

**Eden District Council**

**Scrutiny Co-ordinating Board**

**6 April 2017**

**Accounts and Governance Committee**

**13 April 2017**

**Council**

**20 April 2017**

## **Scrutiny Structures Review**

**Reporting Officer: Deputy Chief Executive**

### **1 Purpose of Report**

- 1.1 This report sets out proposals arising out of an informal working group of Members. The report suggests structural changes to the Environment and Economy Scrutiny Committee and the Housing and Communities Scrutiny Committee. It also reports on a change to the means by which scrutiny reviews are selected.

### **2 Recommendation:**

#### **To Scrutiny Co-ordinating Board**

1. That Council be recommended to reduce the number of standing Members on Environment and Economy Scrutiny Committee and Housing and Communities Scrutiny Committee from thirteen to nine from the start of the 2017-2018 Municipal Year.
2. That the changes to the Scrutiny Review Work Programme consultation timescales, as set out in Paragraph 3.5 of this report, be noted.

#### **To Accounts and Governance Committee**

1. That Council be recommended to reduce the number of standing Members on Environment and Economy Scrutiny Committee and Housing and Communities Scrutiny Committee from thirteen to nine from the start of the 2017-2018 Municipal Year.

#### **To Council**

1. To consider the recommendations from Scrutiny Co-ordinating Board and Accounts and Governance Committee in respect of the size of the Environment and Economy Scrutiny Committee and the Housing and Communities Scrutiny Committee.

### **3 Report Details**

- 3.1 On 15 December 2016 a meeting took place attended by the Deputy Chief Executive, Members' Services Officer and Members. The Members invited to the meeting were Chairman and Vice Chairman of the three Scrutiny Committees and the leaders of the three political groups represented on the Council. Notes of the meeting are attached as Appendix 1 to this report and the list of Member attendees is set out therein
- 3.2 The purpose of the meeting was to discuss the current scrutiny arrangements at the Council including the structures, number of meetings, number of Councillors and work planning. Consideration was given to a briefing document prepared by the Member Services Team Leader which set out an analysis of the structure of Scrutiny Committees at other comparator authorities. This document is attached as Appendix 2 to this report.
- 3.3 Consideration was given to a perception that the time taken to establish scrutiny priorities took too long.
- 3.4 The view of the review meeting can be summarised as follows:
1. There is no overriding need to change the number of Scrutiny Committees, notwithstanding the fact that other authorities may have different systems in place for scrutiny.
  2. There is a case for standardising the number of Councillors on each Scrutiny Committee to nine. There is no reason why Members who are not a Scrutiny Committee could not take part in Task and Finish Groups, thereby enabling all Members, in any case, to have a role in Scrutiny.
- 3.5. The issue of the timescales for setting the annual scrutiny review programme has been changed subsequent to the above meeting. The consultation exercise has run from the week commencing 6 March 2017 until 21 April 2017 and has been advertised by an article in the 'All about Eden' magazine sent to all residents. A press release, social media and a letter / email to all Parish and Town Councils and Parish Meetings. A pro-forma has been sent to Parish Councils, Town Councils and Parish Meetings in order to obtain more detailed information about why they feel certain topics would merit a Scrutiny Review. The current year's workshop will take place on 25 May 2017 immediately prior to the first meeting of the Scrutiny Co-ordinating Board in the 2017-18 Municipal Year for which all non-Executive Members are encouraged to attend. This will mean that the topics that Members will be considering are more current than previous years and will allow enough time to collate all responses received to the consultation. This adjustment will shorten the timescale for devising scrutiny priorities by approximately six weeks.
- 3.6 Ultimately the issue of Committee size is a matter for Members. The views of the Scrutiny Co-ordinating Board and Accounts and Governance Committee are sought on this matter. Clearly, ultimately, the final decision will be for Council, having regard to the relevant recommendations from the above two

Committees. Council will be given an update as to the recommendations from the two Committees.

## **4 Policy Framework**

4.1 The Council has four corporate priorities which are:

- Decent Homes for All
- Strong Economy, Rich Environment
- Thriving Communities
- Quality Council

4.2 This report meets the Quality Council corporate priority by ensuring that the Council has good governance arrangements in place and is operating in an open and transparent way, with Members who are kept informed and motivated.

## **5 Implications**

### **5.1 Legal**

5.1.1 There are no legal implications.

### **5.2 Financial**

5.2.1 Any decision to reduce or increase resources must be made within the context of the Council's stated priorities, as set out in its Council Plan 2015-19 as agreed at Council on 17 September 2015.

5.2.2 There are no proposals in this report that would reduce or increase resources.

### **5.3 Equality and Diversity**

5.3.1 The Council has to have regard to the elimination of unlawful discrimination and harassment and the promotion of equality under the Equality Act 2010 and related statutes.

5.3.2 None arising from this report.

### **5.4 Environmental**

5.4.1 The Council has to have due regard to conserving bio-diversity under the Natural Environment and Rural Communities Act 2006.

5.4.2 None arising from this report.

### **5.5 Crime and Disorder**

5.5.1 Under the Crime and Disorder Act 1998 the Council has to have regard to the need to reduce crime and disorder in exercising any of its functions.

5.5.2 None arising from this report.

## **5.6 Children**

5.6.1 Under the Children Act 2004 the Council has to have regard to the need to safeguard and promote the welfare of children in the exercise of any of its functions.

5.6.2 None arising from this report.

## **5.7 Risk Management**

5.7.1 The scrutiny process helps to maintain clear and transparent decision making which assists in maintaining the reputation of the Council.

## **6 Reasons for decision/recommendation**

6.1 To enable Council to make a decision on the appropriate size for Environment and Economy Scrutiny Committee and Housing and Communities Scrutiny Committee.

M Neal  
Deputy Chief Executive

### **Governance Checks:**

Checked by or on behalf of the Chief Finance Officer	✓
Checked by or on behalf of the Monitoring Officer	✓

Background Papers:

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Appendix 1 Scrutiny Structures Review Notes - 15 December 2016  
Appendix 2 Review of Eden District Council's Scrutiny Structures 2016-2017 - Briefing Document

### Scrutiny Structures Review – 15 December 2016

#### Attendees:

Councillors: Sheila Orchard (Scrutiny Co-ordinating Board Chairman), Joan Raine (Scrutiny Co-ordinating Board Vice Chairman and Housing and Community Chairman), Ian Chambers (Environment and Economy Scrutiny Committee Chairman), Deb Holden (Environment and Economy Scrutiny Committee Vice Chairman), Richard Sealby (Housing and Community Vice Chairman) and Michael Eyles (Deputy Leader, Liberal Democrat Group)

Officers: Matthew Neal (Deputy Chief Executive) and Lauren Rushen (Member Services)

Apologies: Councillor Virginia Taylor (Leader, Liberal Democrat Group)

There was a discussion about the current scrutiny arrangements at Eden including the structures, number of meetings, number of Councillors involved and work planning including how Eden compares with other local authorities.

The following points were made during the discussion:

- There are currently 35 places for Members on scrutiny, 9 on the Board and 13 on each of the two Committees. This was designed to give every non-Executive Member a place on a Scrutiny Committee, however there is a lot of overlap between Committees.
- There should not be a reduction in the overall number of meetings but unnecessary meetings should be avoided. If there are not many agenda items, consideration should be given to cancelling meetings equally special meetings can be organised if required.

#### Areas of concern:

- Review programming is time consuming and often tends to be less relevant. The process starts with public consultation in January – March and is prioritised by Scrutiny Members in May, realistically reviews do not tend to start until late May or early June, by this time topics are not always relevant and there is limited capacity to add to the review work programme to take on additional work.
- There is a need to acknowledge the time commitment of Councillors who work, those that work need to be able to put this first
- There is a need to balance scrutinising services within the Council and matters that are of public concern
- There was a feeling that scrutiny may not always effectively hold the Executive to account
- There was a feeling that scrutiny may focus on areas outside of the Council's responsibility where it is difficult to influence change

- It was noted that attendance at member seminars, including the workshop to choose scrutiny reviews for the forthcoming year, had very low levels of attendance
- It has been difficult to attract volunteers to sit on scrutiny review groups
- Meetings can turn into talking shops but this can be controlled by an effective Chairman
- It was noted by some Members that there was little consultation or choice over which committees they were allocated to, although it was noted that this was a matter for Group Leaders rather than the Council

#### Positive areas:

- Portfolio Holder updates at each meeting are useful
- Scrutiny works well and does not need to be drastically changed

#### Possible changes to be made:

- Reducing the number of Councillors on the two Committees may free up Member capacity and allow more members to get involved in scrutiny reviews/task and finish groups. It would be better to have 9 members on each scrutiny body. This would see a reduction from 35 places to 27 places.
- It is important to find members who have a real interest in a subject as they will get the most out of sitting on a scrutiny committee
- The scrutiny review work programme consultation should be revised to shorten the timescales and reduce the gap between the consultation closing and scrutiny members deciding what scrutiny reviews to undertake

#### Next steps:

- Any proposals for change should be taken to the Scrutiny Co-ordinating Board before the end of the Council year before being agreed by Council.

### Review of Eden District Council's Scrutiny Structures 2016-2017

#### Briefing Document

##### 1. Current Situation

Eden District Council has three scrutiny bodies: the Scrutiny Co-ordinating Board, Environment and Economy Scrutiny Committee and Housing and Community Scrutiny Committee.

The remits for each of the scrutiny bodies are as follows:

**Scrutiny Co-ordinating Board:** The Scrutiny Co-ordinating Board consist of 9 members and includes the Chairman of each of the two scrutiny committees. The Board has responsibility for the Council's performance against finance and improvement targets, risk management, scrutiny of the budget, allocating the agreed Scrutiny budget, co-ordinating and monitoring the work of the Committees, deciding which Committee will take the primary role in an issue of local concern or interest which cuts across the responsibilities of the Committees or where it is otherwise unclear under which remit the issue should fall and for the scrutiny of the work of the Leader and Resources Portfolio Holders, including all call-in decisions. The Board will meet at least six times per year with the power to set the Scrutiny work plan for the Committees.

**Environment and Economy Scrutiny Committee:** The Environment and Economy Scrutiny Committee consists of 13 members and will review and scrutinise issues relating to the Economic Development and Services Portfolio Holders.

**Housing and Community Scrutiny Committee:** The Housing and Community Scrutiny Committee consists of 13 members and will revise and scrutinise issues relating to the Housing and Health and Communities Portfolio Holders. The Committee also exercises the functions of a Crime and Disorder Committee.

**Membership:** There are 35 places in total on the Council's scrutiny committees and 32 non-Executive Members. This could mean that every non-Executive Member has a place on a scrutiny body, with the Chairs of the two Committees sitting on both the Board and their Committee. In practice a number of Members 'double up' and sit on more than one scrutiny committee and in some instances there are Members who sit on all three scrutiny bodies. The result of this means that 26 individual non-Executive members are on scrutiny bodies.

**Number of meetings in 2015-2016:** In 2015-2016 there were 15 public scrutiny meetings (5 meetings per Board/Committee) and no special meetings. In addition there were 13 scrutiny review group meetings which can be broken down as follows:

- Budget Scrutiny – 2 meetings
- Heritage Assets in Eden – 3 meetings

- Review of the Single Site Project – 4 meetings
- Review of the Council's Sandbag Policy – 4 meetings

In total there were 28 scrutiny meetings, all involving officer support to varying degrees.

### **Recommendations from Scrutiny Reviews:**

The above scrutiny reviews made the following recommendations:

- Budget Scrutiny – 2 recommendations, both accepted by the Executive.
- Heritage Assets in Eden – 3 recommendations, noted by the Executive.
- Review of the Single Site Project – 1 main recommendation with six sub-recommendations, noted by Council.
- Review of the Council's Sandbag Policy – 5 recommendations made in July 2016, it is not known whether these have been accepted by the Executive.

## **2. Benchmarking Research**

Comparator research has been undertaken with nine district Councils, the Councils were selected because they are either neighbouring local authorities or comparatively sized district Councils.

<b>Council</b>	<b>Number of Scrutiny Committees</b>	<b>Number of Councillors per Committee</b>	<b>Reviews/ Other Info</b>
Carlisle City Council	Three Overview and Scrutiny Panels: Community, Economy and Environment Resources.	8 per Committee	Yes – task and finish groups.
Copeland Borough Council	One committee and two sub-committees: Performance and Strategic Housing Panel	13 on the main Committee, 6 on the Performance Sub-Committee and 7 on the Strategic Housing Panel	Yes – task and finish groups
Craven	One Committee plus 1 Performance Sub-Committee	12 Members on main committee and 6 on performance sub-committee (appointed by main committee)	Yes – up to 2 working groups at a time
Pendle	One Scrutiny Management Team and one Health and Social Care Scrutiny Panel	11 members on the Scrutiny Management Team and 6 on the Health and Social Care Scrutiny Panel	Yes – Scrutiny Review Panels
Rossendale	Two Committees – Overview and Scrutiny Committee and Partner Overview and Scrutiny Committee	10 on Overview and Scrutiny Committee and 6 on Partnerships Overview and Scrutiny Committee	Yes – task and finish



Ryedale	One Committee	10 Members	No – best value service reviews. Plus the Committee exercises the role of the Audit and Standards Committee.
South Kesteven	One Committee	11 Members	No – few task and finish groups take place, tend to be performance/project updates and informal briefings
South Lakeland	One main committee and one performance sub-committee	12 Members on main Committee and 6 members on performance sub-committee (appointed by main committee)	Yes – commission ad hoc reviews
South Ribble	One Committee	12 Members	Yes – appoints review panels and undertakes performance monitoring