

RECOMMENDATIONS TO CABINET ON 9 JANUARY 2018 FROM THE ENVIRONMENT AND COMMUNITY PANEL MEETING ON 6 DECEMBER 2017

EC59: Scrutiny Arrangements Task Group Cabinet Report

The Chief Executive presented the Cabinet report which detailed the conclusions from the Scrutiny Structures Task Group over a year on from the Scrutiny restructure which had taken place in 2016. The report considered the responses from a questionnaire on Scrutiny structures which had been issued to all Councillors. 50% of Members had responded to the questionnaire.

The Chief Executive provided detail of the recommendations which the Task Group would be presenting to Cabinet and the Panel were invited to consider the proposals and make any appropriate recommendations to Cabinet. It was noted that the Report would also be considered by the Regeneration and Development Panel and Corporate Performance Panel both of which would have the opportunity to make recommendations to Cabinet.

The Chairman thanked the Chief Executive for his report and invited questions and comments from the Panel, as summarised below.

The Leader, Councillor Long thanked the Scrutiny Structures Task Group for the report and all the work which had been carried out. He also thanked the Members who had responded to the questionnaire. The Leader welcomed input from the Panel, which would be considered by Cabinet and he stressed the importance of the Council having a strong Scrutiny system. He reminded those present that the arrangements would be reviewed again in twelve months.

The Panel discussed the role of 'back-benchers' and the importance of all Councillors being able to put suggestions forward for consideration on the Panel's Work Programme. The Leader encouraged all Members to put forward Scrutiny items for consideration on the Work Programme. He referred to recommendation six which encouraged Panels to work with the relevant Portfolio Holder who could provide detail of what was happening within their Portfolio so that the Panel could incorporate potential items into the Work Programme. He stated that the Work Programme should be led by Councillors and not just officers and the Chairman.

The Panel discussed recommendation seven, which was that the Leader would nominate the Panel Chairs for agreement at Council and the Vice Chairman be appointed by the Panel. The Portfolio Holder for Environment, Councillor Devereux explained that he was a Member of the Scrutiny Review Task Group and a lot of in depth discussions had taken place, especially regarding on how Chairman and Vice Chairman should be appointed. Generally the Panel supported the current arrangements, which were that the Chairman and Vice Chairman were appointed by their respective Panel.

The Panel also discussed recommendation nine, which was that the appraisal of Chairman be investigated. In general Members felt that if the Panel elected their own Chairman and Vice Chairman, this would, in effect, be the appraisal process, as if the Chairman was not performing, they were unlikely to be re-elected the following year.

The Chief Executive highlighted the appendix to the report, which was a role profile for Chairman and he referred to the Key Points in the profile explaining that regardless of how the Chairman was appointed, they would need to be effective and adhere to the role profile.

Councillor John Collop explained that he had encouraged all Labour Members to complete the questionnaire, and he was disappointed with the 50% response rate. He referred to recommendation two, and explained that the Audit Committee considered some very complex documents and it was imperative that Members were sufficiently trained in this area. Councillor John Collop also referred to the appointment of Panel Chairman and Vice Chairman and he explained that at one point, where the Panel were voting on the Chairman,

he had had the casting vote and he warned that it was important not to leave the vote too open as other Councillors could take advantage and not necessarily appoint the most appropriate person. He explained that it was important for the best person for the role to be appointed and it had to be done properly by following a set procedure.

The Panel, in discussing recommendation nine, felt that it was important to have a procedure in place, if Panels were appointing their own Chairman and Vice Chairman, so that all Panels held the election in the same way. Reference was also made to secret ballots, and if the prospective candidates should be asked to make a speech.

The Panel discussed recommendation two and it was suggested that all Audit Training should be mandatory, not just the initial training. Councillor Fraser commented that when she had acted as a substitute on the Audit Committee she had found the training invaluable.

RESOLVED: That the Environment and Community Panel make the following recommendations to Cabinet:

- a) The Environment and Community Panel supported recommendations 1), 3), 4), 5), 6), 8) and 10) as set out in the Report and replicated below.
- b) The Panel recommended to Cabinet that recommendations 2) and 7), be amended as set out below.
- c) The Panel recommended to Cabinet that recommendation 9), as set out below, be deleted
 - 1) That all the current arrangements continue with the exception of these items listed below.
 - 2) **AMENDED RECOMMENDATION** That the attendance of Audit Members for Audit training should be obligatory.
 - 3) That Panels be encouraged to use the powers available to them and therefore make clear recommendations on items coming before them so they can be incorporated into reports in the process of being prepared, or taken into account at the Cabinet meeting.
 - 4) That Panels should consider their own performance indicators and they be encouraged to monitor the progress in line with the Corporate Objectives through that route.
 - 5) That the number of post implementation reviews undertaken be monitored by the Joint Chairs Meetings.
 - 6) That in working on policy development and reviews and project programme work, Panels be encouraged to have discussions with portfolio holders:
 - For example – Cabinet Members could attend a Panel meeting at the beginning of the year to discuss their plans for the year in order to incorporate potential items into work plans in accordance with the Business Plan.
 - 7) **AMENDED RECOMMENDATION:** That the current arrangements for election of Chairman and Vice Chairman continue in that the Panels elect their own and an election procedure be created to ensure consistency across the Panels.
 - 8) That terms of reference be approved for Chairs of Scrutiny bodies (set out as an appendix). (NB they include the points raised in question 15 set out in the report).
 - 9) **DELETE RECOMMENDATION:** That the appraisal of Chairs be investigated
 - 10) That the amended arrangements be reviewed after a further 12 months of operation.