
REPORT TO:	HOUSING & COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	3RD FEBRUARY 2005	CATEGORY: RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ANDREA McCASKIE, HEAD OF LEGAL & DEMOCRATIC SERVICES (EXT. 5831)	DOC: U:\JAYNE\Committee\COMMREP\Decision HousingComm.doc
SUBJECT:	REVIEW OF POLICY AND DECISION MAKING	REF: AGM/JB
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: HCS(ALL)

1.0 Recommendations

1.1 That the Committee in making recommendations to Council on proposed changes to the Constitution in respect of policy and decision making:-

- receives this report
- considers the recommendations made in Section 10 of this report

2.0 Purpose of Report

2.1 The purpose of this report is to:-

- explain the background to this review of how the Committee makes policies and takes decisions
- put forward proposals to streamline decision making and enable the Committee to perform a more strategic, policy orientated role

3.0 Executive Summary

3.1 The report discusses:-

- the background to this review
- management of the project by the Member Working Panel
- the Committee's current workload
- decision making (focussing on the present scheme for delegating decisions to officers)
- the development of a Work Programme for the Committee
- implementing the proposals (including changes to the Council's Constitution)

3.2 Detailed recommendations are set out listed in Section 10 of the report.

4.0 Background to the Review

- 4.1 The Local Government Act 2000 required all Councils to revise their political management arrangements to make decision making more open, efficient and accountable. In July 2001, the Council adopted a new structure based on a streamlined Committee system for a trial period.
- 4.2 The Overview Committee was made responsible for reviewing the 'interim' arrangements, prior to formal adoption. This work was informed by an independent assessment conducted by the District Auditor.
- 4.3 The Committee reported back to Council in May 2002. At that meeting, Council confirmed the new arrangements and agreed an Action Plan for addressing issues raised during the review. A large number of recommendations in the Plan concerned decision making by policy committees (an issue also highlighted by the District Auditor).
- 4.4 In February, this Committee was invited to take part in a "pilot" project designed to:-
- review the extent to which decision making might be streamlined further
 - develop proposals to enable the Committee to perform a more strategic, policy orientated role
- 4.5 This report represents the conclusions of this work.

5.0 Managing the Project

The Working Panel

- 5.1 A small Working Panel comprising the Chair, Vice-Chair and Councillor Harrison was established to manage the project.
- 5.2 After the first meeting (12th February), it was agreed to invite the Heads of Service, who regularly report to this Committee, to the next meeting on 10th March 2004.
- 5.3 A further meeting of the Panel was held on 18th March and a final meeting with the Chair of this Committee was held on 16th September.
- 5.4 Annexe 'A' (by way of background) lists the Committee's areas of responsibility.

Analysis of Committee Workload

- 5.5 The first task to be completed was an analysis of the Committee's workload over the period May 2001 until August 2003 (Annexe 'B').
- 5.6 The analysis highlighted a number of issues:-
- Members have taken the opportunity to raise a large number and a wide variety of issues under "Members Reports/Questions" which is contributing to policy development and review.
 - The Committee is monitoring and reviewing only a small number of the plans and strategies for which it is responsible (a point made previously by the Corporate Scrutiny Committee).

- Performance Management is limited, for the most part, to the consideration of Service Plans.
- The implementation of Action Plans (resulting from Best Value Reviews) is not monitored on a regular basis (due to confusion over the role of Scrutiny Committees in the process).
- A large number of agenda items are solely for noting rather than a decision being required to be made by the Committee.
- A number of presentations are being made by various bodies on a range of issues which may be adding to a 'busy' agenda.
- Few reports on Crime and Disorder and Health Improvement initiatives and projects.
- No in-year monitoring of budgets.
- A large number of service development matters have been raised and discussed.

5.7 This prompted the Working Panel to ask Officers to report back on the following matters:-

- The operation of the current Scheme of Delegation.
- The development of "a Work Programme" which could give the Committee the "time and space" to focus on planning for the future, policy development and performance management.
- The way in which the Members Bulletin was currently being utilised by Departments.

6.0 Making Decisions

Responsibility for functions

- 6.1 The Working Panel also reviewed arrangements for approving or amending plans and strategies.
- 6.2 At the present time, the Committee has the authority to approve all of the plans and strategies for which it is responsible, with the exception of those which comprise of the Housing Investment Programme. These form part of the Council's Budget and Policy Framework (Article 4 of the Constitution) and must be referred to Council for approval.
- 6.3 Members were advised that the Corporate Management Team ("CMT") would be carrying out a risk assessment of significant County or Regional Plans and Strategies to identify those which ought to be considered by Full Council, in view of their potential impact on local people, services, resource allocations, etc.
- 6.4 The Working Panel concluded that no action was needed at the present time, although the issue should be "revisited" when the CMT assessment had been completed.

Scheme of Delegation

- 6.5 The last major review of the Scheme of Delegation was undertaken in 1997. Since then, there have been a number of "piecemeal" changes relating to, for example, new legislation or new organisational structures.
- 6.6 Each Division responsible to this Committee was asked by the Working Panel to consider the current level of delegation to officers and comment on whether further delegation would be desirable.
- 6.7 Housing, Community & Leisure Development, Technical Services and Environmental Health are of the opinion that the current Scheme of Delegation allows for effective and efficient service provision within their respective Divisions, with relevant policy issues being referred to Committee for determination. It was acknowledged that changes to procedures relating to the procurement of goods, works and services may further increase the delegation to officers, however this area would need to be considered at a later date by the Finance and Management Committee, as it will apply to all service areas.
- 6.8 There was a lack of clarity between the Heads of Department as to how and when the Members Bulletin should be utilised. At the moment, it is produced on an ad-hoc basis and dispatched to Members when there is sufficient information to warrant its production. The Working Panel concluded that it would be beneficial to re-launch the Members Bulletin to ensure that all Members are kept up to date with progress being made throughout the Council. This would have the effect of eliminating the need for a large number of reports being placed on policy committee agendas, not for any decision making purpose but solely for the purpose of noting.
- 6.9 It was queried why the Housing Revenue Account ("HRA") needed to be considered and approved by the Finance and Management Committee when the HRA is a ring fenced account. However, it was acknowledged that changes to procedures relating to the HRA would need to be considered at a later date by the Finance and Management Committee.
- 6.10 Another area which the Panel considered needed to be reviewed by the Finance and Management Committee related to the current level of write-off under Financial Regulation D2.4 (b) which provides that sums due to the Council shall not be written-off except on the authorisation of the Finance and Management Committee on the recommendation of the Director of Corporate Services and Chief Executive in respect of sums in excess of £1,500.

7.0 Development of a Work Programme

- 7.1 The Working Panel recognised that the establishment of a Work Programme is a means of giving the Committee the "time and space" to focus on planning for the future, developing policy and managing performance management. It would also allow Members to have a greater role in "shaping" the agenda and managing the workload.
- 7.2 It is proposed that if the Committee supports the introduction of a Work Programme, that the Working Panel be requested to formulate a draft Work Programme which could be considered at Annual Council.

7.2 An example of a possible framework for a Work Programme is given in Annexe 'C'. It will be noted that it covers 5 main areas of work:-

- plans, strategies and policies
- service projects and developments
- managing performance (focussing on the Corporate Plan and Service Plans)
- Committee administration (which would also include budget and responsive issues)
- 'special projects' (initiated and led by Members)

7.3 Ideally, the Programme would cover a municipal year and be reviewed on a 'meeting by meeting' basis to allow new issues to be brought forward. It might also be linked to an annual report setting out the Committee's achievements and its plans for the future.

8.0 Implementing the Changes

8.1 If Members are minded to accept the recommendations set out in Section 10 of this report, it will be necessary to refer the decision to Council (as this will require changes to the Constitution which can only be made by Council).

9.0 Financial Implications

9.1 None arising directly from this report.

10.0 Recommendations

10.1 It is recommended that:-

- (a) a Work Programme be introduced at the commencement of the municipal year;
- (b) Corporate Management Team is requested to consider the content of the Members' Bulletin and the timetable for its production to ensure that reports are not placed on policy committee agendas unless there is a decision that is required to be taken.

11.0 Contact Points

Subject	Contact Points
Background to the establishment of the Working Panel and the operation of the Council's Constitution	Andrea McCaskie (Ext. 5831)
Analysis of Committee Workload and Work Programme	Sally Knight (Ext. 5720) John Porter (Ext. 5780)
Environmental Health	Carl Jacobs (Ext. 5717) Denise Blyde (Ext. 5820)
Community & Leisure Development	Stuart Batchelor (Ext. 5764)
Housing Services	Bob Ledger (Ext. 5775)

