

**Governance Review 2023/24 – Policy Advisory Committee  
and Overview and Scrutiny Arrangements**

<b>Final Decision-Maker</b>	Council
<b>Lead Head of Service</b>	Angela Woodhouse, Director of Strategy, Insight and Governance
<b>Lead Officer and Report Author</b>	Angela Woodhouse, Director of Strategy, Insight and Governance
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

In March 2023 the Democracy and General Purposes Committee agreed to undertake a review of the Council’s governance arrangements in readiness for the reduction in Councillors from 55 to 49 in May 2024. This will consist of reviewing the arrangements for Policy Advisory Committees, Overview and Scrutiny and any consequential changes to the constitution that may be needed, as well as consideration of whether a different style of constitution to reduce complexity and increase ease of use should be adopted.

**Purpose of Report**

Recommendation to Council

**This report makes the following recommendations to this Committee:**

1. To review and recommend to Council any changes required to Policy Advisory Committee and Overview and Scrutiny Arrangements as per the options in the paper.
2. To consider whether a new easier to use and apply version of the constitution, to assist new members following the all-out elections in 2024, should be developed.

**Timetable (dependent on option approved)**

<b>Meeting</b>	<b>Date</b>
Democracy and General Purposes	31 January 2024
Council	21 February 2024
Democracy and General Purposes	27 March 2024
Council	18 May 2024

# Governance Review 2023/24 – Policy Advisory Committee and Overview and Scrutiny Arrangements

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Any change to governance arrangements would need to ensure effective decision-making processes are in place to ensure the delivery of the strategic priorities.</p>	Director of Strategy, Insight and Governance
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>Any change to governance arrangements would need to ensure effective decision-making processes are in place to ensure the delivery of the strategic priorities.</p>	Director of Strategy, Insight and Governance
<b>Risk Management</b>	Already covered in the risk section.	Director of Strategy, Insight and Governance
<b>Financial</b>	This review will be conducted without additional expenditure.	Director of Strategy, Insight and Governance
<b>Staffing</b>	The review will be conducted within current staffing levels	Director of Strategy, Insight and Governance

<b>Legal</b>	The Council changed its governance model from a Committee System to a Leader and Cabinet Model in 2022. The model introduced includes Policy Advisory Committees to advise the Cabinet prior to decisions being taken and one Overview and Scrutiny Committee. The Council cannot change the governance model away from executive arrangements, however, the features of the governance arrangements can be reviewed and amended for example the creation and number of Policy Advisory Committees, the number of Members on Committees and the arrangements for Overview and Scrutiny. The Monitoring Officer will advise the Committee on any legal implications arising from any changes proposed.	Director of Strategy, Insight and Governance
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Information Governance Team
<b>Equalities</b>	The recommendations do not propose a change that will require an equalities impact assessment.	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Senior Public Health Officer
<b>Crime and Disorder</b>	Governance arrangements must include a Crime and Disorder Overview and Scrutiny Committee.	Director of Strategy, Insight and Governance
<b>Procurement</b>	No implications.	Director of Strategy, Insight and Governance

## 2. INTRODUCTION AND BACKGROUND

2.1 In September 2023, Democracy and General Purposes Committee agreed to carry out a further review of governance in readiness for a reduction in Councillors from 55 to 49. The Committee have set the following terms of reference to review:

- The size and type of overview and scrutiny arrangements within the model
- Arrangements for Policy Advisory Committees
- A new easier to use and apply version of the constitution – to assist new members following the all-out elections in 2024.

The Committee agreed that the review would be conducted through Committee Meetings with a workshop open to all Councillors to fully consider if any change was required to current arrangements.

Any change to the model and constitution subsequently required will need to be recommended to Council for approval.

2.2 In accordance with the Committee's decision a workshop was arranged for 6pm on 20 November 2023 to which all Councillors were invited. Notes made during that workshop are attached at **Appendix D**. The workshop was attended by 19 Councillors, working in groups they considered the advantages and disadvantages for 5 different models, a sixth model was also put forward for a citizen's assembly but not developed:

- A) Current Model – up to 4 Policy Advisory Committees (PACs) plus 1 Overview and Scrutiny Committee (OSC)
- B) Cabinet Plus Policy Advisory Scrutiny Committees
- C) Cabinet and multiple Overview and Scrutiny Committees
- D) Cabinet and an Overview and Scrutiny Committee
- E) Cabinet plus Cabinet Advisory Committees and an Overview and Scrutiny Committee

2.3 Workshop participants were asked to consider and vote on the models proposed, results were as follows:

- 11 votes for Model B
- 4 votes for Model A
- 4 votes for Model E

2.4 Democracy and General Purposes at the meeting after the workshop agreed that an adapted Model E to move closer to our current model and Model B be worked up into a paper for consideration at its next meeting, with consideration to be given to the name of the combined policy advisory and scrutiny committees.

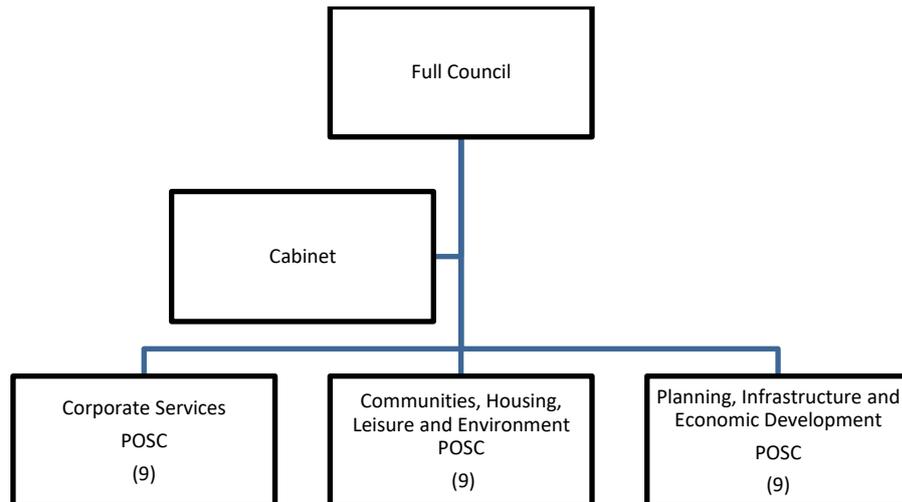
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### 3. AVAILABLE OPTIONS

#### Options for Policy Advisory Committees and Overview and Scrutiny

##### 3.1 Model B Cabinet plus Policy Overview and Scrutiny Committees

The model would comprise of Cabinet plus Policy Overview and Scrutiny Committees (POSCs) so essentially the model we have now but with policy advisory committees also undertaking the scrutiny function. The proposal is for three POSCs as per the diagram below:

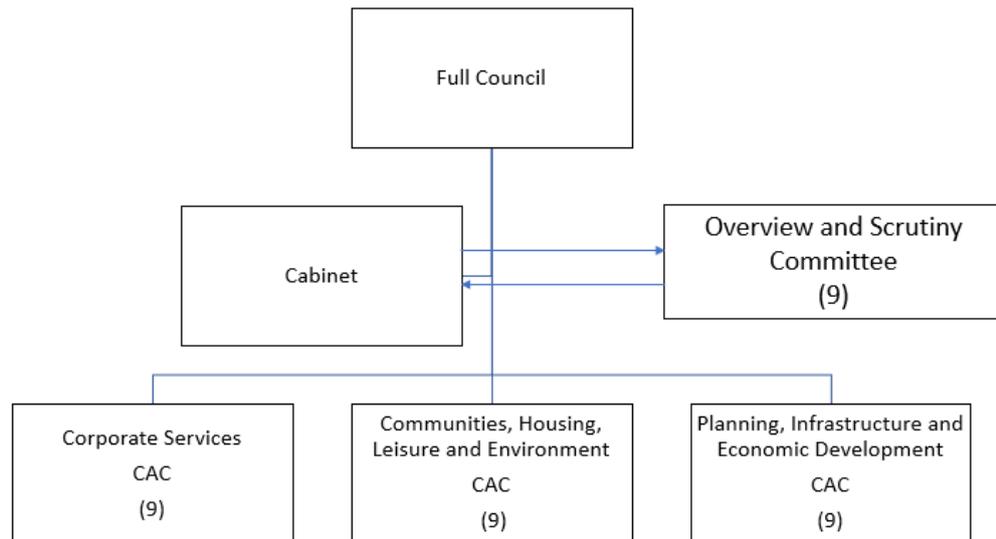


- There would be no separate Overview and Scrutiny Committee so no duplication of work as there currently is for Budget Scrutiny and pre-decision scrutiny.
- Crime and disorder scrutiny will be undertaken by Communities, Housing and Leisure POSC.
- POSCs review every decision as Policy Advisory Committees currently do (requested at workshop).
- 3 POSCs made up of 9 Members.
- Chairs of POSCs would take responsibility for their work programmes as it would include the scrutiny function which should remain separate to Cabinet.
- POSCs would perform all the functions that PACs do currently with the added rights and powers of scrutiny.

In terms of the number of meetings, in 2022-23 this model would have seen a reduction of 15 meetings for 13 Councillors if we simply removed the OSC meetings and a reduction of 8 meetings for 9 Councillors as four Policy Advisory Committees will be merged into 3 POSCS. This is a fairly crude calculation as there may well be some meetings to carry out review work outside of scheduled POSC meetings in this model through task and finish or additional meetings of POSCs. The reduction from 4 PACs to 3 POSCS is proposed as some POSCS have had meetings cancelled or had meetings with only 1 or 2 substantive items on the agenda.

### 3.2 Model E Cabinet plus Cabinet Advisory Committees and an Overview and Scrutiny Committee

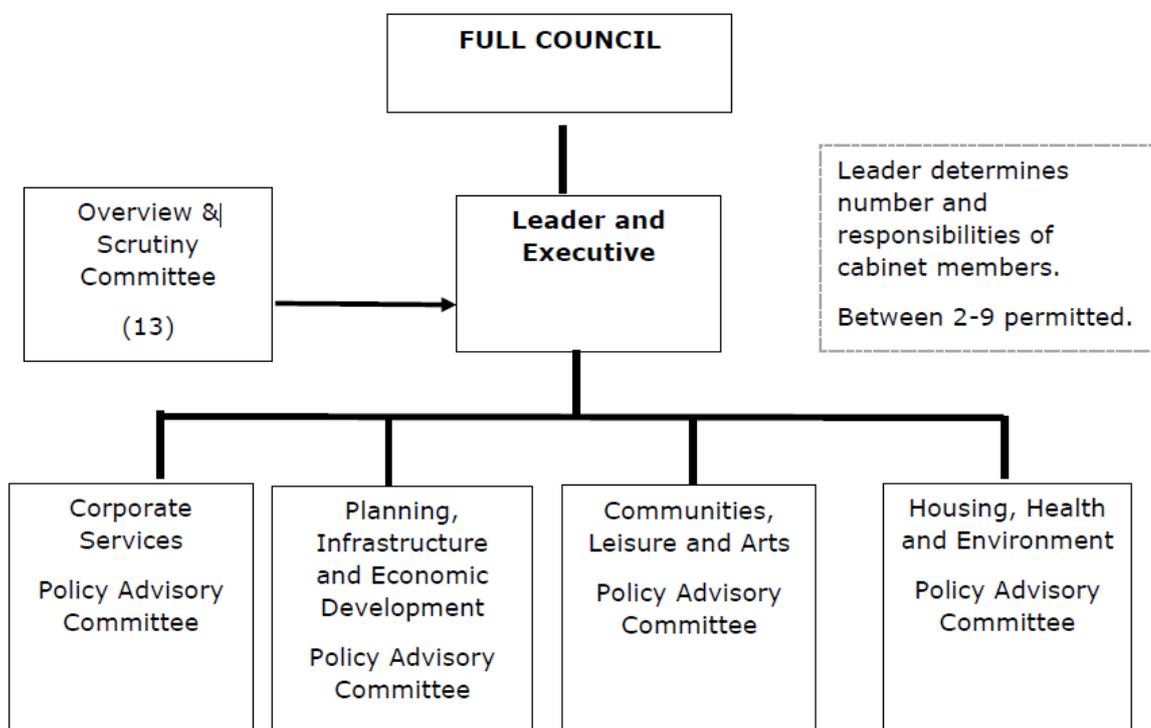
This would be a model similar to Kent County Council's model and a variation of our current model the main difference being they are appointed by the Leader as they deem appropriate.



- Cabinet Advisory Committees' membership, terms of reference and number are determined by the Leader so could vary from the example above. The constitution can determine that they are politically balanced in-line with arrangements for Policy Advisory Committees
- Each Cabinet Advisory Committee is able to consider and make recommendations on the functions of the Council that are within the responsibility of the Cabinet Member(s) for matters within the Committee's remit. They also consider and either endorse or make recommendations on statutory Key and significant decisions to be taken by the Cabinet Members either collectively or individually.
- 3 Cabinet Advisory Committees and 1 OSC, made up of 9 Members.
- The Committees are not chaired by Cabinet Members.

This would probably be similar to the current level of meetings but would be dependent on the Leader and the number of committees they believe are required. From feedback at the workshop Members were keen that this model included the current provision for Cabinet decisions to go via advisory committees as they do now. Moving this closer to our current model would mean maintaining the status quo and that option is highlighted below as Option A.

3.2 **A) Current Model – up to 4 Policy Advisory Committees (PACs) plus 1 Overview and Scrutiny Committee (OSC)**



The current model operates with up to four Policy Advisory Committees who advise the Cabinet prior to any decision being formally taken unless urgency rules have been applied or the topic is considered a minor/procedural matter. In practice every non-urgent Cabinet report has been through at least one PAC prior to determination. Decisions can be made collectively or individually by the Cabinet. There are 9 Members on each PAC and their terms of reference mirror cabinet portfolios. PACs are appointed at full council and subject to the rules of political balance, and their agendas are set by the Cabinet Member(s) to which they align.

There is one Overview and Scrutiny Committee made up of 13 Members, the committee undertakes select committee style reviews, call-ins and pre-decision scrutiny, the committee sets its own work programme, this committee also meets twice a year as the Crime and Disorder Overview and Scrutiny Committee and undertakes budget scrutiny.

The data at **Appendix A** shows that in 2022/23, 36 PAC meetings were held, meeting length time is at just over an hour with a number of meetings circling around the 30-minute mark. Councillors may want to consider whether the number of PACs is appropriate looking at the number of items and length of meetings. In addition to increasing member engagement in decision making, one of the stated aims of the current model was to reduce call-ins. All Cabinet decisions (unless urgency is applicable) are subject to

call-in and whilst in year 1 we saw only 1 call-in out of 77 decisions, as of November we have had 3 call-ins out of 33 decisions.

## **Options for Constitution**

### **3.3 Keep current style and approach**

The current constitution was developed and written by a Member Working Group and brought in when the Council changed its governance arrangements from a Committee to an Executive Scrutiny Model of governance. The constitution has been reviewed and amended by Democracy and General Purposes at regular intervals, this will continue with snagging items being brought forward to the Committee for consideration.

### **3.4 Rewrite the Constitution**

The Committee included within its scope reviewing whether a new easier to use and apply version of the constitution – to assist new members following the all-out elections in 2024 was required. A sample constitution has been sent to the Committee as an example to review. If this option is taken forward the Committee would need to consider Member input into the process and timing for approval by Council, one further meeting of the Committee remains this municipal year.

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## **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 The Committee is asked to agree and recommend a preferred option for governance model to Council. Any change to model or changes to ways of working within the present governance model will result in changes to the constitution. For options B and E if these were agreed by Council redrafted sections of the constitution will be submitted to Democracy and General Purposes in March 2024 for approval at Council on 18 May 2024. When reviewing the workshop notes at Appendix D the main concerns regarding all models were centred on ensuring Members had enough involvement in decision making and time to consider items with a focus on number of Members on each Committee and the number of Committees in total. The Committee could recommend either option or present all options to council for decision.

4.2 The Committee is also asked to consider whether to progress a new easy to use constitution, thought should be given to resource and timing of this work as well as Member involvement.

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## **5. RISK**

5.1 The Committee will need to consider the risks in relation to effective governance when considering the governance model.

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## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

6.1 The notes from the Member workshop held in November 2023 are included at Appendix A, Model B was indicated as the preferred model with 11 votes at the workshop.

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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

7.1 Next steps will depend on the Committee's decision and subsequent Council decision.

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## **8. REPORT APPENDICES**

Appendix A: Meeting Data for Policy Advisory Committees, Cabinet and Overview and Scrutiny for 2022/23 and part of 2023/24

Appendix B: Meeting and Decision Data Comparison for Models

Appendix C: Member Attendance Data considered as part of the Boundary Review

Appendix D: November 2023 Member Workshop Notes

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## **9. BACKGROUND PAPERS**

None.