

WEST OXFORDSHIRE DISTRICT COUNCIL

COUNCIL – WEDNESDAY 26 APRIL 2017

REVIEW OF MEMBER STRUCTURES AND DEMOCRATIC COSTS

REPORT OF THE STRATEGIC DIRECTOR AND HEAD OF PAID SERVICE

(Contact: Frank Wilson, Tel: (01993) 861291)

1. PURPOSE

To respond to the Leader of the Council's commitment for a review of the current committee structures in light of requests received from Councillors, and give an opportunity for councillors to comment.

2. RECOMMENDATIONS

- (a) That consideration is given to the matters raised in this report; and
- (b) That Council determines (i) how it wishes to take forward the consideration of options for amending the structure of its Committees; and (ii) whether it wishes to request a further report on the questions of the electoral cycle and the number of members of the Council.

3. BACKGROUND

- 3.1. The background to this paper is recognition and comment by some members that, in a period where significant budget savings have had to be found, there has to date, been little assessment of member and member-related budgets and opportunities to reduce costs in those areas. The Leader of the Council gave a commitment to review these issues and report back to Council.
- 3.2. In considering options for the future, Council is also asked to acknowledge the fact that in the context of the sharing of resources with other authorities, and the delivery of £1.5m a year revenue savings whilst seeking to protect frontline services to the public, there is not as much management/staff resource to support the democratic processes as has historically been the case.
- 3.3. As well as the structure of councillor meetings, consideration could be given to the number of Councillors and the electoral cycle (single election or by thirds). A change in the number of councillors would require an electoral review to be undertaken by the Local Government Boundary Commission for England, and would take at least a year to complete, once started, with whole council elections being required after that. If Council would like officers to report on these matters in more detail issues then it is of course free to make that request, for a future report to be submitted.

Areas for Consideration

- 3.4. The main areas relating to the various democratic processes are allowances, the holding of elections, and member support.
- 3.5. Allowances and the holding of elections are self-explanatory; member support includes:
 - The formal council decision making machinery, i.e. all costs associated with meetings, agendas, report preparation, and the implementation of policies and

decisions. This, of course, includes Cabinet, and the Overview and Scrutiny and Regulatory Committees in addition to Full Council

- The less formal elements, which include but are not limited to informal meetings with cabinet collectively, portfolio holder meetings, briefings, correspondence, advice etc, as well as other administrative and clerical support;
 - IT costs
 - The cost of, and support for, the role of Chairman of the Council.
- 3.6. It is important to realise that it is not possible to quantify all the indirect costs associated with member support without significant additional work, for example, the total time spent in the preparation of reports for Cabinets and Committees.
- 3.7. The key areas which could be considered for change are (i) the number of committees; and (ii) the democratic services structure to provide support functions.

Number and Frequency of Meetings

3.8. Scheduled meetings are currently as follows:

Meeting	No. of scheduled meetings per year
Council	Six
Cabinet	12
Overview and Scrutiny Committees (x 3)	Six each
Audit & GP Committee	Four
Lowlands and Uplands	12 each

- 3.9. In relation to Overview and Scrutiny Committees, there are occasional cancellations; but equally there are additional meetings for call-in and other purposes.
- 3.10. Additional to the above there are meetings of the Licensing Committee, Licensing Panels and Miscellaneous Licensing Sub-Committee on an ad-hoc basis, and more occasional meetings of the Development Control, Human Resources and Urgency Committees.
- 3.11. The costs of running the existing committee structure are based on: members' allowances and officer support for the meetings, particularly around report writing attendance at meetings and clerking etc. There are also, of course, printing and postage costs.
- 3.12. Realistically the cost of allowances in relation to committees is marginal and is related only to special responsibility allowances as all members of committees receive the basic allowance whether they sit on committees or not, and fewer than half of the membership claim travelling expenses.
- 3.13. The focus therefore in terms of allowances savings is the number and value of Special Responsibility Allowances (SRAs) currently in place and being utilised. The current cost of SRAs is in the order of £110,000, somewhat less than the potential maximum as Cabinet members can only receive one SRA even if they take on other responsibilities. In addition the current Cabinet size of six rather than seven members created a saving of £11,500.

- 3.14. There are a limited number of options open to the Council in terms of changes to the Committee structures but the obvious areas are Overview and Scrutiny Committees (3) and Area Planning Committees (2).
- 3.15. Many Councils operate with a single Overview and Scrutiny Committee but clearly it is a decision for each Council as to the approach it wishes to take. The arrangements at West Oxfordshire date back to the start of Cabinet/Executive arrangements and effectively continue to mirror the old Committee structure from pre 2001.
- 3.16. There is still a view that an Audit Committee should be outside of the Overview and Scrutiny arrangements and indeed a formal Committee of the Council is required to sign off the accounts (neither Cabinet nor an Overview and Scrutiny Committee can fulfil this requirement). Potentially therefore with an increased scope the Audit Committee could take on some of the functions currently carried out by Finance and Management Overview and Scrutiny.
- 3.17. If the Council was minded effectively to merge Environment and Economic & Social Overview and Scrutiny Committees, and bring the Finance and Management Overview and Scrutiny Committee matters within the remit of the Audit and General Purposes Committee, there could be a modest reduction in SRAs payable, in the order of £6,000 pa.
- 3.18. In terms of Area Planning Committees this is again a matter of choice for the Council. Many Councils operate with one Planning Committee and many have Area Committees. Given the links to the operation of the development control function and the time constraints imposed on planning applications it is felt that this matter would require further consideration by officers if Council was minded to think about changing this structure. Again SRA savings would be modest particularly as currently only one SRA is payable across the two Area Sub-Committees.

Democratic Services and Management Support

- 3.19. Allowances are the largest area of direct expenditure in relation to councillors and the democratic process. The more modest direct costs for member support include postages, paper, printing for the council decision making structure.
- 3.20. Whilst these areas are lower, savings could potentially be made, for example by increasing the electronic circulation of documentation and otherwise reducing the amount of postage, for example by posting less frequently to councillors. The use of tablet computers could potentially lead to some savings, but these would be likely to be minimal given the capital costs of acquiring the kit, and potential licensing costs. However, it would undoubtedly be more efficient and quicker, and lead to paper savings and a reduction in staff time copying, enveloping and franking, but would need “buy-in” from a significant proportion of councillors, and preferably all, in order to avoid the inefficiencies of maintaining two systems, i.e. paper based and electronic.
- 3.21. A reduction in the number of member bodies or the frequency of meetings or both could also lead to savings. In terms of direct staff, we operate with two committee services officers (one currently vacant), each of which also do other things, and it is unlikely that we could function with fewer than two under the current committee arrangements.
- 3.22. A reduction in the Committee structure as set out in paragraph 3.17 above could give the potential to share an officer with partners as realistically this could probably be

resourced by 1.5 FTE rather than the existing 2 FTE. Officers are currently exploring this opportunity as both WODC and Cotswold have similar vacancies at the present time - this could generate a saving in the order of £20,000.

- 3.23. In addition across the council, there is an enormous (but hard to quantify) amount of officer time which supports the democratic process. This is absolutely correct, because councillors are rightly at the core. That said it is perhaps important to acknowledge that:
- Every single report produced for a meeting takes time and direct and indirect expenditure to produce
 - Many meetings with councillors involve senior staff, and are therefore more costly
 - In general terms, the sharing of services, and the consequences of other efficiencies, mean that officer time is a more scarce resource than previously
- 3.24. This is not to say that support, or the ability of members to have access to staff including senior management, should cease – rather that (i) it is desirable to ensure that the frequency, length and purpose of meetings are appropriate; and (ii) it is at least possible that there could be a more efficient or less time consuming approach without any real detriment to councillors.
- 3.25. The fact that the current arrangements also place a significant time burden on members (and in particular, members of the Cabinet and the Area Planning Sub-Committees) should not, of course, be ignored either.
- 3.26. It is important to acknowledge that, with the current membership of 49, a reduction in, say, the number of Overview and Scrutiny Committees would have consequences in terms of their role and participation etc. Clearly, any changes would need to be supported by the majority of the members of the Council in order to be put in place.

4. OPTIONS

- 4.1. There are many options the Council could consider including the status quo. Notwithstanding this a brief review of other similar Councils does point to a significant overhead of three Overview and Scrutiny Committees together with an Audit Committee which generates a high degree of overlap of work between the Committees.
- 4.2. A simple first step to acknowledging an excessive level of Overview and Scrutiny groupings would be to simplify the arrangements to have a single Overview and Scrutiny Committee to deal with external facing services whilst retaining an Audit Committee to deal with its statutory role but also to pick up some of the items dealt with by Finance and Management Overview and Scrutiny Committee.
- 4.3. It must be emphasised that this would not be intended diminish the role of Overview and Scrutiny but simply to provide a clearer focus and avoid duplication in some areas.
- 4.4. In its simplest form this suggestion could make some modest savings in members' allowances, as mentioned above. But it would additionally free up senior officer time and could potentially enable the sharing of the second (vacant) Committee Services officer post with Cotswold and in total could potentially deliver savings in the order of £25,000 to the Council.
- 4.5. In relation to the recommendation at 2(b) above, it is hoped that Council will be able to give an indication of its preferences, with a view to more detailed reports being

brought before it at the first opportunity. It would also be open to Council, as examples, to request more detail to be submitted to the Finance and Management Overview and Scrutiny Committee, or for arrangements to be made for the matters and issues to be considered informally prior to a further report being submitted to Council.

5. FINANCIAL IMPLICATIONS

- 5.1. These issues are clearly issues that are rightly in the Councillor domain and will require broad support although at successive budget Councils there have been demands for consideration of such issues.
- 5.2. Other options can be explored but in essence the most significant short term savings come about through (i) reducing the number of Overview and Scrutiny Committees £5,000; and (ii) reducing democratic services staffing in light of the above £20,000.
- 5.3. Replacing the current structure of three Overview and Scrutiny Committees plus Audit Committee with a single Overview and Scrutiny Committee and an Audit Committee would give direct cost savings in the order of £25,000 per annum.
- 5.4. Further consideration of matters such as number of Councillors and Electoral cycle could generate significant savings but would require additional work if the Council is minded to instruct officers to consider these further.

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Background Papers:
None

EXTRACT FROM MINUTES OF ANNUAL COUNCIL MEETING ON 26 APRIL 2017
REVIEW OF MEMBER STRUCTURES AND DEMOCRATIC COSTS

The report of the Strategic Director and Head of Paid Service which sought Members' consideration of options for amending the Council's Committee structure and how to take this matter forward was received and considered.

Mr Mills reminded Members that this issue had been raised at the beginning of the previous municipal year when the initial intention had been to consider the matter in the autumn. However, external constraints had imposed significant demands upon Officers during the course of the year, not least upon the Head of Democratic Services in his role as Returning Officer. Members joined with Mr Mills in expressing their thanks and appreciation to Mr Butler and his team for their work on the Council's behalf.

Mr Mills acknowledged that there were strongly held views amongst Members on the issues set out in the report. In order to give all Members the opportunity to debate these issues and to express their views, he proposed that the report be referred to the Overview and Scrutiny Committees for further consideration.

The proposition was seconded by Mr Morris.

Mr Handley expressed his support for the recommendation, indicating that this was not a trivial matter but one that warranted in depth consideration. He suggested that the current scrutiny process demonstrated that West Oxfordshire was a living Council, prepared to debate relevant issues. Mr Handley noted that, whilst the County Council had reduced its formal scrutiny process, this had not resulted in any significant savings in terms of resources as issues that would have been addressed in that forum were now dealt with at Locality Meetings.

Mr Handley considered that it was important that meetings should be open to the public with scrutiny being conducted in a transparent and apolitical manner and questioned whether any significant financial savings would be made given that Officer time would be taken up in other forums. Mr Handley considered that the existing arrangements worked well and believed West Oxfordshire's current structure to be the best in Oxfordshire giving all Members the opportunity to get involved in the decision making process to which the public were able to gain access.

Ms Leffman welcomed the review but, given that the chairmanship of the Overview and Scrutiny Committees was held by the majority group, expressed some doubt that the scrutiny process could be considered apolitical. Ms Leffman also expressed concern that meetings of the Human Resources Committee were often cancelled at a time when major changes to staffing arrangements were taking place and suggested that the remit of committees should be considered as part of the review.

Mrs Crossland agreed that the report was far reaching and that it would be foolish to rush into decisions without taking time to consider all the potential ramifications. Overview and Scrutiny was an important function which should be retained and Mrs Crossland indicated that she would not wish to see increased levels of delegation to Officers.

Mr Cooper indicated that it would be helpful to have the views of new Members such as Mr Mullins during the review and went on to express his appreciation of the Council's Officers whom he believed to be some of the best in all levels of local government. He considered that it was

beneficial for the Council to consider its democratic structure from time to time and suggested that the Council should set a timetable for the review.

Mr Coles also welcomed the review as an example of good practice. Given the current challenges facing local government, Mr Coles considered this to be an ideal opportunity to review the democratic structures. Going forward, Mr Coles expressed the hope that it would be possible for at least one Member of the opposition groups to be offered the Chairmanship of a Scrutiny Committee as a reflection of good practice. With regard to staffing, Mr Coles noted that a TUPE transfer only offered six months protection and suggested that there was a need for Members to scrutinise what was going to occur in relation to the Council's workforce. Those staff retained would be expected to do more and shoulder a greater burden. The Council needed to be clear in its approach and the report provided a good starting point.

Mrs Chapman expressed her support for the recommendation as consideration by the Overview and Scrutiny Committees would enable all Members to express their views.

Mr Howard noted that there appeared to be a good deal of agreement as to the approach to be taken but cautioned against letting the matter drift on. He reminded Members that Officers would be heavily involved in the preparation of the budget towards the end of the year and considered it would be helpful to set a timescale, suggesting that a final decision on the way forward should be made by September or October.

Mr Morris was pleased to see that all Members welcomed the review and the arrangements proposed. As to a timescale, he suggested that it was more appropriate for the Overview and Scrutiny Committees to set their own work programme.

Summing up, Mr Mills indicated that it was not for the Cabinet to dictate how the Overview and Scrutiny Committees set their agenda but asked Members to be mindful of the fact that the Head of Democratic Services would not be in a position to attend meetings until after the General Election on 8 June. He stressed that he did not have a particular view as to the timescale for the review as it was more important to ensure that the matter was considered fully through the due process. Whilst acknowledging the views expressed, Mr Mills emphasised that any decision had to be subject to due consideration.

On being put to the vote the recommendation

WAS CARRIED UNANIMOUSLY

RESOLVED: That the Overview and Scrutiny Committees be invited to give consideration to, and make recommendations upon, the options for amending the Council's Committee structure and the question of the electoral cycle and the number of members of the Council.