

Borough Council of
**King's Lynn &
West Norfolk**



Governance Task Group

Agenda

Tuesday, 19th November, 2019
at 2.00 pm

in the

**Meeting Room 2:1
Second Floor
King's Court
Chapel Street
King's Lynn**



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12 November 2019

Dear Member

Governance Task Group

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Tuesday, 19th November, 2019 at 2.00 pm** in the **Meeting Room 2-1 - Second Floor, King's Court, Chapel Street, King's Lynn** to discuss the business shown below.

Yours sincerely

Chief Executive

AGENDA

1. **Minutes of the previous meeting** (Pages 5 - 7)

2. **Members present under Standing Order 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

3. **Declarations of Interest**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Members should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting.

4. Officers Report (Pages 8 - 33)

To consider the flip chart write ups from the all member governance session on 5 November attached.

A report on the design principles will follow

To:

Governance Task Group: J Collop, I Devereux, A Kemp, B Long, G Middleton and J Moriarty

Officers

Noel Doran, Senior Solicitor

Debbie Gates, Executive Director Head of Central & Community Services

Lorraine Gore, Chief Executive

Sam Winter, Democratic Services Manager

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

GOVERNANCE TASK GROUP

**Minutes from the Meeting of the Governance Task Group held on Tuesday,
22nd October, 2019 at 2.00 pm in the Meeting Room 2-1 - Second Floor,
King's Court, Chapel Street, King's Lynn**

PRESENT: Councillor I Devereux (Chair)
Councillors A Kemp, B Long, G Middleton and J Moriarty

An apology for absence was received from Councillor J Collop

Officer – S Winter

1 MINUTES OF THE PREVIOUS MEETING

The notes of the previous meeting on 4 September 2019 were agreed as a correct record.

2 MEMBERS PRESENT UNDER STANDING ORDER 34

None

3 DECLARATIONS OF INTEREST

None

4 CONSULTATION WITH ALL MEMBERS

Terry Huggins, EELGA consultant explained the meeting was to deal with the proposed format of the all member consultation session booked for 5 November.

The format of the night would be a short presentation in “world café style” with small groups at tables. One member of the Task Group would act as facilitator for each of the tables, and would record and capture the views given on the questions from the table.

The second phase would be to feed those views in centrally to see if there are any themes emerging.

In discussing the presentation and the engagement of Councillors on the night the debate moved to the views and experiences of different councillors and the views expressed by the public. Views ranged from needing to consult with the public and to comments received from the public that they didn't have a view on the structure, but on the outcomes and decisions.

The Task Group was reminded that this meeting was not to hear the arguments for differing views at this stage, but to prepare for 5 November.

In working through the slides, it was requested that some knowledge of the structure of the different hybrids would be useful. An example of an authority in Kent was touched upon, which it was pointed out seemed to have duplication.

The following points were raised:

- Officer only views tended to come out from the Committee system.
- A committee system permitted more potential for members to initiate ideas.
- Need more opportunity for evidence based decisions.
- Need to know what works elsewhere
- Public opinion and openness in decision making
- How does a specific small party of Council tax payers work.
- Accountability for decision making with each system needed to be clear
- Items not reported in through Cabinet at CC where were previously in committee system.

It was suggested that examples could be given of how a decision would be taken in each scenario using something such as deciding on the Refuse Contract and associated decisions.

Following the session with members the feedback would be captured and used for design principles.

A discussion was held on parish council and KLACC consultation on the structures. It was noted that KLACC were Councillors for the unparished area and would also attend the all councillor session. As it had been suggested at the previous meeting that KLACC be consulted directly **this was agreed**.

A discussion was held on the consultation of parishes generally, following a disagreement when the Chair was trying to bring the subject to a conclusion, Councillor Kemp left the meeting, not happy with not being able to continue to speak.

It was **agreed** that senior officers could be consulted via the Extended Management Team meeting, to ascertain views on the process, resources, experience, career development etc.

The Chair reminded the Group that it was hoped to get cross party agreement on the way forward, without wasting time or setting expectations at a level which couldn't be achieved. He offered to attend a Hunstanton and Downham meeting with the vice-Chair to explain the process in case they wished to comment.

In summing up, on a parish front generally it was **agreed** that instead of visits, a letter be sent to all parishes (not just Hunstanton and Downham), briefing them on the subject and inviting any comments they may have. Any views expressed would be taken note of.

Management of the evening

Task Group members were asked to encourage others to contribute to the session, challenge sweeping statements, and encourage evidence based comments.

It was suggested that table groups should be randomly selected to ensure cross pollination

The questions to be asked were **agreed**.

Leaders were asked to communicate with their groups and encourage attendance and participation.

With regard to the timing of the meeting it was requested that the meeting start at 5.00pm. **This was agreed.**

The meeting closed at 3.40 pm

Table 1

session 1

Best Outcomes? Governance Model

Money to Night Shelter

People exposed to wrong decisions

insufficient challenge to any decision

too few people involved in decisions

Committees provide opportunity to engage

Choose not to take! +Representation under section 34

Training asking questions

not enough members turning up to training

Repetition of questions

More balanced reporting needs to take all relevant views into account
(including minority) - insufficient detail - often written to support
recommendation

New issues are too slow to be recognised and worked on.

session 2

Council Open and Transparent?

Committee based systems lend themselves to greater discussion and more
transparent decisions

Transparency to members, public? need both. Determined by circumstances
- Relevance of Decisions to Public determine interest

Scrutiny Panel for Cabinet System?

Political Apportionment of Chairmanships?

Despair of Public at Party Whip - Decisions to be made at individual basis

Session 3

Hold Decision Maker to Account

No - Call in due to chief executive to decide validity

Call ins sometimes not followed up - comments / views not submitted

Questions need to be posed early enough in the process

Cabinet Scrutiny? previous incarnation failed due to lack of engagement

Evidence based scrutiny needed - scrutiny to be independent of Both Administration and Opposition

KPIs are reviewed by exception reports - more detail?

Scrutiny of setting KPIs required

Avoidance of silos - need to look at issues more holistically

Table 2

session1

+ve

wide knowledge base

several points of discussion

Cabinet members have specialised knowledge

Big decisions - Council

Comments of members at panel are minuted

Panels - good mix of knowledge / types of wards

Pre Council Briefings

need to recommend papers to be considered

-ve

Panels - recommendations not decisions

Chairs and Vice Chairs of Panels need to recommend papers to be considered (members able to request inclusion SO34)

Not all papers have to go to Panel (e.g. CIL) recommend everything goes via a panel

Timescales don't always allow for full (optimum) panel input

Need to Identify decisions earlier to allow input (allow officer comment on panel recommendations)

session 2

Decisions recorded but not easy to find on our website

Website not tailored for electorate - not intuitive

Training needed for new members and established councillors

Need to know about everything happening in the Council!

Press releases to Parish Councils?

session 3

Call in process

Training

CPP

Panel process

Elections cause us to be held to account

Table 3

session 1

Frequency of review?

All members can attend all panels

Is it stopping bad decisions?

Inclusion of stakeholders

Public Questions

Members and Public need time and patience to pursue and forward other suggestions

Public need to be made more aware about all of our meetings

Advice is required from legal etc.

Reliance on a core of Cabinet

session 2

Need to better understand the process/way the Cabinet and etc works

Enhance the induction

Yes but not obvious - have to dig and delve a lot/bit to uncover the pathway

Most issues come to Panels already thought through and formed by officers (in response to Cabinet member direction?)

Define a more inclusive process for a new policy - early views ?? panels

The system has worked on trust

Insufficient pre meeting questions

Partisanship

session 3

Call in - needs greater publicity - plus more simplicity / not easy Why not more call ins

Reports to E&C

KPI

Project Reports

Do panels appreciate their scrutiny role

Those not participating assume it is done

Should be - Ideas sold / risks

Consideration to risks of not doing something
Lack of member involvement and not reading papers
Debate exposed risks - KLIC?

Table 4

session1

subset making decisions (not Council)

Cabinet recommendations to Council (concern is party prevalence)

E.G. Art Gallery - Cabinet accepted subject to due diligence

Us v Them = adversarial, inhibits discussion, facing ranks

Scrutiny isn't working

Communication Style : How style - understanding the implications, - "What" are we deciding, "Governance Task Group - explicit description

Clarity of Decisions - ? - not good, cannot see quality decision

session 2

Information dissemination a problem

- councillor awareness

- too much information

- induction issues

- cul de sacs

- too rigid a framework for contributions

- unclear corporate plan - tracking of input time

Lack of awareness in role of primary legislation

- are Cabinet decisions simply rubber ????

- (not in rubber stamped if on ward issues

- not always even if experienced

Lack of Information Sometimes

- roller coaster - how do we stop and review?

- R & D break out groups - but what about officer time

- knowledge base for back benchers

- knowing the portfolio holder - area of responsibility

EXPERIENCE

session 3

Decisions - Accountable?

Insufficient Scrutiny before decisions

corn exchange cinema

KLIC Q. decisions made by Executive or Council?

BOVAL QUAY - asked for scrutiny of due diligence which didn't come back - who decided?

Roller coaster - topics get a momentum and difficult to slow down, more analysis is required

Not always clear at what level decision was made

weighting of decisions by officers often too great

new Borough Councillors need more training

not enough feedback after scrutiny questions

training in budget issues for new Borough Councillors

Table 5

session 1

Not for all members as not all on Panels (SO34?) (Newbies?)
Perhaps Panels should debate more than Q&A - alternatives
?? take advice of opposition member more proactive on Panels
Is there time at Panel for detailed analysis
Members do not take advice of the opposition they have
Members not inputting problem
Rushed/sufficient time / more information
S?? to amend
Minority Report
3) Yes, but perception out there may differ / officer driven?
4) Structure of presentation
5) Life experience Helps

session 2

+ve
generally yes
public questions at Council
Optimum time for meetings 2-3 hours
Frequency of meeting cycles 4 or 6 weeks?
Liaison with Parish Councils helps communications / awareness
-ve
use opportunity for debate at full Council - transparent
Will or time constraints on open debate?
Timing of meetings - more engagement if day time?
Public not clear re : decision making but often do not use channels/engage
until decision actually made (e.g, planning)

Session 3

In full Council - yes
Restricted powers on Standards Committee
CPP is fulfilling scrutiny role
Chairperson of Panels to invite portfolio holders to the meetings

Not enough Political challenge

Looking at the day to day running of the Council

Public Questions in full Council

Yes - But don't forget

A "recommended reading list" might be useful especially for "backbenchers"

Public on line surveys

Key Themes

some important decisions miss pre scrutiny (should everything go through a panel?)

Members require assistance to “come up to speed” quicker ... know how to use the constitution effectively, call in. full Council debates, forward plan.

Training for members and pre Council briefings

Time - busy question

+ IVE

- WIDE KNOWLEDGE BASE
- SEVERAL POINTS OF DISCUSSION
- CAB MEMBERS HAVE SPECIALISED KNOWLEDGE.
- BIG DECISIONS - COUNCIL.
- COMMENTS OF MEMBERS AT PANEL ARE MINUTED.
- PANELS - GOOD MIX OF KNOWLEDGE/TYPES OF WARDS.
- ~~GA~~ PRE-COUNCIL BRIEFINGS.

- IVE

- PANELS - RECOMMENDATIONS, NOT DECISIONS
- CHAIRS + VICE CHAIRS OF PANELS - NEED TO RECOMMEND PAPERS TO BE CONSIDERED (MEMBERS ABLE TO REQUEST INCLUSION) SD34.
- NOT ALL PAPERS HAVE TO GO TO PANEL (EG CIL) REC EVERYTHING VIA PANEL
- TIMESCALES DONT ALWAYS ALLOW FOR FULL (OPTIMUM) PANEL INPUT
- NEED TO IDENTIFY DECISIONS EARLIER TO ALLOW INPUT (ALLOW OFFICER COMMENT ON PANEL RECS)

QR

+

Decisions recorded but not easy to find on website

Website not tailored for electorate
not intuitive

Training needed for new members
and established councillors

Need to know about everything happening
in the council!

Press releases to parish councils?

Call in process

Training

CPP

Panel process

elections cause us to be held
to account

Q1

① Subset making Decisions (Not Council)

② CABINET Ref's To Council

(CONCERN IS PARTY PREVALENCE)

③ E.g. ART GALLERY.

- CAB ACCEPTED

SUBJECT TO DUE DILIGENCE

④

US .V. THEM.

- ADVERSARIAL -

INHIBITS DISCUSSION.

FACING RANKS.

SCRUTINY ISN'T WORKING.

⑤

⑥

COMMUNICATION STYLE

HOW / STYLE → UNDERSTANDING THE IMPLICATIONS

"WHAT" ARE WE DECIDING

"GOVERNANCE TASK GROUP"

- EXPLICIT DESCRIPTION

CLARITY OF DECISIONS - ?

- NOT GOOD

- CANNOT SEE QUALITY DECISION ?

(FDD)

1) INFO DISSEMINATION A PROBLEM

- COUNCILOR AWARENESS
- TOO MUCH INFO
- INDUCTION ISSUES
- CUL DE SACS
- TOO RIGID FRAMEWORK FOR CONTRIBUTION
- UNCLEAR CORPORATE PLAN - TRAILING OF INPUT
- TIME

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E

(2)

LACK OF AWARENESS IN ROLE OF PRIMARY LEGISLATION
 ARE CABINET DECISIONS SIMPLY RUBBERSTAMPED?
 (NOT IN RUBBER STAMPED IF ON WIND ISSUES)
 NOT ALWAYS - EVEN IF EXPERIENCED

E
V

3)

LACK OF INFO SOMETIMES
 ROLLER COASTER - HOW DO WE STOP & REVIEW
 R+D - BREAK OUT GROUPS ✓
 BUT WHAT ABOUT OFFICE TIME
 KNOWLEDGE BASE FOR BACK BENCHERS
 KNOWING THE PORTFOLIO HOLDER &
 AREA OF RESP.

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SESSION 5

DECISIONS - ACCOUNTABLE? :

- INSUFFICIENT SCRUTINY BEFORE DECISIONS
 - COIN EXCHANGE CINEMA
SECOND SET OF TENDERING
 - KLIC
 - Q. DECISIONS MADE BY EXEC. OR COUNCIL?
 - BOVAL QUAY
 - ASKED FOR SCRUTINY OF DUE DILLIGENCE
WHICH DIDN'T COME BACK - WHO DECIDED?
- ROLLERCOASTER - TOPICS GET A MOMENTUM
AND DIFFICULT TO SLOW DOWN
MORE ANALYSIS REQUIRED
- NOT ALWAYS CLEAR AT WHAT LEVEL DECISION
WAS MADE
- WEIGHTING OF DECISIONS BY OFFICERS OFTEN
TOO GREAT
- NEW B.C.'S NEED MORE TRAINING
- NOT ENOUGH FEEDBACK AFTER SCRUTINY
QUESTIONS
- TRAINING IN BUDGET ISSUES FOR NEW B.C.'S

SESSION 1

- o BEST OUTCOMES? GOVERNANCE MODEL.
 - MONEY TO NIGHT SHELTER.
 - PEOPLE EXPOSED TO WRONG DECISIONS
 - INSUFFICIENT CHALLENGE TO ANY DECISION.
 - TOO FEW PEOPLE INVOLVED IN DECISIONS.
 - COMMITTEES PROVIDE OPPORTUNITY TO ENGAGE
 - CHOOSE NOT TO TAKE! + REP UNDER SECTION 34
 - = TRAINING - ASKING QUESTIONS
 - NOT ENOUGH MEMBERS TURNING UP TO TRAINING.
 - REPETITION OF QUESTIONS.
 - = ~~OR~~ MORE BALANCED REPORTING ^{NEEDS TO} ~~TAKING~~ TAKE ALL. _(INCLUDING MINORITY)
~~MINORITY~~ RELEVANT VIEWS INTO ACCOUNT - INSUFFICIENT
DETAIL - OFTEN WRITTEN TO SUPPORT RECOMMENDATION.
 - NEW ISSUES ARE TOO SLOW TO BE RECOGNISED +
WORKED ON.

SESSION 2.

COUNCIL OPEN & TRANSPARENT?

→ COMMITTEE BASED SYSTEMS LEAD THEMSELVES TO GREATER DISCUSSION + MORE TRANSPARENT DECISIONS

TRANSPERENCY TO MEMBERS? PUBLIC? ⇒ NEED BOTH.
DETERMINED BY CIRCUMSTANCES. - RELEVANCE OF DECISIONS TO PUBLIC DETERMINE INTEREST.

→ SCRUTINY PANEL FOR CABINET SYSTEM?

→ POLITICAL APPORTIONMENT OF CHAIRMANSHIPS?

→ DESPAIR OF PUBLIC AT PARTY WHIP. → DECISIONS TO BE MADE AT INDIVIDUAL BASIS.

SESSION 3

HOLD DECISION MAKER TO ACCOUNT?

- NO → CALL-IN ^{DUE} TO CHIEF EXEC. TO DECIDE VALIDITY
- CALL-INS ^{SOMETIMES} NOT FOLLOWED UP - ~~RE~~ COMMENTS ~~AND~~ / VIEWS NOT SUBMITTED
- QUESTIONS NEED TO BE POSED EARLY-ENOUGH IN THE PROCESS
- CABINET SCRUTINY? PREVIOUS INCARNATION FAILED DUE TO LACK OF ENGAGEMENT.
- EVIDENCE BASED SCRUTINY NEEDED. - SCRUTINY TO BE INDEPENDENT OF BOTH ADMINISTRATION & OPPOSITION.
- KPI'S ARE REVIEWED BY EXCEPTION REPORTS → MORE DETAIL?
- SCRUTINY OF SETTING KPI'S REQUIRED.
- AVOIDANCE OF SILOS NEED TO LOOK AT ISSUES MORE HOLISTICALLY

Q. 1.

FREQUENCY OF REVIEW?

ALL MEMBERS CAN ATTEND ALL PANELS. →

IS IT STOPPING BAD DECISIONS?

INCLUSION OF STAKEHOLDERS
PUBLIC QUESTIONS.

Members & Public need time and
~~patient~~ patience to pursue & forward
other suggestions

Public need to be made ^{more} aware about
all of our meetings

Advice is requested from Legal etc.

Reliance on a Core of Cabinet

① NEED TO BETTER UNDERSTAND THE PROCESS/WAY THE CABINET ETC WORKS

② ENHANCE THE INDUCTION.

③ YES.... BUT NOT OBVIOUS. HAVE TO DIG & DELVE A LOT/PT. TO UNCOVER THE

④ MOST ISSUES COME TO PATHWAY.

PANELS ALREADY THOUGHT THROUGH & FORMED BY OFFICERS.

(IN RESPONSE TO CAB. MEMBER DIRECTION.) ? ?

⑤ DEFINE A MORE INCLUSIVE PROCESS FOR A NEW POLICY

⑥ — EARLY VIEW & PANELS THE SYSTEM HAS WORKED ON TRUST.

⑦ INSUFFICIENT PRE MEETING QUESTIONS

⑧ PARTISANSHIP.

Session 3

- 1) CALL IN - NEEDS GREATER PUBLICITY
- + MORE SIMPLICITY / NOT EASY

WHY NOT MORE CALL INS.

- 2) REPORTS TO E+C.

WPI ✓

PROJECT REPORTS ✓

DO PAPERS APPRECIATE THEIR SCRUTINY ROLE
THOSE NOT PARTICIPATING ASSUMING
IT IS DONE.

- 3) SHOULD BE

IDEAS SOLD / RISKS

CONSIDERATION TO RISKS OF NOT
DOING SOMETHING.

LACK OF MEMBER INVOLVEMENT
+ NOT LEADING PAPERS

DEBATE EXPOSES RISKS

- KLIC ?

Session 1

NOT FOR ALL MEMBERS AS NOT ALL ON PANELS. (SO 34?) (NEWBIER?)

~~DO THE~~ PERHAPS PANELS SHLD & DEBATE MORE THAN Q + A - ALTERNATIVES
OR TAKE ADV OF OPP. MEMBERS MORE PROACTIVE ON PANELS
IS THERE TIME AT PANEL FOR PANELS
DETAILED ANALYSIS

MEMBERS DO NOT TAKE ADV OF THE OPP THEY HAVE.

MEMBERS NOT RAISING PROBLEMS
RUSHED / SUFFICIENT TIME / MORE INTO
SHY TO AMEND
MINORITY REPORT.

3) YES, BUT PERCEPTION OUT THERE MAY
DIFF OFFICER DRIVEN?

4) ~~LAW~~ STRUCTURE OF PRESENTATION

5) LIFE EXP HELPS

SESSION 2.

+ IVE

- GENERALLY YES.
- PUBLIC QUESTIONS AT COUNCIL.
- OPTIMUM TIME FOR MEETINGS 2-3 HRS.
- FREQUENCY OF MEETING CYCLES 4 OR 6 WEEKS?
- LIAISON WITH PARISH COUNCILS HELPS COMMS/AWARENESS.

- IVE

- USE OPPS FOR DEBATE AT FULL COUNCIL - TRAS TRANSPARENT
- WILL OR TIME CONSTRAINTS ON OPEN DEBATE?
- TIMING OF MEETINGS - MORE ENGAGEMENT IF DAY TIME?
- PUBLIC NOT CLEAR RE: DECISION MAKING - BUT OFTEN DO NOT USE CHANNELS/ENGAGE UNTIL DECISION ACTUALLY MADE (EG PLANNING)

Session 3

In full Council - Yes.

Restricted Powers on Standards Com

CPP is fulfilling scrutiny cell.

Chairperson ~~to~~ of Panels to invite Portfolio holders to the meetings.

Not enough Political challenge.

Looking at the day to day running of the Council

Public Questions in full Council