|---------------------------------|
| Conservative | 9:00am | Conservative Group Room |
| UKIP and Independent Group | 9:00am | UKIP and Independent Group Room |
| Labour | 9:00am | Labour Group Room |
| Liberal Democrats | 9:00am | Liberal Democrats Group Room |

Chris Walton
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Policy and Resources Committee

Item No 4

| | |
|--|---|
| Report title: | Review of Governance Arrangements |
| Date of meeting: | 20 April 2015 |
| Responsible Chief Officer: | Victoria McNeill, Head of Law & Monitoring Officer |
| Strategic impact | |
| The review of the Council's decision-making structures and systems is key to ensuring good governance and placing the Council in the best position to deliver its strategic priorities | |

Executive summary

The Council moved to a Committee system of Governance with effect from the AGM in 2014. Members set a number of key objectives in making this change:

- (i) to alter the perception of a democratic deficit in the Cabinet system whereby the majority of decisions were taken by a relatively small number of Cabinet Members, leaving some members feeling disenfranchised;
- (ii) to address a need for greater openness and transparency and to involve all members in decision making, with the aim of a better quality of decision through wider debate;
- (iii) to give a greater emphasis and purpose to Full Council by giving it responsibility for the larger strategic decisions.

The summary of the new governance arrangements provided for a formal review of how well the proposed arrangements were operating in practice, to enable the model to be refined and enhanced.

At its meeting on 1 December 2014 the Executive Director of Resources presented a report to this Committee about the conduct of the review and this Committee resolved:

- (iv) to agree the approach to the review set out in that report;
- (v) to agree that the Group Leaders oversee the review of governance arrangements prior to the matter being decided by Full Council;
- (vi) to confirm that the costs of a Committee system should not exceed the costs of the previous Cabinet system and that the review should be mindful of this in developing any recommendations.

The Group Leaders (the '**Review Steering Group**') have met twice to consider feedback from the member survey and workshops, from external stakeholders and officers and have agreed the following recommendations:

Recommendations:

That this Committee asks full Council to agree:

- (a) Committee Chairs will be expected to attend all meetings of the Policy & Resources Committee in a non-voting capacity in order to ensure that Service Committee views are shared, Service Committees are held to account and service priorities are integrated into any strategy and policy decisions;
- (b) that the role profile of Group Spokespersons is enhanced to include a greater input into agenda planning and to increase their role as a conduit into broader group relationships and their participation in scrutiny and challenge;
- (c) for Chairs and Vice-Chairs to be required to agree and publish their respective areas of responsibility on an annual basis promptly following the AGM;
- (d) to allow an additional time slot of up to 15 minutes to expressly permit members of the public to raise questions through their local member at Committee meetings, with discretion for the Chair to allow members of the public to address the Committee in exceptional circumstances where there is an issue of significant public concern or where a petition is being presented;
- (e) that the time allocated at full Council for questions to Committee Chairs be increased from five to ten minutes and the time for questions to the Leader be fifteen minutes which could be either questions to the Leader in relation to the role generally as well as in his/her role as Chair of the Policy and Resources Committee;
- (f) that the Protocol for Conducting Committee Business referred to in Section 3.2.1 be agreed and incorporated in the Constitution;
- (g) that the proposals for Area Committees that were included in the Constitution agreed at the Council's AGM in 2014 now be removed;
- (h) that the provision for a Chairman's casting vote included in the procedures for Council meetings should be replicated in the procedures for Committee meetings;
- (i) that the Working Groups Protocol will be incorporated in the Constitution;
- (j) that the procedures for nominations of Committee Chairs and Vice-Chairs at the Council's AGM be expressed to permit a slate of nominations.

1. Proposal

- 1.1 On 1 December 2014 the Committee agreed to the review being conducted under three broad workstreams:
 - Effective governance and decision-making
 - Looking across the structure
 - Working cultures, processes and priorities.
- 1.2 Details of the areas to be reviewed under each workstream were included in the report to the Committee and, in addition, the Review Steering Group has considered other issues they considered to be significant including all the issues raised by members and others during this process.
- 1.3 The Review Steering Group gave consideration to all the issues raised during the review – they are referenced in the report at paragraph 2.2 below – and agreed to take a number of proposals forward.
- 1.4 Where any proposals require changes to the Constitution, to the extent those proposals are agreed by this Committee, the Monitoring Officer will make draft changes to the Constitution which will be considered by the Constitution Advisory Group before being submitted to Full Council for debate and decision.
- 1.5 Where any proposals relate to working cultures and practices and do not alter the Constitution they will be developed by the Monitoring Officer in consultation with the Review Steering Group.

2. Evidence

- 2.1 In order to reach its conclusions the Review Steering Group collected views from a wide range of stakeholders in a variety of ways:
 - a member survey
 - member workshops for Committees, Chairs and Vice-Chairs, Group Spokes and Political Groups, facilitated by John Cade of the Institute of Local Government Studies at the University of Birmingham
 - staff discussions with Chief Officers, Political Assistants, County Management Team, democratic services and business support staff
 - external stakeholder feedback
 - email requests from individual members
- 2.2 The Review Steering Group met on 18 March 2015 to consider all of the above feedback and a final report from the Monitoring Officer was presented to the Review Steering Group on 7 April 2015.

<<<http://www.norfolk.gov.uk/view/ncc164704>>>

3. Conclusions of the Review Steering Group

3.1 Changes to the Constitution

- 3.1.1 **Service Committee Chairs to attend all Policy and Resources Committees in a non-voting capacity**

In order to ensure that the Services Committees' views are heard at this Committee, that Service Committees are held to account through their Chairs and that service priorities are integrated into any strategic and policy decisions, the Review Steering Group proposes that the Committee Chairs attend the meetings of this Committee but do not vote.

3.1.2 Role of Group Spokespersons to be strengthened and better defined

In order to address concerns about Chairs and Committee decisions being constructively challenged and scrutinised as they are being developed and debated the role of the Group Spokespersons should be strengthened. The Review Steering Group proposed that Spokespersons role profile should include a greater input into agenda planning, to enhance their role as a conduit into broader group relationships and to increase their participation in scrutiny and challenge. Please follow the link below for the revised role profile.

<<<http://www.norfolk.gov.uk/view/ncc164705>>>

3.1.3 Role of Vice-Chairs to be better defined

In order to bring clarity to the respective roles of the Chairs and Vice-Chairs and to enable business to be dealt with more efficiently it is proposed that the Constitution includes an expectation for Chairs and Vice-Chairs, following each AGM, to agree and publish their respective areas of responsibility on an annual basis.

3.1.4 Questions from members of the public

To address concerns about the need for Norfolk's residents to be able to air their concerns at public meetings, whilst recognising the need to transact a volume of Council business, The Review Steering group proposed to allow an additional time slot of 15 minutes to expressly permit members of the public to raise questions through their local member at Committee meetings, with discretion for the Chair to allow members of the public to address the Committee in exceptional circumstances such as an issue of significant public concern or where a petition is being presented.

3.1.5 Questions at Full Council

To allow Committee Chairs to be held to account more effectively at Full Council the Steering group proposes that the time allocated for questions to Committee Chairs be increased from five to ten minutes. In addition they supported a single fifteen minute slot for questions to the Leader which could be either questions to the Leader in relation to the role generally as well as in his/her role as Chair of the Policy and Resources Committee.

3.1.6 Area Committees

In response to members' views on Area Committees expressed clearly in the workshops and the overall support for Task and Finish/Working Groups the Review Steering Group believes that the proposals for Area Committees that were included in the Constitution agreed at the Council's AGM in 2014 now be removed.

3.1.7 **Economic Development Sub-Committee**

The Review Steering Group considered all the issues raised in relation to the role of the Economic Development Sub-Committee. The Group agreed that economic development was a high priority for the Council and considered whether it would benefit further from becoming a full committee, having more members, extending its remit and/or being a sub-committee of the Policy & Resources Committee rather than the Environment Development and Transport Committee. The Review Steering Group nonetheless concluded that for practical purposes its status, size and remit should remain unaltered.

4. Other proposed changes to the Constitution

4.1 Changes for Clarity and/or Consistency

Following the adoption of the new Constitution in May 2014 member questions to the Monitoring Officer and the Head of Democratic Services have led them to recommend the following changes, proposed for clarity and/or consistency

- that the provision for a Chairman's casting vote included in the procedures for Council meetings should be replicated in the procedures for Committee meetings, in accordance with standard meetings' practice
- that in view of local member support for Task & Finish/Working Groups the Working Groups Protocol will be incorporated in the Constitution
- that the procedures for nominations of Committee Chairs and Vice-Chairs at the Council's AGM be expressed to permit a slate of nominations.

4.2 Changes to factual references, changes required by law and consequential changes

Under Article 13 of the Constitution these changes can be made by the Monitoring Officer. There are a number of such changes which have been picked up in the review and will be reported to Full Council on 18 May 2015.

5. Changes other than changes to the Constitution

- 5.1 In view of the extensive comment from members about the current deficiencies in Committee working the Review Steering Group asked the Monitoring Officer to develop, in consultation with Group Leaders, a protocol for Committee working to maximise the efficiency of the decision making process. The Protocol for Conducting Committee Business is attached as a link below:

<<<http://www.norfolk.gov.uk/view/ncc164703>>>

- 5.2 To address concerns about the reporting of urgent and delegated decisions the Review Steering Group has asked the Monitoring Officer to develop, in consultation with Group Leaders, an agreed protocol for the publication and reporting of significant decisions made other than at Committees.
- 5.3 Members made a number of comments about the length, content, focus, timeliness and development of officer reports. The Review Steering group has asked the Monitoring Officer to draw up a protocol for Chief Officers and other officers responsible for the production of committee reports.

- 5.4 In view of the significant changes proposed to improve the governance arrangements, the Independent Recruitment Panel will be asked to review the changes and new ways of working following completion of the review. The Review Steering Group has asked for recruitment to the two vacancies to be commenced with a view to making the appointments by the July 2015 Council meeting.

6. Financial implications

In developing its proposals the Review Steering Group has had regard to this Committee's earlier resolution that the costs of a Committee system should not exceed the costs of the previous Cabinet system and that the review should be mindful of this in developing any recommendations. The Review Steering Group has tried to balance the importance of delivering an effective Committee system and securing good governance of the Authority with the need to contain costs. It has tried to ensure with these proposals that any increase in officer resources is minimised and it will be for the Independent Remuneration Panel to make recommendations about the member allowances.

7. Background

The background documentation that the Review Steering Group considered in formulating its proposals is attached as a link to section 2.2 of this report.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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