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Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

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9 August 2013

SUPPLEMENTARY PACK 1

SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS -
COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD on **MONDAY, 12 AUGUST 2013** at **1:00 PM**.

I enclose herewith Item 4 **(Political Management Arrangements – Submissions Received from Elected Members)** which was marked copy to follow on the Agenda for the above Meeting.

Douglas Hendry
Executive Director - Customer Services

ITEMS TO FOLLOW

4. **POLITICAL MANAGEMENT ARRANGEMENTS - SUBMISSIONS RECEIVED FROM ELECTED MEMBERS**
Report by Executive Director – Customer Services (Pages 1 - 12)

SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS

Councillor Gordon Blair
Councillor Vivien Dance
Councillor Iain MacDonald
Councillor Ellen Morton
Councillor Douglas Philand
Councillor John Semple

Councillor Michael Breslin
Councillor Anne Horn
Councillor Roderick McCuish
Councillor Gary Mulvaney
Councillor Elaine Robertson
Councillor Dick Walsh

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ARGYLL AND BUTE COUNCIL

Short Life Working Group
Political Management Arrangements

CUSTOMER SERVICES

12 AUGUST 2013

SLWG – POLITICAL MANAGEMENT ARRANGEMENTS

1.0   SUMMARY

1.1   At its first meeting on 29 July 2013 the SLWG agreed to circulate the Minute of that meeting to all Councillors to invite them to submit to the Executive Director of Customer Services by 7 August 2013 views on;

- issues that need to be addressed to make their participation in the Council business more effective;
- possible Political Management Arrangements decision making models; and
- comments on any of the content of the initial views of the Short Life Working Group as set out in this Minute

1.2   Appendices 1, 2, 3, 4 and 5 of this report outline the responses that have been received from Councillors John Semple, Elaine Robertson and Rory Colville, and from the Argyll and Bute for Change Alliance and the SNP Group.

2.0   RECOMMENDATIONS

Members are invited to;

2.1   Note the contents of the report

2.2   Give consideration to the proposals detailed at Appendices 1, 2, 3, 4 and 5.

2.3   Note that none of these proposals, as they stand, give rise to issues of legality or competence at this time.

2.4   Note that Officers will provide advice in terms of resource implications, potential impact and any lessons from other authorities on proposals identified.

3.0   DETAIL

3.1   At the Council meeting held on 27 June 2013 a SLWG to review the current political management arrangements was established. The SLWG had its first meeting on 29 July 2013, and agreed that the Executive Director would write to all Councillors seeking their comments/views on the areas detailed at section 1.1 above.

3.2   Details of the comments/proposals received from Councillors Semple, Robertson and Colville, and the Argyll and Bute for Change Alliance and the SNP Group are outlined at Appendices 1, 2, 3, 4 and 5.

3.3   None of these proposals, as they stand, give rise to issues of legality or competency at this time. Further examination of particular proposals, and the working up of specific

models from the submissions received will raise issues of these types, which can be addressed at that time. In addition, there are potential resource implications, which would also require to be investigated further.

4.0 CONCLUSION

4.1 This report provides details of the proposals/comments submitted from Members in regard to the issues discussed at the SLWG - Political Management Arrangements held on 29 July and asks the Group to give consideration to these.

5.0 IMPLICATIONS

5.1 Policy – none at this stage

5.2 Financial – none at this stage although once preferred model(s) has been identified Officers will advise on any financial implications

5.3 Legal – none at this stage

5.4 HR - Once preferred model(s) has been chosen by members, an exercise will need to be carried out by Officers to determine the resource implications of operating such a model and what the impact will be.

5.5 Equalities - none

5.6 Risk – The AIP has identified *'Council's leadership and culture – member to member and member to officer relationships'* as a scrutiny area. An agreed approach on political management arrangements and structures to be reported to Council would reduce risk in this area.

5.7 Customer Service - none

6.0 APPENDICES

6.1 Appendix 1 – Comments from Councillor Semple
6.2 Appendix 2 – Comments from Councillor Robertson
6.3 Appendix 3 – Comments from Councillor Colville
6.4 Appendix 4 – Comments from Argyll and Bute for Change Alliance
6.5 Appendix 5 – Comments from SNP Group

7 August 2013

Douglas Hendry
Executive Director – Customer Services

Appendix 1 – Councillor Semple

1. **Issues that need to be addressed to make their participation in the Council business more effective;**

   a. Actually the opportunity for participation in decision making is greater now that it has been since 2007, that is not to be complacent and it is appreciated that some members still feel they cannot contribute effectively. I would suggest that there are a number of things within the existing structures of the council which would assist in improving participation and some changes to the council structure which would add to scrutiny. These I will deal with in 2. Within the existing structure the following would assist councillor involvement.

      i. Council papers are often not written in a way which aids decision making, there is too much detail within which objectivity can be lost (and sometimes the will to live) There should be clear guidance for officers on what council papers should present to councillors and what they should not. COSLA seem to manage their reports in much fewer words than we do for equally complex issues.
      ii. A stricter management of council meetings by the provost / deputy provost would aid the flow of meetings with a clear plan of how much time is to be allocated to each subject on the agenda for debate
      iii. For complex issues more use should be made of seminars these are not necessarily kilmory meetings but area meetings, webinars, VC, or via lync meetings.
      iv. Members should be raising issues about council papers with officers or spokespersons prior to meetings.

2. **Possible Political Management Arrangements decision making models;**

   a. It was always predicted by officers and understood by members following the 2012 elections that using the full council for all decision making would lead to longer meetings, more agenda items and tighter timescales for papers. Members were aware of this from day one and it should be recognised by members that this was the case at this point. An alternative arrangement was proposed by myself at the formation of the coalition in 2012 but this did not find favour. A summary of that proposal is detailed at **Figure A** below. This proposal has the benefit of
      i. Giving councillors better access to officers and scrutiny of service
      ii. Reduces the demands on Full council meetings
      iii. Provides a longer lead in time for new policy being approved through council and a greater opportunity for scrutiny
      iv. Will provide an opportunity to increase scrutiny and increase visibility of papers via referral to full council
      v. Less political emphasis in these groups will increase cross council working and councillor to councillor and councillor to officer relationships
      vi. All members of the council have to opportunity to be involved and access to papers increasing inclusivity
      vii. This system could be augmented to accommodate more CP and Scrutiny roles
      viii. Lead councillors operating under each directorship will be able to work closer together

Figure A - Additional tier - Policy, Scrutiny and Planning Committees

Every councillor will be a voting member of at least one PSPC.

Each PSPC will have a designated chair who will be a senior councillor with a remit in that area

Community Services PSPC's will have 13 members,
Development and Infrastructure will have 11
The Customer Services PSPC will have 12

Business relevant to Directorates of the same title will come to each committee with the exception of Customer Services which will include Chief Executive's Unit.

All councillors can attend any PSPC , be able to ask questions and request voting rights for issues relevant to their wards.

Each PSPC can refer any decision to the full council on a simple majority (chair has a casting vote)

New policy developed in one PSPC will automatically go to the full council for approval.

Each PSPC could be augmented by Community Planning Partners for relevant agenda items or independent people in terms of scrutiny thus increasing transparency.

Each PSPC will, with the agreement of the provost, have the ability to form short life working groups or request seminars be arranged.

This additional tier will reduce pressure on full council meetings and provide an avenue for all members to have significantly more input to the decision making process with a tighter, more collegiate focus.

Decisions of each PSPC will be presented to full council.

3. **Comments on any of the content of the initial views of the Short Life Working Group as set out in the Minute**
   a. I think that the idea that there needs to be a wider sharing of Lead councillor responsibility with more councillors would be a mistake. The desire to have responsibility for the delivery of policy shared through a wider number of councillors. This has the potential to

i. dilute the political direction of the council
ii. have the effect of increasing the total workload of both councillors and officers due to liaison feedback and coordination of workload.
iii. Lend itself to manipulation for political advantage and general confusion within the council
iv. Lead to inconsistency of political approach
v. Provide a confusing picture to who-does-what to government, public and press.
vi. Increase the level of debate and disagreement with much need to negotiate political priority.

b. however I do believe that there is a need for more lead councillors and would propose that the role of area lead councillor should revert to area chair and should no longer have a SRA freeing up 4 Lead councillor responsibilities which should be reallocated to relate directly to any weakness in leadership for the delivery of SOA and should be filled by councillors who have the time and ability to match the challenges of the role.

Appendix 2 – Councillor Elaine Robertson

a) Provost
b) Depute Provost
c) Lead Councillor

d) 3 Main Committees;

   1. Communities
   2. Legal and Governance
   3. Operational

e) Sub Committees – where necessary
f) Keep PPSL – Planning and Negotiations Body
g) Chair Persons awarded – Special Responsibilities Allowance
h) Keep Audit Committee
i) Performance, Review and Scrutiny Committee

This system has the advantages of engaging and enabling all Councillors to be involved in the Governance process.

Possible Sub Committees

Communities
- Social Work – Adult Care, Children and Families
- Housing, Criminal Justice and ADP, not sure how these can be slotted in but it can be worked on.
- Education

Operational
- Roads and Amenities
- Tourism and Leisure
- CHORD Projects (Economic Development)

Other Comments/Considerations

- Area Committees – How can these be strengthened? How often to meet?

- Area Committees – some delegated powers; if necessary decisions put to full Council for ratification? Or Council could have 'call in' powers

- All Councillors should have the opportunity to discuss and influence decisions

- Feedback from Audit Scotland would be useful but should not prevent the process going forward

- Community Planning – needs to be more meaningful, and the advantages of an integrated approach capitalised upon.

- Local Community Planning – they exist and they meet and share information but I do not feel the Statutory Bodies are fully signed up to an integrated approach, although there is a huge improvement in communication.

Appendix 3 – Councillor Rory Colville

Agree that the present system is not working, with the exception of Planning, Licensing, etc., which I think works well.

I am drawn to the West Lothian example of Scrutiny Committees, presumably as these are not decision making committees then much of their work could be done using Lync conferencing, I would have Education as another Scrutiny Committee not a stand-alone . Would not want to go back to Executive however it may be a necessary evil to reduce the council agenda to a manageable level. It would be important that as many members as possible were involved in such committees not just the chosen few.

If such a system was agreed then all such committees must reflect the same political balance as the council.

In the event that a new system of scrutiny is adopted then the frequency of Area Committees could be reduced. This could be balanced by Multi member ward meetings being developed and resourced. When first introduced good progress was made initially but fell away, even two or three meetings a year would be beneficial to allow for local issues to be ironed out free of political or individual constraints.

Appendix 4 – Argyll and Bute for Change Alliance

<u>The Problems</u>
- Too much coming to the full council to allow for effective and informed political scrutiny.
- Too little local accountability.
- Too much going to and from the centre.
- Political instability.
- Too few members involved in establishing the political and strategic direction of the council
- Too little formal public access to committees and members.

<u>If these are our problems then what are our aims?</u>
- Political stability
- Increased accountability
- Increased responsiveness to local needs
- Increased involvement of all elected members
- Increased public involvement in area committee

<u>Some models for discussion</u>
1. A cabinet structure
2. A committee structure
3. A mix of 1 and 2
4. A devolved model, ie to area level
5. A mix of 3 and 4

<u>Cabinet Model</u>
- Full council meets every month
- Senior member/officer group meets monthly
- Senior member structure similar to present
- 4 area committees

<u>Committee Structure</u>
- Full council to meet every month
- A range of committees, eg:
    - Policy and resources
    - Education, Children and Families
    - Environment, Roads
    - PPSL
    - Strategic Housing
    - Economic affairs
    - Area committees, or not?
    - Petitions committee at area level

<u>The Variants</u>
- There are ways in which models 1 and 2 could work which we have called model 3.
- There could also be an almost completely devolved structure which would minimise the role of the council while maximising the role of the area committees, model 4.
- Lastly model 5 could be a mix of models 3 and 4. We will have details for the next meeting.

The Alliance intends to make a presentation to the SLWG on 12 August 2013 on the detail of these proposals.

Appendix 5 - SNP Group

Following on from the first meeting of the SLW Group, this paper sets out some issues which merit consideration by the Group

    i. issues which need be addressed to make Members' participation in the Council business more effective; and

    ii. possible Political Management Arrangements decision making models

Reflective of the discussion at the SLW Group, it is important that the Group gives consideration to and responds to the evidenced need for change and not change for the sake of change. It is also important that we distinguish that which will address the problems of today and that which will facilitate and support the way the Council will need to work in the future.

REVIEW

    a. **Council Meetings**

        Members report that meetings are too long; occasioned sometimes by overly long meeting agendas. Members of the SLW Group have expressed their concerns that it is only at the Council that learn of significant developments and initiatives, sometimes relating to their ward.

    b. **Area Committees**

        Members are of the view that the Area Committees could do more and want to see an extension of the work and responsibilities.

    c. The **Planning, Public Service and Licensing Committee** is deemed to work well, making decisions relating to regulatory and quasi-judicial matters including development management.

    d. The recently established **Audit Committee** and **Performance and Scrutiny Committee** are deemed to be working well and have the potential to serve the Council well.

    e. To deliver for our communities, we know that we must address the challenges facing our services by, amongst others, working to halt the decline in our population, and to that end we need to create thriving and prosperous communities.

DISCUSSION

The Council

The SNP Group is of the view that whilst the decision to return the executive decision making authority of the former Executive to the full Council has proved successful in ensuring the inclusive participation of all elected members. It has, however, realised the (perhaps foreseeable) consequence of extending the length of Council Meeting Agendas and the duration of meetings, without necessarily adding to the quality of debate or decisions made. Working in this way results in few opportunities, beyond the Council meeting, to exercise any decision making powers.

Leadership Roles

Although the political leadership of the Council (whether Lead Councillor or Leader) has no executive responsibility, the individual post holders' profile and relationships with Government have been significant in attracting financial and other support, and so able to deliver beyond the direct influence of these posts. The potential for some form of multiple Council Leader

posts would have an adverse impact on the identity of a Council Leader, their profile and authority, and would have a detrimental impact on the ability to maintain this influence.

The potential for the re-introduction of the former Senior Member Officer Group could go some way to developing and improving relationships and corporate working and should be explored.

Inclusion and Joint Working
The SNP Group recognises the wisdom and desirability of improved communication within the Council, and of the better engagement of all Members in key decisions and policy development. Working in this way will promote the best Member to Member relations.

The benefits in the sharing of information and the responsibility of Lead Councillors is recognised as a positive step to the improved engagement of more elected members in the development of Council policy and initiatives, and can aid the sharing of ideas, collective problem solving and promote wider agreement. The idea of a small team would deliver on this objective, more so, were this group to be drawn from each area of the Council, thereby ensuring, through effective reporting, the dissemination of important information across the Council. Alternatively this could be achieved through the development of *ad hoc* committees which would work to develop policy, initiatives and make recommendations to the Council.

It is recognised that any such development would incur a cost, to the Lead Councillor in terms of time spent communicating, co-ordinating a shared workload, and in the case of a Committee, in servicing it.

Area Committees
The current Area Committees provide an ideal, if under-utilised means to deliver the Council's decentralisation of administration and devolved decision making; however, most elected members feel that the full potential of the Area Committees is as yet untapped.

Members would wish to see their own and the Committee's role and effectiveness in shaping their communities enhanced. Members recognise the potential for the Committee to help;
- deliver community leadership at the area level, whilst linking it into authority-wide strategic and scrutiny functions
- promoting joined-up service delivery through more effective working, customer focus and performance management improvement through area managers
- supporting the Council's aspiration for partnership working with key stakeholders from all sectors and integrating this with strategic activity through local, area level relationships
- promoting the involvement of local communities, particularly through meaningful and timeous consultation and participation in community decision making

A key element missing from the current area committee portfolio and often discussed is the lack of a budget(s), which would add to the responsibility and accountability of Area Committees.

In looking to the enhancement of the Area Committee roles and responsibilities, it is important to ensure that:
a. Area Committees would not stray into the roles of the Lead Councillors, who would remain responsible for policy development and strategy, working across the Council area and with other strategic partners, including the Scottish Government

b. necessary "links" are established to other committees, for example, the Performance and Scrutiny Committee, with which they share a common interest.

PROPOSED DEVELOPMENTS FOR DISCUSSION

The Council

A return to working through committees, however described (committees, policy development groups …)

i. As envisaged, a move to a committee structure would lead to a new way of working in which elected members would contribute to the workload in relation to policy and service development, and see a wider availability of information and participate in the determination of recommendations ("away from the Council table") before representation to the Council for endorsement or decision.

ii. Although not standing committees, the Council's short life working groups have a good record of delivering consensus in advance of consideration by the Council. The Adult Care Project Board is another example of a "committee" which works well, making recommendations for adoption by the Council.

iii. There is every potential that the envisaged committees could achieve much in terms of taking the Council forward, engaging elected members in the preliminary decision taking, and streamlining Council business.

iv. This approach would see the Council continue in its strategic decision-making role.

v. This would not eliminate the need for a "Lead" and "Depute Lead" Councillor(s), as appropriate, which are fundamental to the co-ordinated development of policy and initiatives; whether that be as a Committee Chair, Lead Councillor or spokesperson.

Although the number, nature and responsibilities of these committees can be determined in due course, in the meantime, we can anticipate some of the benefits and concerns associated with such an approach:

Responsive to concerns raised
- the Council and its meetings could focus, more appropriately, on strategic business
- meetings should be shorter, with agendas and Members commitment focussed on the strategic direction and outcomes sought by the Council
- the current workload would be shared more widely
- communication would be improved
- members have the potential to be involved in more of the Council business
- the committees would provide an opportunity for "working together"

Issues to be considered
- the need for a new role, as Committee Chair and Vice Chair; which would demand a different set of skills to that required of the current Lead Councillor or the former Spokespersons

- the additional resource demand, in servicing the additional committees

A simple list of Committees is shown at Table A, by way of illustration only.

Area Committees

The Area Committee is seen as an increasingly important means by which the Council will relate to and engage with its communities in the future. It is suggested that the SLW Group

consider how Area Committee(s) should develop, in the event that there is a general support for the development of the area Committee role and responsibilities.

In approaching this task, it would be appropriate for the SLW Group to challenge the current operation of the Area Committees to determine if they deliver on the key expectations and capacity of an Area Committee in a widely dispersed geographic area such as that in Argyll and Bute Council.

Area Committees should be tasked, and empowered to:
- improve, co-ordinate and influence services at a local level, working together with the Lead
    Councillor;
- act as a focal point for community involvement;
- take locally based decisions that deal with local issues, consistent with Council policy and
    strategy;
- provide for accountability at a local level;
- promote access to services, provide information and ensure opportunities to see the committee at work, across their respective areas
- help Elected Members to listen to and represent their communities;
- help Elected Members to understand the specific needs of the community in their area;
- promote community engagement;
- promote working relationships with community partners; and
- promote the well-being of their area.

Table A: Illustration – Committees

Strategic Committees	**Specific Function(s) Committees**
Adult and Childrens Services	Audit
Education and Life Long Learning	Performance & Scrutiny
Infrastructure, Europe, Economic Development, Strategic Planning	**Regulatory Committee**
Customer and Community Services	Planning, Protective Services and Licensing
Boards	
Corporate Parenting	**Operations and Community Focus**
CHORD	Area Committees
	Gaelic (Development)

Groups, Fora, Trusts etc.