REPORT OF THE REVIEW COMMITTEE – 7 April 2009

1 REVIEW OF THE OPERATION OF THE POLITICAL DECISION MAKING STRUCTURE

1.1 At its meeting on 7 April 2009 the Review Committee approved a final report on its review of the operation of the political decision making structure, which included recommendations for consideration by the Executive.

1.2 A copy of the final report, as approved by the Review Committee, is attached at Appendix 1.

1.3 It is proposed that the Executive considers the final report, which has recommendations as follows:-

(1) That in future Area Committee meetings should be held less frequently, with provision made in the timetable for special meetings if required.

(2) That the possibility of using additional microphones for the Members of the Area Committee and the introduction of a hearing loop are explored.

(3) That alternative room layouts are explored in respect of the Area Committee venues to ensure that the members of the public are able to see, hear and follow proceedings.

(4) That Area Committee Members (District and Parish) be given the opportunity to answer the questions raised by members of the public.

(5) That the Ward Councillors are available prior to an Area Committee meeting should a member of the public wish to engage with them and the promotion of the meetings should include mention this.

(6) That following their appointment, the Area Committee Chairman meet with the lead officers for the Are Committees and their deputies in order to promote a consistency of approach and plan what topics they would like to be presented to the meetings, and that an aide memoire be provided for each meeting.

(7) That the following changes to the Area Committee Agendas are made:-

- The Community Forum to include updates from the police and County Highways or other public agencies as appropriate.

- The use of the term ’spotlight issues’ is removed and instead details of the purpose of any Agenda items are included on the Agenda, (e.g. whether for public consultation, decision, information etc).

- The update on matters raised during the formal part of the meeting should be an agenda item, with the expectation that comments are on an 'exception' basis.

(8) That the rules to ask public questions through the Community Forum part of the meeting at Area Committees, contained in appendix 1 of this report, be adopted.

(9) That answers provided to members of the public at Area Committees are in plain English and free from technical jargon.

(10) That the provision of a budget allocation for each Area Committee, to allow them to decide which local issues need supporting, be examined in more detail by the Review Committee during the next municipal year.

(11) That the provision of Ward level budgets be examined in more detail by the Review Committee during the next municipal year.

(12) That the use of advisory groups for policy development by Portfolio Holders is encouraged.

(13) That the role of Executive Support Member is established to aid Portfolio Holders and to provide an element of succession planning.

(14) That a summary, in plain English, of the decision to be made is included in the Key Decision column of the Forward Plan.

(15) That the quarterly performance reports are submitted to the Review Committee to allow Members of the Review Committee to examine and challenge performance.

(16) That the Review Committee scrutinise the Local Strategic Partnership and related partnership arrangements on behalf of the Council.

(17) That the reviews of partnerships undertaken by the Audit Committee should be the responsibility of the Review Committee from the start of the 2009/10 Municipal Year.

(18) That the Review Committee take on the powers of overview and scrutiny for crime and disorder matters.

(19) That the membership of the Review Committee is increased to 12 Members and non Review Committee Members will be invited to sit on the project teams undertaking reviews.

(20) That where possible continuity of Membership be a consideration for appointments to the Review Committee, with appointments to be for a period of two years.

Appendix 1

Rochford District Council

April 2009

Final Report of the Project Team to the Review Committee

Review of the Operation of the Political Decision Making Structure







Rochford District Council

Rochford District Council

INVESTOR IN PEOPLE

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2 Glossary

CAA	Comprehensive Area Assessment
CPA	Comprehensive Performance Assessment
LSP	Local Strategic Partnership
SCS	Sustainable Community Strategy
RHA	Rochford Housing Association

If you would like this information in large print, braille or another language please contact 01702 546366

3 Introduction

3.1 At the meeting of the Review Committee on the 10 June 2008 it was decided by the Committee that they would continue to look at this topic, the Project Team to comprise all Committee Members. Since that time the team has held meetings to discuss the results of the various surveys and formulate the recommendations contained at the end of this report.

4 Background

4.1 At the beginning of the 2007/08 Municipal Year a new political decision making structure was introduced that included an Executive Board and 3 Area Committees, replacing the 5 policy Committees which existed the previous year.

4.2 The regulatory/probity Committees i.e. Development Control, Licensing, Appeals, Audit and Standards did not change under the new structure and continued to operate as before.

4.3 At a meeting of Full Council on the 24 April 2008 it was agreed that for the 2008/09 Municipal Year the Council should move to a stronger leadership model of governance, with a Leader appointed for a period of 4 years and taking responsibility for appointments to an Executive.

4.4 The current Executive consists of 8 Members, each with responsibility for specific portfolios around:-

- Overall Strategy and Policy Direction
- Service Development/Improvement and Performance Management
- Environment
- Finance and Resources
- Leisure, Tourism, Heritage, the Arts, Culture and Business
- Planning and Transportation
- Council Tax collection, Benefits and Strategic Housing
- Young Persons, Adult Services, Community Care and Well-being, Health and Community Safety

4.5 The changes to the political structure were made in response to the Local Government White Paper “Strong and Prosperous Communities” and the emerging requirements of the Local Government and Public Involvement in Health Act 2007. These placed greater emphasis on developing a stronger role for Local Authorities engaging with their communities and promoting change to secure service improvement and empowered communities. There is now greater emphasis on stronger leadership and accountability at the local level, developing the role of local Ward Councillors, and working at the neighbourhood level.

5 Terms of reference

5.1 It was agreed that the Review would monitor the operation of the Executive, particularly the decision making against the published Forward Plan and Key Policies and Actions report for 2008/09 submitted to Council on the 19 February 2008.

5.2 It was also agreed that the Review would monitor the operation of the 3 Area Committees in relation to their engagement with the public and other appropriate bodies.

6 Methodology

6.1 The Team monitored:-

- The Decisions of the Executive via the published minutes and compared these to the decision dates contained within the published Forward Plan and the Key Policies and Actions report for 2008/09.

- The operation and topics covered by the Area Committees with attention being paid to those items covered within the Community Forum section of the meetings.

6.2 Surveys were sent to members of the public who had asked questions at the Area Committee meetings and also those that attended to listen to the debates.

6.3 Town/Parish Council representatives on the Area Committees were asked for their opinions on the format of the Area Committee meetings and invited to comment on possible changes.

6.4 Area Committee Lead Officers were asked for their opinions on the format of the Area Committee meetings and invited to comment on possible changes.

6.5 Other officers attending the Area Committee meetings were asked for their opinions on the format.

6.6 All District Councillors were canvassed for their opinions on the Area Committees.

6.7 The Leader of the Council was invited to a meeting of the Committee and various questions were put to him regarding the political decision making structure and in particular the way the Forward plan was used and the introduction of Portfolio Holders.

6.8 Questionnaires were sent to the Portfolio Holders to gather their input for the review.

7 Findings

7.1 Public Attendance at Area Committees

7.1.1 The table that follows contains details of the number of members of the public who have attended an Area Committee meeting. The meetings that had the most attendees coincided with the presentations on the Core Strategy. The other meetings that had a larger than average turnouts were in relation to presentations by the Primary Care Trust (PCT) or when there has been a particular problem relating to policing in the area.

AREA COMMITTEES
Attendance by the Public

Area Committee	Venue	Date	Approx. Number of public Attending		
			Central	East	West
West	The Mill Arts & Events Centre, Rayleigh	12 June 2008			25
Central	Greensward College, Hockley	17 June 2008	11		
East	Rochford Primary & Nursery School,	2 July 2008		7	
East	Great Wakering Community Centre,	4 September 2008		16	
Central	King Edmund School, Rochford	11 September 2008	10		
West	Grove Wood Primary School, Rayleigh	17 September 2008			41
East	Canewdon Village Hall,	8 October 2008		16	
Central	King Edmund School, Rochford	16 October 2008	7		
West	Salvation Army Hall, Rayleigh	22 October 2008			12
East	Rochford Primary & Nursery School,	6 November 2008		20	
Central	Hawkwell Village Hall,	13 November 2008	160		
West	Edward Francis Junior School, Rayleigh	25 November 2008			91
Central	Hullbridge Community Centre,	6 January 2009	2		

West	The Mill Arts and Events Centre, Rayleigh	29 January 2009			23
East	St John Ambulance Headquarters,	12 February 2009		5	
Central	Hullbridge Community Centre,	3 March 2009	6		
West	Rawreth Village Hall,	12 March 2009			55
East	Rochford Primary & Nursery School,	19 March 2009		25	

7.1.2 During the 2008/09 Municipal Year each Area Committee met six times. In considering the numbers of the public who attend these meetings it is felt that this reflects the lack of meaningful business that comes to the Committees and it is difficult to justify the expenditure for these meetings when only two members of the public attend a meeting such as happened at the Central Area Committee on the 6 January 2009.

7.1.3 The team feel that a reduction in the number of meetings is called for to ensure that there are sufficient items of interest on the Agendas to encourage members of the public to attend. This recommendation would also allow additional meetings to be arranged to accommodate specific issues, these could be located in the affected areas rather than discussing the item at the next scheduled meeting. An example of this was the Hockley Plan being discussed at the scheduled meeting of the Central Area Committee in Hullbridge.

Recommendation No 1

It is recommended to the Executive that in future Area Committee meetings should be held less frequently, with provision made in the timetable for special meetings if required.

7.2 Analysis of questionnaires

7.2.1 Questionnaires were sent out to both Members of the District Council, and the public who had attended the Area Committee meetings and signed an attendance sheet. In order to make valid comparisons between responses from each group of attendees the same questions were asked of each group. These questions have been numbered to aid comparison of the results.

7.2.2 All 39 District Councillors were sent copies of the questionnaire and 21 responses were returned.

REVIEW OF THE OPERATION OF THE POLITICAL DECISION MAKING STRUCTURE

7.2.3 39 members of the public were asked for their views and 16 responses were received.

7.2.4 The 14 Members of the Area Committees that represent the Parish Councils were all sent questionnaires and 11 responses were returned.

7.2.5 Finally 13 officers from the Council were identified as having attended an Area Committee meeting in an official capacity and sent questionnaires, 10 responses were received.

7.2.6 Due to the small number of questionnaires received back in each canvassing it only took a small number of responses to make a large change in the percentage and therefore the results seen need to be treated with caution.

Area Committee Questionnaire – District Councillors

		Strongly Agree/ Agree	Disagree/ Strongly Disagree
1	The Area Committee that I attend has allowed me to fully hear and understand local issues.	80%	15%
2	The general public have been able to obtain adequate answers to those local items that cause them concern.	50%	45%
	The input of the Police has been of interest to me as a Member of the Committee.	90%	10%
	The input of Essex Highways has been of interest to me as a Member of the Committee.	95%	5%
3	The spotlight issues are relevant and of interest to the local Community and me as a Member of the Committee.	90%	10%
4	The Community Forum is proving a good way of enabling local residents to have their say.	75%	15%

7.2.7 Where the percentage totals do not add up to 100% it means that the person completing the questionnaire left the answer blank.

Area Committee Questionnaire – Town/Parish Councillors

		Strongly Agree Agree	Disagree Strongly Disagree
1	The Area Committee that I attend has allowed me to fully hear and understand local issues.	91%	9%
2	The general public have been able to obtain adequate answers to those local items that cause them concern.	82%	18%
	The input of the Police has been of interest to me as a Member of the Committee.	100%	

	The input of Essex Highways has been of interest to me as a Member of the Committee.	91%	9%
3	The spotlight issues are relevant and of interest to the local Community and me as a Member of the Committee.	100%	
4	The Community Forum is proving a good way of enabling local residents to have their say.	82%	18%

Public feedback

		Strongly Agree Agree	Disagree Strongly Disagree
1	I feel that the way the Committee functioned enabled me to see, hear and follow proceedings	69%	25%
2	The question that I raised was answered to my satisfaction (if this question is not applicable please leave blank)	50%	50%
3	The spotlight issues are relevant and of interest to me as a local resident	81%	6%
4	The Community forum is a good way of enabling residents to ask questions about local items that cause them concern	94%	6%

Area Committee Questionnaire:- Lead and other Officers

		Strongly Agree Agree	Disagree Strongly Disagree
1	The Area Committee that I attend has allowed me to fully hear and understand local issues.	90%	10%
2	The general public have been able to obtain adequate answers to those local items that cause them concern.	90%	10%
3	The spotlight issues are relevant and of interest to the local Community.	100%	
4	The Community Forum is proving a good way of enabling local residents to have their say.	90%	10%

7.2.8 Response to question 1 – Overall there was a positive response to this question however a quarter of the public who responded to the question disagreed. The team have considered the comments attached to the responses and the following two recommendations are included to overcome the difficulties that the public have highlighted.

Recommendation No 2

It is recommended to the Executive that the possibility of using additional microphones for the Members of the Area Committee and the introduction of a hearing loop are explored.

Recommendation No 3

It is recommended to the Executive that alternative room layouts are explored in respect of the Area Committee venues to ensure that the members of the public are able to see, hear and follow proceedings.

7.2.9 Response to question 2 - With regard to the answers provided to the general publics questions, whilst officers and Parish Councillors thought adequate answers were being provided, District Councillors were closer to the publics response. This needs to be put in context as only 16 responses were received from the 39 people that had recorded their details at meetings and of the 16 responses only 10 had actually asked a question.

7.2.10 From the responses received to the questionnaires and of observations by members of the Review Committee, it is felt that Area Committee Members (District and Parish) should be able to be more involved in responding to questions from the public and be able to provide a point of contact if a questioner wishes to explore the answer given without waiting for the next meeting to occur.

Recommendation No 4

It is recommended to the Executive that Area Committee Members (District and Parish) be given the opportunity to answer the questions raised by members of the public.

7.2.11 The team recognise that the Area Committees are an opportunity for members of the public to identify their Ward Councillors and to hear from them in relation to any questions raised during the Community Forum. The following recommendation is felt desirable to enable members of the public to meet their Local Ward Councillors and arrange appointments where necessary.

Recommendation No 5

It is recommended to the Executive that the Ward Councillors are available prior to an Area Committee meeting should a Member of the public wish to engage with them and the promotion of the meetings should include mention of this.

7.2.12 Response to question 3 – Again there was a positive response from each group of attendees.

7.2.13 Response to question 4 - Whilst the majority of both District Councillors and Parish Councillors felt that the Community Forum was achieving its aim, those members of the public who responded were even more positive about the values of the Forum and its usefulness in bringing up matters of interest to the public.

7.2.14 During the meetings of the team the different styles of Chairmanship were mentioned and also the need for a plan of items to be presented to the meetings. The team felt that it would be beneficial for the Area Committee Chairman to meet with the Lead Officers and their deputies at the start of the year. This would enable the Chairman to discuss what had worked the previous year and agree a consistency of approach. They could also discuss what items they would like to see presented at the Area Committees.

Recommendation No 6

It is recommended to the Executive that following their appointment, the Area Committee Chairman meet with the lead officers for the Area Committees and their deputies in order to promote a consistency of approach and plan what topics they would like to be presented to the meetings, and that an aide memoire be provided for each meeting.

7.2.15 During the Review it was recognised that the nature of the Area Committees are different to the other Committee meetings that Members attend. It is therefore felt that it would be worthwhile to offer a training course to the Chairman and Vice Chairman of the Area Committees to assist them with their duties.

Recommendation No 7

It is recommended to the Standards Committee that a training course on handling public meetings is offered to the Area Chairmen and Vice Chairmen to assist them in their roles.

7.2.16 From the team's observation of the Area Committee meetings it is felt that some of the confusion for the public and Members of the Committee at the meetings is caused by the way items are detailed on the Agendas. It is felt that it is necessary to look at the way the items are listed on the Agendas to aid clarity for all attendees.

Recommendation No 8

It is recommended to the Executive that the following changes to the Area Committee Agendas are made:-

- The Community Forum to include updates from the police and County Highways or other public agencies as appropriate.
- The use of the term “spotlight issues” is removed and instead details of the purpose of any Agenda items are included on the Agenda, (e.g. whether for public consultation, decision, information etc.)
- The update on matters raised during the formal part of the meeting should be an agenda item, with the expectation that comments are on an “exception” basis.

7.2.17 Following Member and public feedback via the questionnaires the team felt that, as with other forms of interaction with the public such as via Full Council and Development Control meetings, a protocol for raising questions should be prepared. This could be included within Area Committee Agendas and on the Council’s web site to aid public understanding.

Recommendation No 9

It is recommended to the Executive that the rules to ask public questions through the Community Forum part of the meeting at Area Committees, contained in appendix 1 of this report, be adopted.

7.2.18 On studying the responses to the questionnaires and from personal observations at the Area Committee meetings the team felt that some of the answers provided in response to members of the public are not immediately understandable by the public due to their technical nature. It was felt that all answers should be provided in plain English with the inclusion of technical jargon being avoided.

Recommendation No 10

It is recommended to the Executive that answers provided to members of the public at Area Committees are in plain English and free from technical jargon.

7.3 Possible Budgets for Area Committees

7.3.1 During the Review in the 2007/08 Municipal Year the team felt there should be examination of the provision of a budget allocation for Area Committees. A recommendation was made to the Executive on this basis, however, the Executive at the time felt there should be no changes.

7.3.2 However, it is clear from the responses to the survey that there is a lack of meaningful business being dealt with by the Area Committees. It is suggested that a way to generate more public interest could be to allow the Area Committees to allocate funding for small local issues. It has already been agreed at the Executive meeting of the 10 December 2008 that the Local Highways Panel be integrated into Area Committees in 2009/10 and this would provide a natural extension to this for other areas. There would need to be some work around identifying where the budget should come from and how and what it could be allocated for.

Recommendation No 11

It is recommended to the Executive that the provision of a budget allocation for each Area Committee, to allow them to decide which local issues need supporting, be examined in more detail by the Review Committee during the next municipal year.

7.3.3 As part of this investigation the team feel that the possibility of Ward level budgets should also be examined.

Recommendation No 12

It is recommended to the Executive that the provision of Ward level budgets be examined in more detail by the Review Committee during the next municipal year.

7.4 Portfolio Holder questionnaires

7.4.1 Following the Committees meeting when the leader of the Council attended to answer questions from the Committee it was decided that a questionnaire would be sent to the Portfolio Holders to confirm the results from this meeting.

7.4.2 Of the 7 questionnaires that were sent to the Portfolio Holders, only 3 were returned.

7.4.3 The questionnaires received back from the Portfolio Holders indicated that, depending on the portfolio holder's role, some did have a large number of outside meetings to attend.

7.4.4 Some Portfolio Holders have used advisory groups in relation to policy development and the team feel that this approach should be encouraged.

7.4.5 It was also felt by the team that there could be benefit in adopting a method used by some other authorities and have Executive Support Members. Whilst an Executive Support Member may not be required for each Portfolio, it could be of benefit for the larger Portfolios in assisting with work volumes.

7.4.6 The Executive Support Member could assist the Portfolio Holder by gathering information and feeding back to the Portfolio Holder. They would not have any decision making power but would be available to respond to concerns about decisions if a Portfolio Holder was not available. They could also attend some of the outside meetings that the Portfolio Holder would otherwise have to attend. As the role would involve shadowing a portfolio holder, it could provide an element of succession planning.

7.4.7 Some Authorities use this approach, Devon County Council being one of them. Under their Constitution the Leader of the Council may appoint other members to support Lead Members in carrying out their Executive remits and assign to them particular elements of these remits in which to engage. They currently have 7 Executive members and 6 Executive support Members.

7.4.8 It is considered that these Executive Support Members would be able to participate in any review activity that was not linked to a decision by the Portfolio they were supporting.

Recommendation No 13

It is recommended to the Executive that the use of advisory groups for policy development by Portfolio Holders is encouraged.

Recommendation No 14

It is recommended to the Executive that the role of Executive Support Member is established to aid Portfolio Holders and to provide an element of succession planning.

7.5 The Forward Plan

7.5.1 The Forward Plan was introduced at the start of the 2007/08 Municipal year and is considered by the Review Committee at its meetings to decide whether any decisions that are due to be made by the Executive require further investigation or monitoring by the Committee.

7.5.2 The team have looked at the way that other authorities present their Forward Plans. As the Forward Plan is a public document it is felt that the following recommendation is required to aid public understanding and assist Members when looking at the Forward Plan.

Recommendation 15

It is recommended to the Executive that a summary, in plain English, of the decision to be made is included in the Key Decision column of the Forward Plan.

8 Performance Management

8.1 During this municipal year the Review Committee Members have received training in relation to the scrutinising of performance from Philip Wightman of the Institute of Local Government Studies. This training was around looking at the performance management figures produced by the Authority and, also, the information produced by the Council's partners through the Local Area Agreement.

8.2 Following on from the Council's recent CPA report the Audit Commission has produced a Direction of Travel report which makes mention of the fact that the role of the Review Committee is underdeveloped in examining and challenging performance.

8.3 The Annual Audit and Inspection letter also makes mention that the Review Committee needs to fully develop its role to ensure effective examination of the performance of the Executive.

8.4 At the moment the performance management figures are submitted to the Executive on a quarterly basis. Following the training received by the Review Committee Members, and as part of their scrutiny role, it is felt that it would be more beneficial and would comply with the Audit Commission's recommendations if the performance management figures were also submitted to the Review Committee on a quarterly basis.

Recommendation No 16

It is recommended to the Executive that the quarterly performance reports are submitted to the Review Committee to allow Members of the Review Committee to examine and challenge performance.

9 Comprehensive Area Assessment (CAA)

9.1 As of this year the Comprehensive Area Assessment has replaced the old Comprehensive Performance Assessment. The CAA will comprise two main elements:-

- An area assessment (based on Essex as a County)
- Organisational assessments of all the public bodies that work in that area (the County Council, all the Districts and Boroughs, the Police, Fire and all Health Trusts.)

9.2 Rochford District Council's own organisational assessment will look at managing finance, governing the business and managing resources. It will also look at the Council's year on year performance. How the Council works on behalf of its communities and in partnerships will be key.

9.3 The Chairman of the Review Committee has attended a training course run by the Centre of Public Scrutiny dealing with how Local Authorities need to engage with partners. The changes to local government following the Local Government and Public Involvement in Health Act 2007 have made it crucial for scrutiny functions to be able to start and maintain a meaningful dialogue with local, regional and national partners. These are new responsibilities that will be a significant, and public, test of scrutiny across the country.

9.4 The Rochford Local Strategic Partnership (LSP) is currently finalising the Sustainable Communities Strategy (SCS) and following this they will produce a detailed action plan. The action plan will be produced by the LSP after further work by the thematic sub-groups.

9.5 The LSP will monitor performance against the SCS and its action plan. The draft SCS 2009 -2021 which was submitted to the Executive at its meeting of 18 March 2009 states that:-

> "Achievement will also be published in the annual report of the LSP which will be made available to partners, governing bodies, scrutiny committees and the public, ensuring accountability."

9.6 In view of these arrangements the Review Committee will need to include this element in their work programme for the forthcoming Municipal Year.

Recommendation No 17

It is recommended to the Executive that the Review Committee scrutinise the Local Strategic Partnership and related partnership arrangements on behalf of the Council.

9.7 In order to streamline existing processes and to ensure continuity in approach the following recommendation is made.

Recommendation No 18

It is recommended to the Executive that the reviews of partnerships undertaken by the Audit Committee should be the responsibility of the Review Committee from the start of the 2009/10 Municipal Year.

9.8 In addition, the Government have indicated that it is their intention to commence the provisions contained within section 19, 20 and 21 of the Police and Justice Act 2006.

9.9 The provision will be commenced on 30 April 2009 and will put in place arrangements to ensure that every local authority will have a committee (the 'crime and disorder' committee) with power to:-

- Review or scrutinise the decisions made, or other action taken in connection with the discharge by the responsible authorities which comprise Crime and Disorder Reduction Partnerships in England (NB: the responsible authorities are: local authorities, the police, police authorities, fire and rescue authorities, primary care trusts in England) of their crime and disorder functions
- Make reports or recommendations to the local authority with respect to discharge of those functions.

9.10 It is proposed that this function is added to the remit of the Review Committee in view of the other partnership reviews that it will be involved in during the next Municipal Year.

Recommendation No 19

It is recommended to the Executive that the Review Committee take on the powers of overview and scrutiny for crime and disorder matters.

10 Future Structure of the Review Functions

10.1 Whilst the Council received a 'Good' assessment following its Comprehensive Performance Assessment (CPA) re-inspection last June, within the agreed Improvement Plan there are a number of items to improve the overview and scrutiny process; specifically it has been identified that there should be an examination of ways in which non-executive involvement in the overview and scrutiny process could be increased.

10.2 It can be seen from the way that different Authorities tackle Overview and Scrutiny that there is no set way of carrying out the role. Each Authority is different and the way they conduct Overview and Scrutiny is, therefore, also different.

10.3 There needs to be a commitment to Overview & Scrutiny which includes attendance at meetings, training and project team meetings. With a small Committee you need all Members to attend meetings and any other organised event. If Members either do not volunteer to serve on the project teams, or volunteer but not turn up, then problems can arise due to the small number, and recommendations that come out of a study can be more open to challenge.

10.4 Taking into account the need to involve more non-Executive Members in overview and scrutiny, and enable a focus on challenging performance of the Executive and Partners, the following options were discussed by the review team:-

10.5 **Option 1 – Increase the number of Members on the Committee**

10.6 To make a real difference there would need to be an increase in Review Committee membership to between 16 – 20 Members. Whilst this would provide more Members for project teams, it is doubtful if meaningful business could be processed at full Committee meetings due to the number of opinions that would come out of a group of this size. This size Committee could suffer from Members feeling disengaged, especially if there were insufficient projects to provide roles for them. Members may also feel that they could rely on other Members to fill roles and not need to turn up to meetings. This option would be resource neutral in that it would not mean any increase in number of meetings or officer time unless the number of projects undertaken by the Review Committee on an annual basis was increased.

10.7 This option would provide between 16 and 20 Members to become involved with overview and scrutiny.

10.8 **Option 2 – Increase the number of Members on the Committee and have project teams chaired by a Review Committee Member with non Review Committee Members appointed to the teams.**

10.9 This option could mean less of an increase in the number of Members on the Committee, to say 12. The Committee could utilize project teams to carry out its reviews away from the Committee. The teams could be Chaired and Vice-chaired by a Member of the Review Committee but use a mix of Review Committee Members and non Review Committee Members who have an interest in the subject. This approach would allow the Committee to continue with a typical work programme in addition to the individual reviews that it decides to conduct.

10.10 This type of approach is used by Epping Forest District Council. Its project teams are referred to as panels. There are currently 6 of these with a Membership of between 4 and 7 Members on each. There is some duplication of membership between the Panels.

10.11 There are a number of other authorities using this style of approach but it depends on Members being willing to volunteer and actively participate in the project teams.

10.12 This option would not mean more meetings of the Review Committee itself, although there are likely to be more project team meetings.

10.13 This option would provide for a core of possibly 12 members to be involved in scrutiny but would provide for additional Members to be involved as topics were selected for Review.

10.14 **Option 3 – Use an existing Committee and add a scrutiny element**

10.15 It would be possible to use the Audit Committee and add a scrutiny element to this. The Audit Committee would still function the same as now but its members could also comprise another Committee called, say, the Finance Scrutiny Committee. The Scrutiny Committee could meet first and, once it had concluded its business, the meeting would be closed and a meeting of the Audit Committee would commence.

10.16 This option is used by Colchester Borough Council which has two scrutiny committees, one of which is the Finance and Audit Scrutiny Panel. The Finance and Audit Scrutiny Panel deals primarily with the financial and operational performance of the Council, and the Council's audit arrangements. The other Scrutiny Committee is the Strategic Overview and Scrutiny Panel which primarily deals with reviewing corporate strategies, the performance of Portfolio Holders and Cabinet decisions reviewed under the Call in procedure. It also has an Accounts and Regulatory Committee with the same membership and convening immediately after the conclusion of the Finance and Audit Scrutiny Panel.

10.17 This option would not ease the workload on the existing Review Committee and, in all probability would not lead to any more scrutiny reviews being completed. It would probably not satisfy the Audit Commission or make Members feel more included.

10.18 It would, however, be resource neutral for the Authority as, while there would be additional meetings to service, they would be on the same day as an existing meeting and would have the same officers present.

10.19 This option would enable an additional 11 Members to be involved in scrutiny bring the total to19.

10.20 **Option 4 – Form two Committees to replace the Review Committee**

10.21 Under this option the Review Committee could become two committees, one carrying out the Scrutiny function and the other more of a policy development/overview function. The Membership of each Committee could be, say, 10 Members. If none of these Members were from the Executive then, out of the 31 Members eligible, you would have approximately 66% involved.

10.22 The first Committee could carry out the Scrutiny function which would include call ins, the Forward Plan, Portfolio Holder questioning, Performance Management and contract updates (Virgin, RHA, SITA and Connaught.) It could meet 10 times a year, the same as the Review Committee now.

10.23 The other Committee could carry out policy development reviews. These reviews could be undertaken by project teams away from the main Committee and the main Committee could meet 4 -5 times per year or as and when required.

10.24 Drawbacks to this scenario are that, firstly, you would need enough Members who are interested to take part. Project teams could only function if Members were engaged, otherwise projects would just drift on as you would not have enough meetings or Members to make the project viable. The workload for the Committee could be too high if there were too many reviews undertaken at the same time.

10.25 This would have a resource implication to the Authority in that more meetings would need to be serviced and, depending on the number of topics that the Committee chose to look at, there could be an impact on officer time.

10.26 This option would provide for 20 members to be engaged in overview & scrutiny if it was adopted.

10.27 **Option 5 – Form a number of Review Committees linking into the Portfolio Holders' remits.**

10.28 This option is to increase the number of Review committees so there are sufficient to link to certain Portfolio Holder remits or consider major areas of concern. It is an option that some Authorities have in place and means that all Non-Executive Members are included in Overview & Scrutiny. The problem becomes one of making sure that there is enough business for the Committees to conduct. Meetings are usually

less regular and they can suffer from poor attendance and lack of interest. This is very similar to the Committee system replaced by the Review Committee which was considered to slow down the decision making process.

10.29 This would also mean that there would be more meetings than at present to service and would have a larger impact on resources.

10.30 This option could mean all non-executive Members would be involved as with 8 Portfolio Holders you would have 8 Committees for the 31 remaining Members to sit on.

10.31 **Conclusion**

10.32 During its deliberations the team considered all five of the options mentioned above. The team were aware that the option they chose to recommend had to be based on their experience in relation to Overview and Scrutiny. Throughout their discussions the commitment that Members need for successful Overview and Scrutiny was stressed.

10.33 The team felt that option one would lead to the Committee being too large which could lead to Members feeling marginalised and not being involved.

10.34 Option 3 was discounted on the grounds that it was not workable and would not achieve the aim of involving more Members in Overview and Scrutiny.

10.35 Option 4 was rejected as the team felt that the increased use of advisory groups by Portfolio Holders would negate the need for an additional committee to undertake policy development work. There was also some concern that there would be difficulty in finding sufficient Members with the free time needed for this approach.

10.36 Option 5 was felt to be more appropriate for larger authorities who have more Members available to sit on this number of Committees.

10.37 After careful and lengthy consideration the team felt that option 2 would provide the best structure of the Review Committee to follow going forward and would lead to more good quality focused reviews as a result.

10.38 It was also felt, that in view of the specialist training that Members of the Review Committee receive to undertake their role and the time that it takes to develop the necessary skills to undertake scrutiny reviews, continuity of Membership should be encouraged and consideration given to term of office, say, two years duration.

10.39 The following two recommendations are felt necessary by the team.

Recommendation No 20

It is recommended to the Executive that the membership of the Review Committee is increased to 12 Members and non Review Committee Members will be invited to sit on the project teams undertaking reviews.

Recommendation No 21

It is recommended to the Executive that where possible continuity of Membership be a consideration for appointments to the Review Committee, with appointments to be for a period of two years.

11 Summary of Recommendations

Recommendation No 1
(Page 8, section 7.1.3)

It is recommended to the Executive that in future Area Committee meetings should be held less frequently, with provision made in the timetable for special meetings if required.

Recommendation No 2
(Page 10, section 7.2.8)

It is recommended to the Executive that the possibility of using additional microphones for the Members of the Area Committee and the introduction of a hearing loop are explored.

Recommendation No 3
(Page 11, section 7.2.8)

It is recommended to the Executive that alternative room layouts are explored in respect of the Area Committee venues to ensure that the members of the public are able to see, hear and follow proceedings.

Recommendation No 4
(Page 11, section 7.2.10)

It is recommended to the Executive that Area Committee Members (District and Parish) be given the opportunity to answer the questions raised by members of the public.

Recommendation No 5
(Page 11, section 7.2.11)

It is recommended to the Executive that the Ward Councillors are available prior to an Area Committee meeting should a Member of the public wish to engage with them and the promotion of the meetings should include mention of this.

Recommendation No 6

(Page 12, section 7.2.14)

It is recommended to the Executive that following their appointment, the Area Committee Chairman meet with the lead officers for the Area Committees and their deputies in order to promote a consistency of approach and plan what topics they would like to be presented to the meetings, and that an aide memoire be provided for each meeting.

Recommendation No 7

(Page 12, section 7.2.15)

It is recommended to the Standards Committee that a training course on handling public meetings is offered to the Area Chairmen and Vice Chairmen to assist them in their roles.

Recommendation No 8

(Page 13, section 7.2.16)

It is recommended to the Executive that the following changes to the Area Committee Agendas are made:-

- The Community Forum to include updates from the police and County Highways or other public agencies as appropriate.
- The use of the term “spotlight issues” is removed and instead details of the purpose of any Agenda items are included on the Agenda, (e.g. whether for public consultation, decision, information etc.)
- The update on matters raised during the formal part of the meeting should be an agenda item, with the expectation that comments are on an “exception” basis.

Recommendation No 9

(Page 13, section 7.2.17)

It is recommended to the Executive that the rules to ask public questions through the Community Forum part of the meeting at Area Committees, contained in appendix 1 of this report, be adopted.

Recommendation No 10
(Page 13, section 7.2.18)

It is recommended to the Executive that answers provided to members of the public at Area Committees are in plain English and free from technical jargon.

Recommendation No 11
(Page 14, section 7.3.2)

It is recommended to the Executive that the provision of a budget allocation for each Area Committee, to allow them to decide which local issues need supporting, be examined in more detail by the Review Committee during the next municipal year.

Recommendation No 12
(Page 14, section 7.3.3)

It is recommended to the Executive that the provision of Ward level budgets be examined in more detail by the Review Committee during the next municipal year.

Recommendation No 13
(Page 15, section 7.4.8)

It is recommended to the Executive that the use of advisory groups for policy development by Portfolio Holders is encouraged.

Recommendation No 14
(Page 16, section 7.4.8)

It is recommended to the Executive that the role of Executive Support Member is established to aid Portfolio Holders and to provide an element of succession planning.

Recommendation No 15
(Page 16, section 7.5.2)

It is recommended to the Executive that a summary, in plain English, of the decision to be made is included in the Key Decision column of the Forward Plan.

Recommendation No 16
(Page 17, section 8.4)

It is recommended to the Executive that the quarterly performance reports are submitted to the Review Committee to allow Members of the Review Committee to examine and challenge performance.

Recommendation No 17
(Page 18, section 9.6)

It is recommended to the Executive that the Review Committee scrutinise the Local Strategic Partnership and related partnership arrangements on behalf of the Council.

Recommendation No 18
(Page 19, section 9.7)

It is recommended to the Executive that the reviews of partnerships undertaken by the Audit Committee should be the responsibility of the Review Committee from the start of the 2009/10 Municipal Year.

Recommendation No 19
(Page 19, section 9.10)

It is recommended to the Executive that the Review Committee take on the powers of overview and scrutiny for crime and disorder matters.

Recommendation No 20
(Page 24, section 10.39)

It is recommended to the Executive that the membership of the Review Committee is increased to 12 Members and non Review Committee Members will be invited to sit on the project teams undertaking reviews.

Recommendation No 21
(Page 24, section 10.39)

It is recommended to the Executive that where possible continuity of Membership be a consideration for appointments to the Review Committee, with appointments to be for a period of two years.

Appendix 1

How the public can ask questions in the Community Forum

- Any questions you would like to raise at the Area Committee can be put forward during the Community Forum part of the meeting. The maximum time limit for asking each question is 3 minutes. The maximum time limit for a supplementary question is 1 minute.

- To get your question asked you must fill in a request form before the start of the Area Committee meeting. Forms can be found on the Council's website at www.rochford.gov.uk (under Council and Democracy/Area Committees) or obtained by email from committee@rochford.gov.uk or by telephone on 01702 318141. The website has an online form or a form for downloading and either emailing to committee@rochford.gov.uk or posting to the Committee Section, Council Offices, South Street, Rochford, Essex SS4 1BW. Alternatively, completed forms can be handed in to Council officers just prior to the start of the meeting (at which blank forms will also be available).

- At any one meeting no person and/or organisation may submit more than 2 questions.

- In the Community Forum, if there is a high volume of questions these may be summarised and a sample answered at the meeting.

- A question may be rejected if it:-
    1. is not about a matter for which the local authority has a responsibility or which affects the district;
    2. is defamatory, frivolous or offensive;
    3. is substantially the same as a question which has been put at a meeting of the Area Committee in the past six months;
    4. requires the disclosure of confidential or exempt information.

- Time permitting, we will try to answer as many questions as possible at the meeting, but we cannot guarantee to do so as we may not have all the information to hand.

- Ordinarily one supplementary question may be allowed to any written question but this is subject to the Chairman's discretion. The supplementary question must arise directly out of the original question or the response. Supplementary questions may be rejected on any of the grounds mentioned above.

- Any questions raised up to seven working days before the date of a meeting will receive a written response at the meeting. All other questions raised will get a full response at the meeting if possible or in writing within seven working days.