

**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Customer Services*  
*Executive Director: Douglas Hendry*



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8 November 2016

**NOTICE OF MEETING**

A meeting of the **SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS** will be held in the **COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD** on **TUESDAY, 15 NOVEMBER 2016** at **2:00 PM**, which you are requested to attend.

Douglas Hendry  
Executive Director of Customer Services

**BUSINESS**

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST (IF ANY)**
3. **MINUTES** (Pages 1 - 2)  
Minutes of Short Life Working Group on Political Management Arrangements held on 24 October 2016
4. **POLITICAL MANAGEMENT ARRANGEMENTS** (Pages 3 - 16)  
Report by Executive Director of Customer Services

**SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS**

Councillor Rory Colville  
Councillor Anne Horn  
Councillor Aileen Morton  
Councillor James Robb  
Councillor Len Scoullar  
Councillor Richard Trail

Councillor Robin Currie  
Councillor Roderick McCuish  
Councillor Ellen Morton  
Councillor Elaine Robertson  
Councillor Sandy Taylor  
Councillor Dick Walsh (Chair)

Contact: Sandra McGlynn Tel: 01546 604401

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**MINUTES of MEETING of SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS held in the COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD on MONDAY, 24 OCTOBER 2016**

**Present:**

Councillor Dick Walsh (Chair)

Councillor Rory Colville	Councillor James Robb
Councillor Robin Currie	Councillor Elaine Robertson
Councillor Anne Horn	Councillor Len Scoullar
Councillor Roderick McCuish	Councillor Sandy Taylor
Councillor Aileen Morton	Councillor Richard Trail
Councillor Ellen Morton	

**Attending:**

Cleland Sneddon, Chief Executive  
 Douglas Hendry, Executive Director of Customer Services  
 Charles Reppke, Head of Governance and Law  
 Patricia O'Neill, Central Governance Manager  
 Rona Gold, Community Planning Manager  
 Shona Barton, Area Committee Manager

**1. APOLOGIES FOR ABSENCE**

There were no apologies intimated.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest intimated.

**3. MINUTES**

The Minutes of the Short Life Working Group held on 22 September 2016 were approved as a correct record.

**4. POLITICAL MANAGEMENT ARRANGEMENTS**

The Short Life Working Group considered a report which provided information on the Committee Structures, Area Committees and Scrutiny arrangements adopted by other Scottish Local Authorities together with feedback on the engagement with Members in relation to their views on how the current Political Management Arrangements are working.

Councillor Colville left the meeting at 3.30pm.

**Decision**

The Short Life Working Group:

1. Requested Officers to draft a report for the next meeting based on a range of options of Committee structures based on page 6 of the submitted report, including Area Committees, and on the points raised below.

2. Requested that the Community Planning Manager draft a report for the next meeting based on the themes of community engagement and localism, to assist further consideration of how best to engage with communities.

Points raised during discussion.

- PPSL Committee fit for purpose.
- Full Council taking all decisions not fit for purpose.
- Consider possibilities to combine Audit and PRS Committee.
- Locality arrangements.
- More delegation to committees so that reports are not coming before more than one Committee, and how would this amend the Constitution.
- Time limits on discussion of items at meetings, and /or items on an agenda purely for noting.

(Ref: Report by Executive Director of Customer Services dated 11 October 2016, submitted)

### 5. **A PLAN FOR SCOTLAND: THE SCOTTISH GOVERNMENT'S PROGRAMME FOR SCOTLAND 2016/17**

The Short Life Working Group considered a report which provided a high level overview of the Scottish Government's Programme for Scotland 2016-17 which included reference to the Islands Bill. The report also provided an update on the Community Engagement Bill and highlighted issues Members may wish to take into consideration in the review of Political Management Arrangements.

#### **Decision**

The Short Life Working Group noted the contents of the submitted report.

(Ref: Report by the Executive Director of Customer Services dated 11 October 2016, submitted)

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**ARGYLL AND BUTE COUNCIL****Short Life Working Group on Political  
Management Arrangements****CUSTOMER SERVICES****15 November 2016**

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**SLWG – POLITICAL MANAGEMENT ARRANGEMENTS**

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**1.0 EXECUTIVE SUMMARY**

At the meeting of the Short Life Working Group (SLWG) held on 24<sup>th</sup> October 2016, Members asked for further information on a range of options of Committee structures including Area Committees, and on the points raised during discussion in relation to the following considerations:

- PPSL Committee - fit for purpose.
- Full Council taking all decisions - not fit for purpose.
- Possibilities to combine Audit and PRS Committee.
- Locality arrangements.
- More delegation to committees so that reports are not coming before more than one Committee, and how would this amend the Constitution.
- Time limits on discussion of items at meetings, and /or items on an agenda purely for noting.

1.1 Members are asked to consider the information provided.

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**ARGYLL AND BUTE COUNCIL**

**Short Life Working Group on Political Management Arrangements**

**CUSTOMER SERVICES**

**15 November 2016**

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**SLWG – POLITICAL MANAGEMENT ARRANGEMENTS**

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**2.0 INTRODUCTION**

2.1 This report provides Members of the SLWG with the information that they requested at the meeting held on 24<sup>th</sup> October 2016.

**3.0 RECOMMENDATIONS**

3.1 Members are asked to consider the information provided.

**4.0 DETAIL**

4.1 At the meeting of the SLWG on 24<sup>th</sup> October, Members asked officers to provide information on a number of areas.

4.2 Scheme of Delegation

4.2.1 Effective governance arrangements set out how councils manage and control their business, bring together legislative requirements governance principles and management processes and provide the conditions for constructive working relationships.<sup>1</sup> An important element in the practical implementation of this principle is an effective Constitution and Scheme of Delegations encompassing all major levels of decision making below that of the Council itself.

4.2.2 Analysis of the referral patterns within the existing committee arrangements is as follows:

	No of reports April 2014 – Sept 2016	Referral to P&R only	Referral to Council only	Referral to P&R & Council
EDI	86	4	6	6
Community Services	137	2	3	1
Policy & Resources	206	N/A	29	N/A

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<sup>1</sup> Delivering Good Governance in Local Government Framework, CIPFA and SOLACE 2007

Other committees make referrals on a more infrequent basis and Area Committees make referrals to Council, mainly in relation to property disposals:

OLI – 8 referrals  
MAKI – 4 referrals  
B&C - 7 referrals  
H&L - 1 referral

4.2.3 The SLWG have asked for advice on how the constitution could be altered to reduce the need for items to be considered at a range of committees and /or Council. The suggestion is that it would be possible to delegate to a strategic committee power to make new or revised policy decisions within their terms of reference (this often being the main reason for referral). This could perhaps be on the basis that if the decision is unanimous then there will be no reference to Council but if there is a majority decision then it is referred. The other significant reason for onward referral is where there is a request for additional budget/or to forego income and again it would be possible to reduce the layers of consideration either by delegating such decisions to P&R up to a certain level ,or alternatively to simply refer such matters direct from the requesting Committee to Council. It doesn't seem reasonable to enable committees to incur expenditure which hasn't been budgeted for, or to forego income on behalf of the Council.

### 4.3 Committee Structures

4.3.1 Members were unanimously of the view that the current regulatory Committee arrangements are working well and that in any future structure the Planning, Protective Services and Licensing (PPSL) Committee should remain.

4.3.2 Members asked for options in terms of different models which are available:

#### **Traditional Committee system**

4.3.3 This is the type of system currently in place within Argyll and Bute Council. The traditional system delegates authority to a number of Committees to make those decisions which are not reserved for the Council. The membership of these Committees is reflective of the political balance of the Council. Currently the Council requires EDI and Community Services to refer decisions which impact on strategic policy or have financial consequences not incorporated in departmental budgets to the P&R Committee. It would be open for the delegation in terms of the two service Committees (Community Services and Environment, Development and Infrastructure) to be increased, to allow them to make decisions where there is a consensus opinion. The overarching Policy Framework of the Council is excluded from the delegation to P&R which then necessitates a referral to Council for approval and hence there is also scope for review in what constitutes the Policy Framework. The current Policy Framework is detailed at Appendix 1.

#### **Cabinet Model**

4.3.4 For the Cabinet system, this aims to improve decision making and to make it more accountable. Under this approach a small group of elected members from

the administration and with Portfolio/Policy remits, make all the day-to-day decisions within a policy framework set by the council as a whole. The Cabinet would meet on a regular basis with their role likely to be:

- providing strategic leadership
- taking executive decisions within a budget and policy framework approved by the full council
- leading the council's partnership activities with other bodies
- developing and making recommendations about strategy and budget to the council

In essence a lot of decisions that the council itself would have to take in terms of its corporate governance role are delegated to a small group to take on behalf of the council. In this kind of structure there is an enhanced scrutiny role as it is the role of non-cabinet elected members to scrutinise the cabinet's activities through a committee or panel. If the Council were to adopt this type of model, there would be no requirement for service Committees, there would be less Committees overall, but meetings of the Cabinet would be more frequent than current Committee schedules.

**Executive Model**

4.3.5 The Executive model is similar to the Cabinet model, but the Executive generally has membership from both administration and opposition councilors. Argyll and Bute Council has previously operated on such a model. The Executive would meet on a regular basis with their role being as outlined in the Cabinet model above.

4.4 Scrutiny and Audit

4.4.1 There are a number of options for consideration in terms of arrangements for providing a scrutiny and audit function. The type of structure would be dependent on the type of Committee structure which was agreed, but it broadly falls into 2 categories:-

**Scrutiny Committee (1 Committee)**

4.4.2 17 Local Authorities in Scotland adopt this type of model, where a single body is responsible for undertaking both Audit and Scrutiny functions. These Committees come under a wide variety of committee names as highlighted below:-

Audit and Scrutiny
Audit
Governance and Scrutiny
Audit Scrutiny and Petitions
Audit and Performance Review
Governance Risk and Best Value
Monitoring and Audit
Scrutiny
Audit, Risk and Scrutiny

As it stands, the Audit and Scrutiny functions are provided via 2 separate



Committees, with the Performance Review and Scrutiny Committee also providing oversight of the performance of the departments of the council. If the preferred direction was to move to a combined Audit/Scrutiny Committee model then there is potential for Performance Review to be undertaken by the service Committees assuming that the service Committee model is still in place.

In Authorities where a Cabinet structure is in place, there is generally an enhanced scrutiny system in place. These Committees meet fairly frequently and hold the Cabinet to account over their decisions. The role for a specialist scrutiny committee can be reduced if there is a traditional committee model which is looking at Council performance and policy proposals, with large number of members involved in such deliberations. The adoption of a committee model would perhaps provide an argument for a one committee model for Audit and Scrutiny

Given the future strategic direction for local government the Council will require to put in place robust scrutiny arrangements for arm's length external organisations which could include a Leisure Trust, the Integration Joint Board, and potentially revised governance arrangements in relation to education. Whilst the shape of these new arrangements are largely still to be determined there is merit in considering where this performance is best reviewed and scrutinised and whether it should rest with Council or be delegated to a Committee.

### **Scrutiny Committee and various other Committees (2 or more Committees)**

- 4.4.3 14 Local Authorities in Scotland have adopted a model where there are at least 2 Committees which perform the Audit and Scrutiny functions. Some Authorities also have "Scrutiny Panels" which are setup to deal with specific topics of Scrutiny and report back to the Scrutiny Committee with recommendations.

### **Area Committees**

- 4.5. Given the unique geography of Argyll and Bute there is a commitment to ensuring locality issues are taken into account in the decision making process and a key consideration is the extent to which the current system of Area Committees supports this and how does it link with future community planning arrangements and community empowerment requirements. Members have also expressed an interest in greater multi-member ward working. A reduction in areas committees and/or a reduction in frequency could create the potential for enhanced multi-member ward working arrangements. A separate report will be presented to the Short Life Working Group for consideration on "localism" however possible arrangements for multi-member ward working are incorporated into the future committee models attached to this report.

### **Models of Potential Committee Structures**

- 4.6 Models of potential committee structures are attached at Appendices 2 - 4 for discussion.

### **4.7 Reports for noting**

- 4.7.1 It was highlighted at the last SLWG meeting that there appear to be a high

number of reports which are put to Committees which are purely for “noting”. Officers have carried out an exercise looking at the Service Committees for EDI and Community Services which have taken place over the period of a year and have collated the number of reports where the outcome was for noting.

Committee	No of Reports (excl minutes, presentations & workplan)	Outcome - for Noting
EDI	37	18
Community Services	42	21

Closer analysis however has established that a number of these reports are presented not simply for the purpose of providing information but to support members exercise their scrutiny role and assess progress on strategic issues.

- 4.7.2 A suggestion at the SLWG was that the Council moves to an arrangement similar to that used at COSLA meetings, where there is a section on the agenda which is purely for noting. These reports are put onto the agenda, but are taken as one item on the agenda – Members would be able to contact relevant officers to obtain further information if required, but the aim would be to discourage discussion of these items at the Committee/Council meeting. This would ensure that Elected Members are kept abreast of current matters without the need for discussion on items which are purely for information. Items which require greater scrutiny could either be placed elsewhere on the agenda or of so determined be considered under any revised arrangements for a scrutiny committee.
- 4.7.3 Some other Local Authorities use a “bulletin” style of system, whereby a separate package of reports is submitted with the Council Agenda. The Bulletin isn’t discussed at the meeting but it contains information which allows Members to be kept informed on current issues. This Council has previously used a bulletin approach but this was discontinued because there was feedback that this wasn’t an effective means of sharing information with members

## 5.0 CONCLUSION

- 5.1 This report outlines a range of considerations to be factored into the determination of a preferred operating model for future political management arrangements. Critical to the success of any future model will be the provision of clear and effective governance structures. The model should also take account of the available staff resources to support such a model, and have regard to the number of meetings that members might then be expected to participate in annually.

## 6.0 IMPLICATIONS

- 6.1 Policy – none at this stage.
- 6.2 Financial - none at present, but may be financial implications dependent

on the outcome of the review.

6.3 Legal – none at this stage.

6.4 HR – none at present, but may have HR implications dependent on the outcome of the review.

6.5 Equalities - none

6.6 Risk -

6.7 Customer Service - none

Douglas Hendry

**Executive Director of Customer Services**

8 November 2016

**For further information contact:** Charles Reppke, Head of Governance and Law  
(01546) 604192

**APPENDICES**

Appendix 1 – Policy Framework

Appendix 2 – Traditional Committee Model

Appendix 3 – Cabinet Model

Appendix 4 – Executive Model

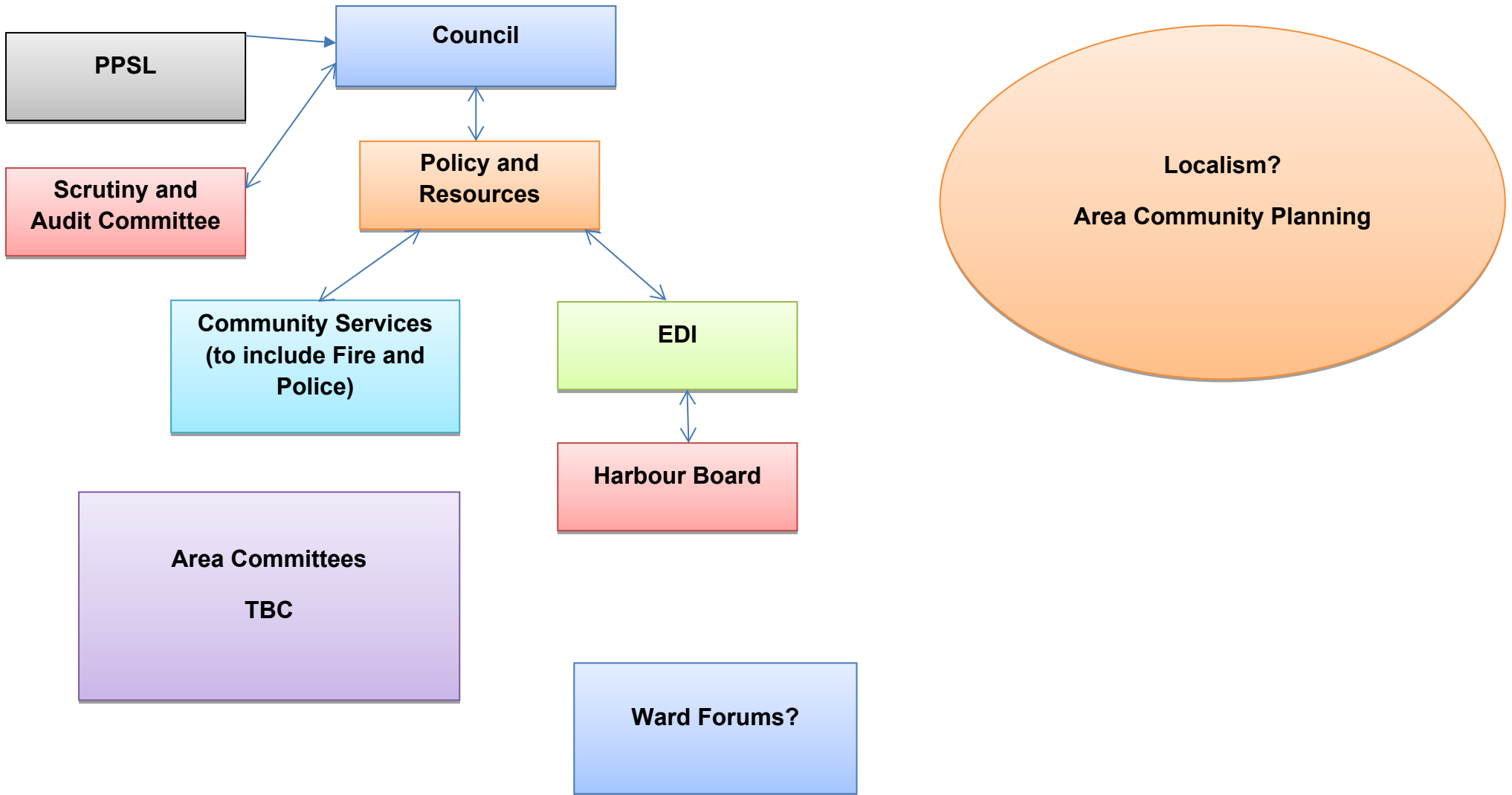
***Policy framework – as set out in Constitution***

- (1) The policy framework means the following plans, policies and strategies;
- The Corporate Plan;
  - Annual Service Plans and estimates of expenditure and income (the Budget);
  - A Corporate Best Value Improvement Plan;
  - The Planning and Performance Management Framework
  - The Community Plan and any Single Outcome Agreement with Government in so far as they relate to the provision of Council Services
  - The Integrated Children’s Services Plan;
  - The Community Care Plan;
  - The plans and strategies which together comprise the Development Plan;
  - The Anti-Social Behaviour Strategy;
  - The Early Years Development Plan;
  - The Food Law Enforcement Service Plan;
  - The Carbon Management Strategy;
  - The Biodiversity Strategy
  - The Local Transport Strategy;
  - The Asset Management Strategy
  - The Risk Management Strategy
  - The Treasury Management Policy
  - The School Estate Strategy
  - The Local Housing Strategy
  - The Strategic Housing Investment Plan
  - The Economic Development Action Plan
  - Any other plan or strategy that the Council has decided should be part of the Policy Framework.

***Budget***

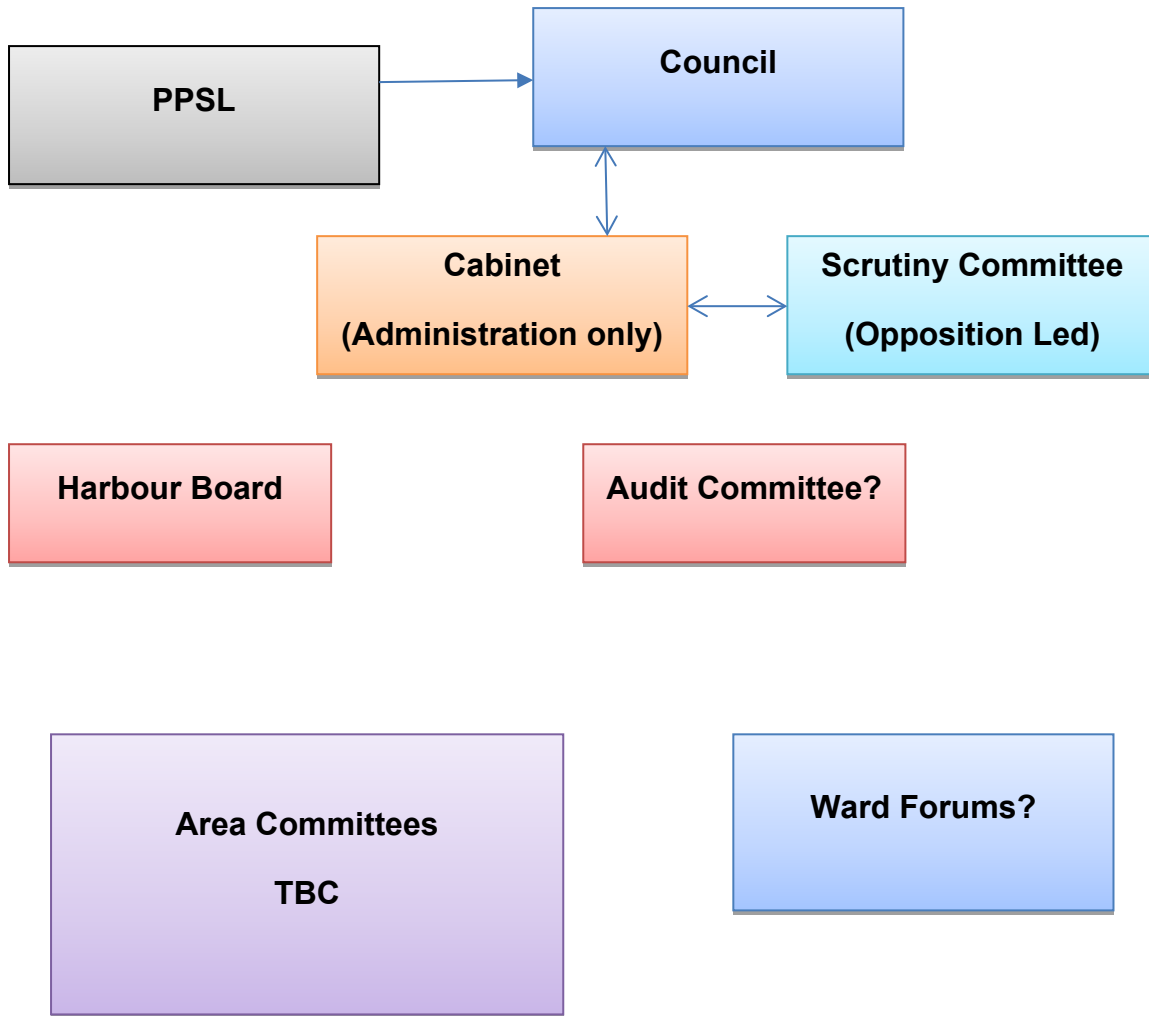
- (2) The “budget” includes –
- Annual approved Corporate and Service Plans
  - The approved estimates of revenue expenditure
  - Any reserve funds;
  - The council tax base and setting the council tax;
  - The approved programme of the Council’s capital expenditure and decisions relating to the control of the Council’s borrowing requirement

# Appendix 2: Traditional Committee Structure



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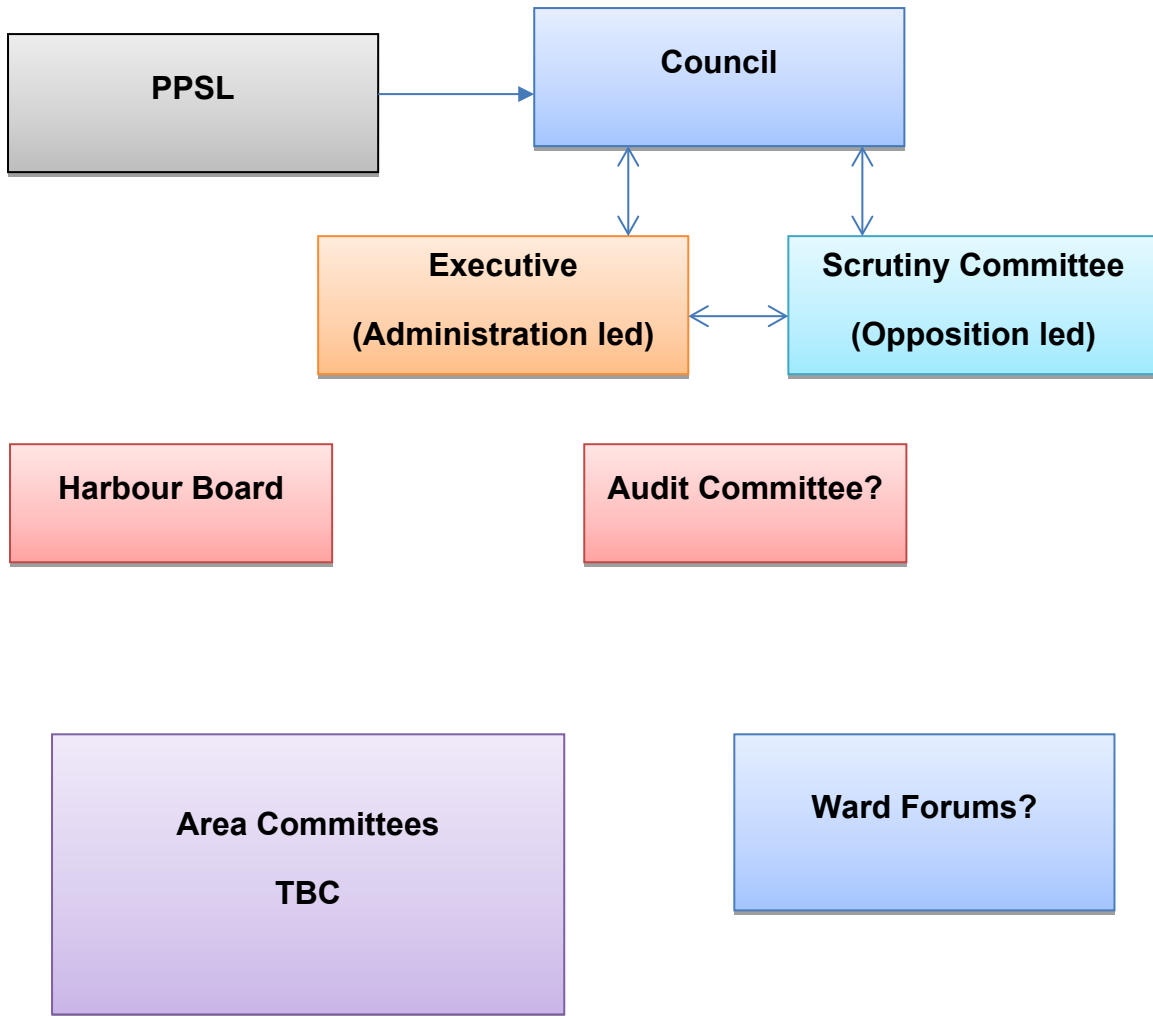
# Appendix 3 - Cabinet Model



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# Appendix 4 - Executive/Scrutiny Model



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