Public Document Pack

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry

SUPPLEMENTARY PACK 1

SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS - **COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD** on **TUESDAY, 29 OCTOBER 2013** at **12:00 PM**

I enclose herewith item 4 which was marked "to follow" on the Agenda for the above Meeting.

Douglas Hendry
Executive Director – Customer Services

ITEM TO FOLLOW

4.   **RESUME CONSIDERATION OF POLITICAL MANAGEMENT ARRANGEMENTS**
      Report by Executive Director of Customer Services (Pages 1 - 10)

SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS

Councillor Gordon Blair	Councillor Michael Breslin
Councillor Vivien Dance	Councillor Anne Horn
Councillor Iain MacDonald	Councillor Roderick McCuish
Councillor Ellen Morton	Councillor Gary Mulvaney
Councillor Douglas Philand	Councillor Elaine Robertson
Councillor John Semple	Councillor Dick Walsh

Contact: Sandra McGlynn: 01546 604401

This page is intentionally left blank

ARGYLL AND BUTE COUNCIL   SHORTLIFE WORKING GROUP
CUSTOMER SERVICES   29 OCTOBER 2013

POLITICAL MANAGEMENT ARRANGEMENTS

1. PURPOSE

1.1 The purpose of this report is :

- To update the Short Life Working Group following consultation with Elected Members on proposed new political management arrangements for the Council.

- To provide an overview of the proposed model for further consideration.

- To agree a process for the development of detailed provisions for the delegations to each Committee, revisions to the Council Constitution and Standing Orders, a revised programme of Committee Meetings and supporting governance arrangements.

- To agree recommendations to Council.

2. RECOMMENDATIONS

2.1 The Short Life Working Group is asked to :

    a) Consider the consultation feedback from Elected Members in respect of proposed revisions to political management arrangements.
    b) Agree recommendations to Council on:
        i. Revised political management arrangements and associated delegations.
        ii. Refreshed committee business processes.
        iii. Framework for revisions to Council Constitution and Standing Orders.
    c) Delegate authority to the Chief Executive and Executive Director of Customer Services to finalise a report for Council in consultation with the Leader of Council and the Depute Leader.

3. BACKGROUND

3.1 The Short life Working Group has met on 4 occasions (29th July, 12th August, 9th September, 7th October) and has explored a number of options with regards to future political management arrangements to ensure they accord with the following principles:

    i. Stability in political management arrangements
    ii. Clear strategic direction to deliver on the Single Outcome Agreement
    iii. The development of clear and sustainable policies

iv.   An inclusive council
v.   Positive culture
vi.   Constructive working relationships across all Elected Members
vii.   Members focus on addressing challenges and identifying opportunities
viii.   Good reputation
ix.   Leadership
x.   Effective political scrutiny
xi.   Effective decision making
xii.   Increased focus on all our customers

These principles were endorsed by the SLWG at the outset as fundamental principles they would wish to see achieved by any new arrangements.

3.2   Additionally, Colin Mair, Chief Executive of the Improvement Service, was invited to an early meeting of the group to provide his perspective on various matters impacting on the work of the group and local government in general.

3.3   On 31st July all Elected Members were invited to submit:
- Issues that needed to be addressed to make their participation in the Council business more effective
- Possible political management arrangements decision making models
- Comments on initial views of SLWG and subsequent minutes

3.4   This feedback was considered by the SLWG and a range of options on revised political management arrangements were developed for further discussion. At the SLWG on 7th October it was agreed to consult with all Elected Members in relation to proposed revisions and to seek further feedback and input prior to submitting a report on recommendations to Council for approval.

4. UPDATE AND RECOMMENDATIONS
Elected Member Consultation
4.1   The intentions of the SLWG, in respect of recommendations on a revised committee structure to include 3 new central committees and the extension of powers to Area Committees, were advised to all Elected Members and feedback was sought in relation to this and administrative issues such as frequency, size and representation. Feedback has been received from 3 Elected Members and this is attached for consideration at Appendix 1.

4.2   Two of the responses make reference to an enhanced role for Community Councils. The Scheme for the Establishment of Community Councils was subject to review earlier this year and a revised Scheme was agreed at Council in June 2013 as the basis for the current Community Council Elections. Community Councils were also the subject of consideration by a national working group which produced a report and recommendations to the Scottish Government to act as a platform for wider discussion and engagement with Community Councillors and those with an interest in the Community Council sector on the future policy development of

Community Councils in Scotland. The Group's recommendations sit alongside proposals on the role of Community Councils which were explored in the consultation on ideas for the Community Empowerment and Renewal Bill, and following wider dialogue and engagement, any proposals requiring legislative change will be considered as part of the Bill process. Community Councils were created by the local Government Act (Scotland) 1973 and in accordance with this their primary purpose is to ascertain and express the views of the community to the local authority and other public bodies. Argyll and Bute Council has 56 Community Councils and the current political management arrangements provide for them to have a role within the Area Community Planning Partnerships. This is an important role and on-going investment in and engagement with Community Councils is capable of further expansion within the framework for Community Planning.

Central Committees

4.3   In order to ensure the governance arrangements facilitate a strategic approach to decision making, policy development and effective discussion and engagement the SLWG has agreed to recommend to Council the adoption of a revised central committee structure to include:

- Policy and Resources Committee
- Community Services Committee
- Environment, Development and Infrastructure Committee

4.4   Further work is required on the remit and delegated functions for each of these committees, including recommendations on membership numbers and frequency, prior to making a recommendation on their adoption to Council.

4.5   The recommendation of the SLWG is that the regulatory, audit, performance review and scrutiny functions of the Council are maintained within the existing Committee structures.

4.6   The SLWG has given consideration to a call-in function to support strategic scrutiny and oversight and the recommendation is that this should be reserved for Council and incorporated into Standing Orders.

4.7   ### Area Committees
Elected Members have highlighted their desire to extend the remit and powers of Area Committees to support ;

- Enhanced financial delegations
- Enhanced provision in relation to approvals relating to the acquisition, sale or lease of land or buildings within the area
- A facility for the allocation of additional income raised through Council tax on empty properties, and arrangements for administration of these funds;
- Incorporation of the functions of Chord Area Project Boards to be taken forward at an area level

4.8   Further consideration requires to be given to these areas including those previously highlighted to the SLWG in Appendix 2 in order to make recommendations on the adoption of a revised remit and delegations to Council for approval.

Programme of Meetings

4.9 The introduction of new committees and extended remits for Area Committees requires a significant input from Elected Members and it is therefore proposed that Council meets 6 times a year with an opportunity for the Policy and Resources Committee to also meet 6 times a year on months in which there is no Council meeting. The Community Services Committee and Environment, Development and Infrastructure Committee would meet on a quarterly basis. No Committee Meetings would be scheduled for July which is traditionally the summer recess.

4.10 No changes are proposed to the arrangements for the Planning, Protective Services and Licencing Committee which, given the volume of business, will continue to meet on a monthly basis or to the Audit and Performance Review and Scrutiny Committees, which meet on a quarterly basis.

4.11 It is proposed that Area Committees move to a monthly meeting cycle as increased responsibilities will necessitate different requirements for decision making. On each alternative month the meeting will be followed by a local Community Planning Partnership meeting which will support effective public, community and stakeholder engagement.

4.12 A proposed programme of meetings is set out at Appendix 3. Implementation of the revised arrangements would be effective from a date agreed by Council subject to amendments to the constitution and standing orders.

Committee Business Processes

4.13 Discussions on revised political management arrangements have highlighted Members desire for a range of refreshed committee business processes to underpin efficient and effective processing and the provision of information which supports Elected Member in decision making and fulfilling their governance and scrutiny roles.

The main proposals are as follows:

- The format of committee reports could be refreshed with greater emphasis on the covering summary and recommendations. To enhance content the reports could include a strategic priority focus and address critical areas such as risk, equalities, people and financial resources. A guidance document would be produced for all officers involved in the preparation of reports.

- Members Bulletins could be developed for Committees to include information on developments, improvements and news within the remit of a committee where a decision is not required. This could replace reports for noting or information but would be a formal report on the committee agenda to support debate, comment on issues or allow requests for a detailed report on any item referred to, via a competent motion.

- The Policy and Resources, Communities and Environment Development and Infrastructure Committees will have a work programme linked to key strategic priorities and outcomes, the Single Outcome Agreement, Corporate and Community Plans.

- A Policy Development and Overview progress report will be submitted from each Central Committee to the Policy and Resources Committee for noting every six months.

- Policy Leads would provide regular reports to the relevant central Committee.

- A programme of Elected Member Seminars will be put in place on the first Monday in each month to facilitate exploration and discussion of key areas of strategic and operational importance.

4.14 The new political management arrangements will require additional staffing resources within Governance and Law Services to provide the enhanced range of committee and members support services envisaged by the current proposals. The additional cost will be reported to Council as part of the agreement on final proposals.

Constitution and Standing Orders for Council and Committee Meetings

4.15 The Council's Constitution and Standing Orders will require to be amended on endorsement by Council of the proposed revisions to the political management arrangements.

4.16 A number of changes have already been considered by the Short Life Working Group in respect of scrutiny and participation in meetings.

4.17 Through consultation on the revised political management arrangement Elected Members have also highlighted their wish for greater use of video-conferencing at meetings. At the reconvened June Council meeting it was agreed to initiate a project to deliver significant audio and video improvements for the Kilmory Council Chamber including wireless audio, electronic voting, video conferencing and webcasting. The following was also agreed:

- a phased introduction of video-conferencing (VC) to council committee meetings as follows subject to upgrading of the current audio and video technology;
  - Area Committees scheduled for Council Chambers Including:
    - Common Good Fund
    - Area Community Planning Groups
  - Audit Committee
  - Performance Review and Scrutiny
  - Short Life Working Groups
- to note that an operational protocol would require to be developed to support the administration of meetings using video conferencing and/or webcasting;
- to note the changes that require to be made to the Council's existing standing orders if the use of video conferencing for council committee meetings is implemented;
- to note that additional resource requirements would be needed to support any new arrangements, including employee training requirements, in respect of any service developments identified via a business case for implementation; and

4.18 This project has now commenced and the SLWG may wish to recommend extension of VC to any proposed new committees.

4.19 The Monitoring Officer agreed to bring forward proposals in regard to conduct issues and these will be addressed in the final report to Council on conclusion of deliberations on the committee structures.

5. SUMMARY

5.1 The SLWG has sought feedback from Elected Members at key stages of its work to develop and refine the Council's political management arrangements.

5.2 In the course of this review Audit Scotland has undertaken some targeted Best Value audit work in relation to leadership and culture and it is important that these findings are also taken into consideration by the SLWG in making its recommendations on political management arrangements.

5.3 The audit assessment contained within the recent statutory report undertaken by Audit Scotland highlights the challenges and tensions that exist in balancing the delivery of corporate objectives and priorities while managing distinct geographic, community priorities. The proposed revisions specifically seek to address these challenges and tensions to ensure the council is best positioned to deliver positive outcomes for the people and communities it serves across Argyll and Bute.

5.4 The SLWG is invited to consider the proposals contained within this report in order to make recommendations to Council on future political management arrangements and associated governance matters. It should be noted that on approval by Council of the proposed approach to revision of the political management arrangements that the SLWG should request that the Chief Executive and the Executive Director of Customer Services in consultation with the Leader and Depute Leader of the Council bring detailed delegations, revisions to standing orders and a schedule of meetings to November council.

6. IMPLICATIONS

Policy: the proposed new political management arrangements will strengthen the focus on policy development linked to strategic priorities.
Financial: Implementation of the review will impact on staffing resources within Governance and Law.
Legal: The Constitution underpins the legal framework for decision making within the Council.
HR: Additional staffing resources will be required to support introduction of revised arrangements.
Equalities: There are no equalities implications as a result of this report.
Risk:
Customer Service:

Douglas Hendry
Executive Director – Customer Services

ELECTED MEMBER CONSULTATION RESPONSES TO PROPOSED PMA REVISIONS

Consultation Response: Councillor Michael Breslin

1   This is still primarily a centralist structure with only a nod in the direction of giving more powers locally. It is more of a tweak to the current structure rather than the change that is so badly needed. It will not deliver what the area needs and deserves.

2   We live in one of the most centralised countries in Europe. Even Cosla accept this point and it's worth reading the recent paper we all got from Cosla. While most of this is a critique of the centralisation agenda of the current Scottish Government, the general points it raises are as valid at our level of local government and at community council level. Our starting point has to be a huge increase in the powers of area committees at the direct expense of the centralised bureaucracy in Kilmory. After that we then need to hand as much power and influence as we can to our community councils.

3   The recent Audit Scotland report also referred to the challenges we have due to our demographics and geography. These challenges are different in different areas of Argyll and Bute and that is another reason to devolve power to the lowest possible level.

4   People in this area feel remote from their council in my view. We need to ask ourselves why they feel this way (or better still ask them) and then we need to make maximum effort to resolve this. Local accountability is essential to try and give power and influence to the people and businesses in our local areas.

5   Our population is declining and we're in dire danger of being in a never ending downward spiral. The council system in the past doesn't seem to have worked to address this decline, has it? Why then would be agree to something that is much the same as we had before? It doesn't make sense.

6   Tweaking a centralised system won't make the changes needed and it also makes it even harder to identify waste and get it out of the system before we consider cuts to our services. Every system has waste and despite all the arguments we hear about economies of scale, the bigger the system the more waste there is and the harder it is to rid ourselves of it.

I urge all elected members to think very hard about whether or not they want to bring power back closer to the people who elected them. That is what we have to do in my book and this is our opportunity.

Regrettably, if we agree to the minor changes proposed by the SLWG, we will miss that opportunity.

Consultation Response: Councillor Aileen Morton

Happy with the proposed committees, would prefer a maximum of 16 councillors on each committee. Consideration should be given to political and geographic split but political balance should be prioritised over geographic. Don't think it's in the papers but I agree with the suggestion that lead councillors could chair the section of the committee that falls within their remit. Only slight concern I have on a personal basis is that my proposed remit would put me on all three of the planned committees as being a Policy Lead would put me on the Policy and Resources, Education would put me on Community Services and Strategic IT falls within D&I…

I'm not totally clear what the committee cycle would be – 4.1(b) of the minute makes it sound as though all committees would meet 6 times a year whereas 3.4(a) of the paper sounds as though the Policy and Resources would meet more frequently? Council meetings every 2 months sounds reasonable assuming the ability to call an extra one at the request of 9 members is retained.

Area Committees – generally happy with the proposals but would like more info around (g) of

the appendix. E.g. how is it proposed the Area Committee would get control over the delivery of the local level SOA?

Consultation Response: Provost Isobel Strong

Re the report of the SLWG I would like to make the following points :-

1)   The possible options in the appendix are worth considering but there needs to be more devolution to Area Committees as the disparate parts of Argyll and Bute have different priorities and what works in one Area doesn't necessarily work in the others.

2)   Area Committees should have their own Budgets with variation in local priorities. These can be calculated on the basis of prior departmental expenditure from previous years. They should also have the power to sell surplus land, buildings and other assets subject to approval by full Council as the rate of progress on this has been abysmal even taking account of the recession.

3)   If there are Service Committees for overall policy e.g. for Community Services, this means that these functions could be taken down to Area level for management as well as scrutiny.

4)   Community Planning can continue at Area level although there are differences within the Areas e.g. Bute and Cowal as well as others.

5)   If there are Executive Committees there can be fewer Council Meetings albeit there should be provision for Emergency situations - 6 is perhaps too few , perhaps 8 with a short summer and winter recess for all Council /Service Committee meetings.

6)   Chord Boards need looked at e.g. the Bute one needs all 3 Councillors to be quorate which can create problems and where there is more than one Board within an Area I think they need more delegated powers although from massive recent email correspondence from other areas this would need careful scrutiny.

7)   Community Councils could have an enhanced role. After all there are many people who are willing to give their time and energy and we don't give them much in the way of power so they don't see the Council as a partner but as a hindrance. This year Bute had a £100,000 project designated for the Community Council to manage and while it has been controversial this has generated interest to the extent that we had 26 nominations for 20 places – the first time since the start of the start of the Community Councils in the 70's that Bute has had an election.

8)   The proposals in the Minutes on Para 2 are generally acceptable especially the use of video conferencing, IT etc. but need more detail.

1. Possible options to enhance the role of Area Committees

Retention of all Terms of Reference as detailed in the Council Constitution plus the addition of the following:

a. Oversight of Common Good Funds and Trusts as appropriate.

b. To approve Area Policies in relation to the delivery of Council services consistent with Council wide policy.

c. To consider and prioritise revenue and capital expenditure estimates for their Area and to make recommendations to the Council in relation to these.

d. To approve the acquisition, sale or lease of land or buildings within their Area.

e. To set local holidays, taking into account local circumstances.

f. To resolve issues of naming of streets and buildings within the Council's control.

g. To maintain strong links with local communities, community organisations and local community planning structures;

- Maintain the operation of CPGs going forward, with the Area Committees remaining as the Council's local decision making body and operating as a key strategic partnership of the CPG, with only a small number of the Members participating and representing the Area Committee. This would help to address the current perception that the partnership is unbalanced and dominated by the Council.
- Including delivery of local level of Single Outcome Agreement (SOA)
- Including oversight of local Economic Development Action Plan

h. Adoption of structured service delivery reporting across all areas (e.g. performance reports (Secondary Schools currently bring annual performance reports to Area Committees)/updates on service delivery issues – in some areas Officers bring regular reports on key issues to the Business Day and there is scope to extend this to all areas)

i. To receive minutes of all local partnership bodies in which the Council participates and maintain an overview of local partnership arrangements and activities ensuring there is consistency in the various approaches.

j. To make local services more accountable to elected members of the Council and through them, to the local community.

k. To ensure that, subject to local needs and opportunities, the delivery of Council services and the use of its resources reflect the policies and priorities of the Council.

l. To improve the identification of and make services more responsive to local issues and priorities.

m. To ensure that Council services, partner agencies and the local community work together as necessary to implement the Council's policies and to respond to local issues more effectively.

n. To work with partner agencies to promote the aims, principles and actions relating to the policy objectives, and to ensure that these are given an appropriately high priority by the Council's services.

o. To make recommendations on plans and proposals for local service delivery/planning within their Area, including prioritisation of expenditure, which are consistent with Council Policy and within the available financial allocations.

p. To initiate and undertake developments which are consistent with Council policy and within the available financial allocations.

q. To promote Council strategies, agreements and partnerships at a local level.

r. To appoint Members of the Area Committee, when invited to do so, to local organisations and groups.

s. To maintain strong links with community and voluntary organisations.

t. To be consulted on any review of the Scheme of Community Councils.

u. (Assuming funds made available by Council) Allocation/monitoring of Area (or ward) budgets.

v. To undertake current remit of the CHORD Project Boards

Appendix 3: Outline Programme of meetings - Revised PMA

Month	Total	Pre-agendas
JAN	7	3
FEB	7	3
MAR	8	2
APR	7	3
MAY	7	4
JUN	9	4
JUL		
AUG	8	5
SEP	8	3
OCT	6	3
NOV	8	5
DEC	8	2
Total	**83**	**37**

(Main calendar body shows meetings across days 1–31 per month, including entries such as AC/ BD, EM Seminar, PPSL, Council, Audit, PRS, P&R, CS, ED&I and their associated Pre-A entries.)

Number of meetings

	meetings	pre-agendas
Council	6	6
PPSL	11	11
Audit	4	4
PRS	4	4
AC/BD	44	44
PRC	6	6
CS	4	4
EDI	4	4
Total	**83**	**83**

Total: 166

Variation	Meetings	Pre-agenda
	-6	-6
	0	0
	0	0
	0	0
	6	6
	4	4
	4	4
	8	8