



**Cabinet  
Tuesday, 22 January 2019**

**ADDENDA**

**4. Questions from County Councillors (Pages 1 - 2)**

See attached.

**5. Petitions and Public Address (Pages 3 - 4)**

See attached.

**6. Service & Resource Planning Report 2019/20 - January 2019 (Pages 5 - 6)**

A note from the Transformation Sub-Committee is attached.

**9. Governance Review (Pages 7 - 30)**

The Governance Review report which was omitted from the Agenda is attached.

**12. Forward Plan and Future Business (Pages 31 - 32)**

Members are asked to note the deletions and additions.

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## CABINET – 22 JANUARY 2018

### ITEM 4 – QUESTIONS FROM COUNTY COUNCILLORS

Questions received from the following Members:

#### 1. **Question from Councillor Howson to Councillor Lindsay-Gale**

With the introduction of the new 16-18 railcard, announced by the Secretary of State for Transport, how much would a monthly pass to travel to college in Oxford be for a 17 year old, either by train from Radley Station to Oxford Station using the new railcard or by bus from anywhere in central Abingdon to central Oxford?

#### **Answer**

I researched the question below to find that the new railcard announced by Secretary of State isn't effective until September and the benefits of it are not going to be announced until August 2019. With this in mind, I can't make the calculations that are requested by Cllr Howson as no train websites are set up for this as of yet.

However, I have made the calculations using what is existing currently. A Railcard for 16-25 year old costs £30 annually. Using this Radley to Oxford would be £6.50 return daily. Having a monthly card would be £69.20.

Bus travel from Abingdon to Oxford with a key card aged 18 and under would cost £42.75 monthly.

#### 2. **Questions from Councillor Bob Johnston**

Further to the motion on East to West Rail passed at the last Full Council meeting could the Cabinet Member for Transport explain how she intends to monitor the progress of the project and in particular can she tell us when she meets with those responsible for the project, at what time intervals and who does she meet with?

#### **Answer**

Cllr Constance as Cabinet Member for the Environment is our Council's nominated representative on the East West Rail Consortium Board, which oversees the progress of the project on behalf of all the partner authorities. The Department for Transport, Network Rail and the East West Rail Company are all represented on this forum. The Board meets quarterly, with the next meeting in March, John Disley also attends as the Oxfordshire Lead Officer.

### **3. Questions from Councillor Bob Johnston**

In the absence of a firm route for the Oxford to Cambridge Expressway, can she explain how the Council will manage the transition from LTP4 to LTP5 given the range of possible knock on effects of the Expressway?

#### **Answer**

We do not yet have a confirmed project plan and timescale for LTP Update, but it clearly needs to reflect the latest position on the Expressway and other strategic work programmes, including for example East West Rail, our Housing Infrastructure Fund Bids and the Oxfordshire 2050, the county's Joint Statutory Spatial Plan.

## CABINET – 22 JANUARY 2019

### ITEM 5 – PETITIONS AND PUBLIC ADDRESS

#### Public Address

The Leader of the Council has agreed the following requests to address the meeting: -

Item	Speaker
Item 6 – Service & Resource Planning Report 2019/20	<p>Councillor Liz Brighthouse, Chair of Performance Scrutiny (5 mins);</p> <p>Councillor Glynis Phillips, Shadow Cabinet Member for Finance (5 mins);</p> <p>Dr Judith Wardle, Local Resident (3 mins);</p> <p>Mr Dan Knowles, Oxfordshire Mind CEO;</p> <p>Mr Stuart Bell CBE, Chief Executive of Oxford Health NHS Foundation Trust</p> <p>?, Service User of Oxfordshire Mind;</p> <p>Mr Joe Wilson, Teaching Assistant St. Ebbes Primary School regarding support workers.</p>
Item 7 – Corporate Plan 2019-22	Councillor Laura Price, Opposition Deputy Leader (5 mins)
Item 8 – Revision of Oxfordshire Minerals and Waste Development Scheme	Councillor John Sanders, Shadow Cabinet Member for Environment (5 mins)
Item 9 – Governance Review	Councillor Laura Price, Opposition Deputy Leader (5 mins)

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## CABINET – 22 JANUARY 2019

### Service and Resource Planning 2019/20 – 2022/23

#### Comments from the Joint Audit & Governance and Performance Scrutiny (Transformation) Sub-Committee

At the first meeting of the Joint Audit & Governance and Performance Scrutiny (Transformation) Sub-Committee (hereafter referred to as the 'Sub-Committee') Councillors received a presentation about the Transformation budget implications. These comments will form an addendum for Cabinet to consider as part of the Service and Resource Planning 2019/20 – 2022/23.

The Sub-Committee made the following general comments:

- The Sub-Committee were pleased with progress to date and noted that it could clearly see where concerns raised by Councillors had been acted upon
- The Sub-Committee were pleased that the Council is clearly monitoring transformation savings and costs, it sees this as a key role for the Sub-Committee in the future
- It was accepted that the transformation programme is an evolution across the whole organisation requiring a significant culture change
- Councillors felt it was important that the Transformation programme also developed a way to capture and utilise intelligence gained by Councillors through their casework

The following specific comments were also made in relation to FTE Savings:

- The Sub-Committee were pleased that the Council is proactively and robustly looking at how natural turnover across the organisation can minimise the need for redundancy or redeployment but remained concerned about the potential impact on staff. The Sub-Committee requested that it is kept informed about redundancies and redeployment, where appropriate
- The Sub-Committee requested that as part of managing our workforce, the Council actively seeks to engage younger people in our communities and working to attract the right people with the right skills into the organisation.

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**REPORT**

**GOVERNANCE  
REVIEW TASK  
GROUP**

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## Background

### 1. Council motion (11 July 2018)

“This Council, wishing to ensure that governance arrangements for the County are transparent, inclusive and reflect the political situation which exists, asks the Cabinet to work with Political Group Leaders to come forward with a plan to replace the Cabinet with a committee structure or alternative governance and committee models which could further strengthen the work of the Council.

These Committees would have delegated decision making powers from the Council and would be politically balanced. Locality Committees would be consulted on policy and budget matters by the Committees. Robust Scrutiny Structures would be put in place. The Plan to be worked on with a view to the change in the structure being put in place as soon as practicable.”

### 2. Members’ survey (August and September 2017)

An online survey was undertaken to obtain the views of current councillors about current and potential governance arrangements. 40 of 63 (64%) of councillors responded. Four did so anonymously. The questions asked were:

- i. How effective is the current model?
- ii. What are the most effective elements?
- iii. How could the current model be improved?
- iv. To what extent do the current arrangements engage you as a councillor?
- v. How might the arrangements better involve local councillors?
- vi. What aspects of being a councillor are most important to you?
  - a. Representing the community
  - b. Receiving info to help people in my division
  - c. Meeting, listening and staying in touch with communities
  - d. Taking part more closely in decision making arrangements
  - e. Casework and achieving things for people in my division
  - f. Empowering communities to take own decisions
- vii. What principles should underpin any future governance arrangements
  - a. Better service delivery
  - b. Community engagement
  - c. Cost efficiency
  - d. Councillor involvement
  - e. Speed of decision making
  - f. Transparency

### 3. Rather than a ‘tick box’ exercise, it was felt important to get qualitative views from councillors with any task group to analyse the responses in detail. **Annex 1** to this report provides a quick overview of the emerging themes.

### 4. In short, many of the comments, across the political spectrum, raised the themes of information, communication and involvement – and particularly in relation to Cabinet’s relationship with councillors generally.

5. Cabinet decision (17 October 2018)

Resolved to:

- a) agree that the governance review should also include a review of potential improvements to the existing arrangements, in the interests of completeness;
- b) note the headline themes arising from the councillor survey;
- c) agree in principle to the setting up of a Governance Review Task Group;
- d) note that Group Leaders will be asked to make appointments to a Task Group (once Cabinet has agreed to its constitution and terms of reference);
- e) agree that the Task Group report back to Political Group Leaders and to Cabinet with recommended options for change.

The Terms of Reference of the Task Group are in **Annex 2**.

6. Documents consulted

Before the Task Group met they studied the Members' Survey responses and the following documents:

“Changing to a committee system in a new era” – Local Government Information Unit

“Rethinking governance - practical steps for councils considering changes to their governance arrangements” – Local Government Association and Centre for Public Scrutiny

The latter included a recommended step-by-step approach which was found to be particularly useful:

- |        |  |
|--------|--|
| Step 1 | Plan your approach, and assess your current position             |
| Step 2 | Consider some design principles                                  |
| Step 3 | Think of ways to meet these objectives and put a plan in place   |
| Step 4 | Make the change  |
| Step 5 | Return to the issue after a year and review how things have gone |

## Planning

7. The first meeting of the Task Group discussed their approach to the issue. The following was agreed:

- The main themes emerging from the Members' Survey were:
  - inclusivity
  - access to information
  - using technology better
  - speed of decision making

- Any resulting governance structure should be
  - efficient
  - effective
  - transparent and
  - inclusive.
- The question of having area committees should be examined.
- The Local Government Association and other independent bodies should be consulted.
- The group should visit local authorities that have reviewed their governance structure – especially upper-tier county councils. At these meetings both teams should include members of majority and minority groups and officers where possible.

8. Alternative governance structures

A number of local authorities that have different governance structures, or have recently reviewed their structures, were considered for visits. Officers researched the councils and made initial contact to assess how useful a visit might be.

The following councils were selected to visit:

Cambridgeshire County Council	Changed to Committees May 2014
Nottinghamshire County Council	Changed to Committees May 2012
Barnet London Borough Council	Changed to Committees May 2014
Buckinghamshire County Council	Has Deputy Cabinet Members

The following councils were also contacted and/or researched:

Cheshire East Council (Unitary)	Considered committee system but decided against. Also had cabinet subcommittees for a while.
Cornwall Council (Unitary)	Published a governance review in 2016
Guildford Borough Council (District)	Introduced Executive Advisory Boards in 2014
Kingston-upon-Thames London Borough	Changed to hybrid system while transitioning to a full committee system
Norfolk County Council	Changed to Committees May 2014
Plymouth City Council (Unitary)	Decided to change to Committees 2017

## Considering Alternative Structures

The following is a summary of the points arising from each visit.

### 9. **Cambridgeshire County Council**

The Conservatives currently have a majority but there was no overall control prior to the 2017 election. A committee system was adopted in 2014.

### 10. Timeline

Effectively it had taken a year from the point of decision (May 2013) to implementation (May 2014). Implementation and subsequent refinement was overseen by a Constitution and Ethics Committee. Cambridgeshire colleagues said it was important, at the outset, to appreciate that the model as implemented would not be perfect and would need subsequent refinement.

### 11. Rationale for changing:

Key drivers were political stability in a no-overall majority council and the importance of involving members more fully in the business of the authority: building on their representational roles and utilising the personal skills and abilities of councillors more fully across the board.

### 12. In practice:

They regarded the move to a committee system as not going back to a previous model, but forward to a specifically designed model that avoided the to-and-fro. Clear remits and responsibilities for each committee had been designed to maximise accountability and minimise buck-passing. The pre-work on the Constitution was deemed to have been key to this, as had the ownership of this by councillors through the Constitution and Ethics Committee.

13. A specifically-tailored awareness and induction programme had taken place in the run up to implementation, to help all members understand both the structure and the subject areas of the committees.

14. The change meant all councillors had to work harder, in that the drive was not, now, from a Cabinet. More councillors had to develop and maintain a wider, and deeper, understanding of the work of the council or at least of a committee area. For previous Cabinet members who perhaps went on to chair a committee, there was a shift in dynamic and operation – encouraging participation and points of view rather than leading/deciding.

15. Political proportionality did of course still operate. Chairpersons of committees also met as the General Purposes Committee, giving these members a strategic as well as a subject-specific perspective, preventing silos. Quality of debates was considered by all parties to be deep and effective.

16. Meetings under the committee system were no more numerous but did last longer (e.g. 3 hours), due to the debates. Whereas Cabinet decisions were

perhaps marginally quicker in some circumstances, there was consensus that debates were richer under their committee system.

17. There were now fewer 'call in' situations under the committee system as more councillors, and groups, were invested and understanding of the debates and quality of decisions. Group leaders reported fewer instances of disaffection within their groups.
18. It was accepted that the cabinet model did provide a clearer, communicable accountability. The potential for dysfunction and disruption was greater with the committee model if the chairman of the committee was not personally or professionally suited to the role.
19. The Council did have a problem setting the 2017 budget when the General Purposes Committee was unable to agree a recommended budget to full council and full council had had to be longer as a result.
20. Scrutiny:  
Cambridgeshire did not adopt any scrutiny committees but considered that the debates in committee provided sufficient levels of scrutiny.
21. Public participation and transparency  
Public participation had neither increased nor decreased. There was consensus that the Cabinet model had provided clearer and more 'explainable' levels of accountability but there was still transparency under the current arrangements.
22. There was a good and compliant culture (legislative, code of conduct) of keeping information confidential. Normal 'need to know' access was available to councillors.
23. Locality working:  
Apart from a formal Joint Area Committee (for Cambridge City), their committee model did not include any locality element. The local perspective of councillors came to the surface in the committee discussions. No focus was given to informing/hearing from members specifically in their constituency capacity.
24. Costs:  
Cambridgeshire did not believe the costs had changed in any significant measure.

**25. Nottinghamshire County Council**

The Conservatives currently require the support of independents for a majority. Labour had a one seat majority before the 2017 election. A committee system was adopted in 2012.

26. Timeline

The change was made within 12 months. Their advice was to do it quickly and be prepared to deal with any hiccups as they arise. They had not encountered any problems which could not be dealt with quickly and easily.

27. Rationale for changing:  
The Conservatives made a manifesto pledge to change to a committee system. The cabinet system concentrated power into too few hands and there was no proper public debate.
28. In practice:  
The new committees mirrored the cabinet portfolios initially with outgoing Cabinet members automatically taking chairs of committees but the people and committee structure changed later as it was adapted to better suit the Council's needs.
29. The majority group holds the Chairmanships and Deputy Chairmanships of the committees and placements on these are under the proportionality system. Each member is on two committees.
30. An overarching policy committee was formed, made up of committee chairs, to manage strategy as well as vetting/amending policy decisions. Partners are invited to the policy committee.
31. All Committees are responsible for a budget and there is no virement process. Committees only delegate to officers or sub committees, never to individual members. No substitutes are allowed. Any urgent matters can be dealt with by the calling of an extra Committee meeting.
32. It was more empowering for members and improved member engagement. Each councillor has to work harder. Decision-making is slower than the cabinet system though.
33. Scrutiny:  
Officers felt more compelled to take ownership when reporting to stable committees that could build expertise, as opposed to a generic scrutiny committee. Officers submit quarterly performance reports to the appropriate committee and felt that this acts as a discipline for them and equally to members.
34. Public participation and transparency  
The public perception and understanding of the work undertaken by the Council is better understood under the Committee system than the Cabinet system. Full Council only has questions from members, not the public.
35. Being open about the Council's shortcomings, far from damaging their reputation, had positively encouraged public confidence that they were acknowledging areas requiring improvement and presenting plans to address them. They publish their serious case reviews (if they meet the criteria) and publish all their complaints. They had very few exempt matters – only "Commercial in Confidence".



36. Locality working:  
There are no locality meetings. Any member can speak at any committee meeting (but of course can't vote).
37. Costs:  
It was no more expensive to have the Committee System.
38. **Barnet Council**
- At the time of the visit, the Council had a single seat Conservative majority. A committee system was adopted in 2014.
39. Timeline  
The time required for the change of the whole process including planning etc was approximately a year. A lawyer and an officer were employed to work on the new Constitution which was very difficult as there were a lot of changes needed.
40. Rationale for switch:  
Their consultation with residents, partners, voluntary sector and the citizens panel started with the principles contained within the project brief taken to the Constitution, Ethics and Probity Committee in July 2013. These were:
- Transparency – focusing on better forward planning; better access to papers for Committees and access to information generally;
  - Accountability – focusing on improving performance; responding constructively; and having processes in place to review the systems of governance
  - Inclusivity and Engagement – having processes in place to engage stakeholders about plans; and being clear on decision making.
  - Durability and Flexibility – ensuring decision making is timely and encourages partnership working; having a system that will endure economic downturn, and will be cost efficient.
41. In practice:  
The committees are deliberately not aligned to directorates as the latter are more fluid. They have a central system to direct councillor queries to the correct officer(s). They have questions to the Council Leader who will on occasion divert them to the chairman of the relevant committee.
42. Training is essential for councillors and officers and committee chairs. Reports go in the name of the Committee Chairman not an officer's name and all reports have executive summaries.
43. Committees can refer key decisions to full council. They have motions at full council but sometimes the two main groups co-operate to provide for a big discussion on an important topic.
44. Officers have more control through more delegated decisions.

45. Scrutiny:  
The feeling was that it took a very brave back bencher to properly scrutinise or criticise a Cabinet member of their own group. There is plenty of scrutiny in the committee system through performance reports.
46. Public participation and transparency:  
When the change from Cabinet to Committee was being developed and discussed there was a public consultation – the outcome of which was “pro change”. Their consultation involved a user group for feedback from the public. Their feeling is that residents understand council committees better than a cabinet system.
47. Locality working:  
They have 3 area committees which have their own budgets from Community Infrastructure Levy funding. They comprise one councillor from each ward so not politically balanced.
48. Costs:  
They have 40 decision-making bodies and 300 meetings a year and require 12 staff in democratic services to service the committees.
- 49. Buckinghamshire County Council**
- This council has had Deputy Cabinet Members since the Cabinet system was introduced in 2000. It has a large Conservative majority.
50. In practice:  
They have 8 cabinet members and 8 deputies. Cabinet members do not pick their deputies. This is done by the leader and deputy leader as well as the group leader.
51. The deputies are seen as an integrated and valuable part of the leadership unit. They have no delegated powers, but can have specific areas of responsibility and committees. They, of course, deputise at cabinet and full council.
52. They can also attend informal cabinet, attend cabinet away days and the Leaders Advisory Group (LAG). Deputies are seen as a way of managing succession planning and sharing the workload. Longevity in council is not a prerequisite, they are chosen on merit and a development programme is used.
53. There was a strong feeling that the deputies freed up the cabinet members to engage in more strategic thinking.
54. They also have a comprehensive “all member briefing” process, which they run in a systematic rather than ad hoc way, focussing on key strategic issues.

55. Members were reported to like the current system and felt more involved and better informed.
56. Scrutiny:  
They also operate 4 select (scrutiny) committees: Finance, Transport, Health & Children, as well as the statutory committees. The chairs and vice chairs of these committees were also chosen on merit and used, in part, as a way of identifying “rising stars”.
57. Public participation and transparency:  
They use IT and social media creatively, including webcasting, podcasts, twitter and Facebook. Full council and select committees are webcast and the public can submit questions which are then dealt with within the meeting. All member briefings are available to download from the intranet.
58. Locality working:  
They operate 19 local area forums which are open to the public and involve district and parish councillors and are looking to enhance these in the new unitary authority to give them specific areas of responsibility and their own budget.
59. Costs:  
To service this system they brought together two separate officer teams, Scrutiny/Policy and Democratic Services. This realised a saving of £100K. The team was estimated at 13 strong.

## Officer's View

60. The Task Group sought to hear the views of senior council officers who had experience of working under a committee system. They invited Bev Hindle, Strategic Director for Communities to share his views with the Group:
61. From an officer's perspective having a Cabinet means that they, officers, have to work, and develop relationships, with fewer people, can get an answer more quickly and the discussion is more likely to be at a strategic level.
62. It is true though that there is a perceived lack of connectivity to backbenchers and that they can feel left behind. But this can be more to do with the prevailing culture than necessarily the type of system. There are other ways of broadening participation such as appointing junior cabinet members or cabinet advisory groups. These might also help with succession planning.
63. The role of a Committee Chairman is key. It is important that the Chairman is not over-bearing. There tends to be too much debate on details and not enough on strategy. All-member debates on policy would help.
64. Officers couldn't advocate anything that takes longer than the current system. What officers need is clarity in policies and procedures. There is some scope to move powers from Cabinet to Full Council. There could be more

delegation of powers to officers under a clear strategy e.g. Controlled Parking Zones.

## Members' Workshop – 5 September 2018

65. All Members were invited to a workshop commissioned by the Task Group to complement and explore further the all-Member survey previously undertaken.
66. The Centre for Public Scrutiny and the Local Government Association worked with the Council to devise a session to arrive at a set of 'design principles' and member views which the Task Group could then consider in arriving at its final recommendations.
67. The session was attended by 25 councillors (40% of our membership). The session was introduced by Nick Graham, the Monitoring Officer and led by:
- Ed Hammond, Director of Research at the Centre for Public Scrutiny; and
  - Cllr Philip Atkins, Conservative Leader of Staffordshire County Council and a Local Government peer councillor.
68. The Group was struck with the observation that governance models are not necessarily a binary choice between one form or another but involve a spectrum (see paragraph 90). As such, culture and control play a key role in determining the fact and experience of any model. Other key themes and questions for further consideration by the Task Group emerged from the presentation and discussions:
- a. Culture is more important than structure: the success or otherwise of *any* form of decision making depended above all on the **culture** operated with each authority.
  - b. Structures were not binary but a spectrum: when considering a structure it is not just a choice between fixed forms of governance e.g. Cabinet versus Committee. A spectrum of opportunities exist which relate in large measure to the cultural imperatives at work e.g. the extent to which there is consensus or not consensus in decision making.
  - c. Culture involves 'behaviour' and 'values': how do current behaviours and values contribute to the prevailing culture underpinning Oxon CC's decision making? Has sufficient attention been given to this? For instance, what is:
    - i. The quality of engagement?
    - ii. How many people are involved in decision making?
    - iii. What levels of involvement do councillors themselves demonstrate?
    - iv. Is consensus sought and if so achieved?
    - v. How far do behaviours and values across the board contribute to such things?

- d. Transparency of decision making is important: is it easy or hard for councillors to find out and to *understand* what is going on and how to be involved? To what extent is this related to culture – e.g. less consensus; councillors themselves needing to be proactive; communication and ICT clear and helpful?
- e. Are councillors able to exercise ‘power’: not simply decision-making power but *influential power* i.e. to what extent do members feel able to *influence change*? Is there sufficient support to councillors generally to help them be more influential – e.g. access to research and information?
- f. Inclusiveness: had been seen through the responses to the earlier survey as involving dissatisfactions around involvement/influence in *policy development* and *decision making*
- g. Local people: other than the Task Groups engagement with their elected representatives, is the Council going to be considering what *local people* require from a decision-making arrangement?
69. It was noted that the answers to these questions would assist the Task Group in achieving a set of ‘Design Principles’, bespoke for Oxfordshire CC, around which to shape its future governance.
70. Four ‘design principles’ were suggested:
- Inclusiveness
  - Efficiency and speed
  - Joined up
  - Involvement
71. These principles were very much in line with the Task Group’s view that the structure should be efficient, effective, transparent and inclusive (paragraph 7).

## Costings

72. The Governance Review Working Group asked for costings related to the current governance system. There are 3 distinct strands.
73. Firstly there are the direct costs of running the formal decision making meetings of the Council. Over a number of years these costs were gathered using a CIPFA benchmarking scheme. Although due to a lack of comparable Councils in the benchmarking pool this is no longer done an exercise has been carried out using the same methodology. The results are set out in the attached Annex 5. Information relating to direct support for CAGs and locality meetings has been added
74. In addition to the direct costs members have also indicated that it would be useful to have an indication of other costs that support the current model; for

example Directorate costs of officers involved in opposition and other briefings and in attendance at meetings. To this end a questionnaire has been circulated to Directorates. A summary of the information received is at Annex 6. These figures give an indication of the level of activity supporting the current model.

75. The final significant cost element is that for members remuneration as agreed by full Council. The current figure is approximately £1m per annum and further details can be provided when required.

## Communications

76. Throughout the discussions Members emphasised the importance of communications and, in particular, ensuring that all Members are aware of the issues coming up for decision at an early stage so that they can have an opportunity to be involved with officers and cabinet members in the decision process. Members feel that this is crucial in enabling them to properly represent their constituents.
77. The Council should explore how new technologies provide different ways of communicating and making information available to Members and the public.
78. Improvements on communications could be made to promote the Task Group's aims of efficiency, effectiveness, transparency and involvement – regardless of which governance model is chosen.

## Localities

79. The Task Group received a presentation on various forms of locality working which are summarised below. These could be options under the existing cabinet system or under a committee system. It is generally accepted that locality working will become a critical issue should a unitary council be put in place for the county.
80. Area briefings
- Information exchange and consultation
  - Range of more/less formal and more/less supported arrangements
  - Discuss priorities and concerns and may give actions
  - Often look to move from information exchange to action
81. Area forums
- Typically, open to all, quarterly or bi-annual events where local people are invited to come together with public sector and CVS organisations to look at priorities for the area
  - Councillors are likely to be participants rather than leaders

- Sessions may run as stand-alone structures (eg. Warwickshire, Buckinghamshire) or under the auspices of *area partnership* - see below (eg. Durham)
- No formal decision-making powers but are likely to be used to consult on plans and changes to services and to help to inform local priorities

82. Area partnerships

- Bring together local councillors, leaders of local public and community services and members of the public
- Partnerships may also include community representatives, eg. as representatives as residents' associations, town and parish councils or other local bodies
- Typically, these meetings will be informal and not necessarily held in public
- Resources available enhanced through specific government funding streams (eg regeneration funding) and through the pooling of resources from statutory partners
- Unlikely to be formal decision-making bodies of the council so resources are formally committed through officer delegation
- As available funding and support resources have come under pressure, some local partnerships have been ceased (for example Bristol and Southampton)
- Areas (such as Durham) which maintain or have recently established these partnerships however report them becoming increasingly critical to tackling cross-cutting issues and, in particular, addressing early intervention and demand management challenges
- Area partnerships are distinguished from area briefings by a focus on collaborative working over simple information exchange

83. Area committees

- Formal council committees taking responsibility for specific decisions and resources
- Membership, responsibilities and delegated responsibilities set out in the Constitution
- Examples of area committee structures operating include North Yorkshire, Cumbria and Southwark
- Tend to be more focussed on formal council business, rather than a broader partnership agenda

84. Area-based scrutiny

- Scrutiny committees, under the Overview and Scrutiny arrangements, dealing with a specific geographic area
- Not necessarily covering an authority's entire geography, but focussing on areas of unique concern – eg. an urban area within a rural authority, or areas of regeneration or redevelopment
- Resource intensive and few examples of this taking place in practice
- Alternatively, 'mainstream' Scrutiny committees may choose to give an area focus to their annual workplans

## Comparing Cabinet and Committee Systems

Using the four principles agreed by the Task Group at the start:

### 85. Efficiency

- It is generally accepted that decision-making by Cabinet is faster although views differ on how much faster. Committee decision-making requires more meetings, longer meetings and better forward planning. However, there is less need for Call-ins or formal scrutiny as more Members are involved in the initial decisions
- It can be much more difficult to agree a budget if committees openly compete for a greater share.
- More councillors have to work harder. Depending on the number of policy/service committees created and the number of scrutiny committees no longer needed - more democratic services staff may be required to service the extra committees.

### 86. Effectiveness

- Cabinet provides clearer accountability whereas with Committees there is a greater possibility of dysfunction and buck-passing especially if the Chairmanship is poor.
- Discussions at Cabinet are more likely to be at a strategic level but Committees provide more real debate on issues incorporating a greater range of views.
- Officers have more relationships to build in a Committee system but committee members are likely to be more knowledgeable on their issues than scrutiny committee members who have to cover a wider range of business.

### 87. Transparency

- At Cabinet it could be considered that the benefits of accountability may also have a potential downside in that formal structures of Forward Planning, and meetings/delegated meetings of one political party group means that real discussion and deliberation is held elsewhere with the outcome not in any doubt. Committees can provide more open debate and the outcome might not be known until a vote is taken.
- Advocates of the Committee system maintain that it is easier for the public to understand because they associate Cabinet with national government not local government.

### 88. Inclusivity

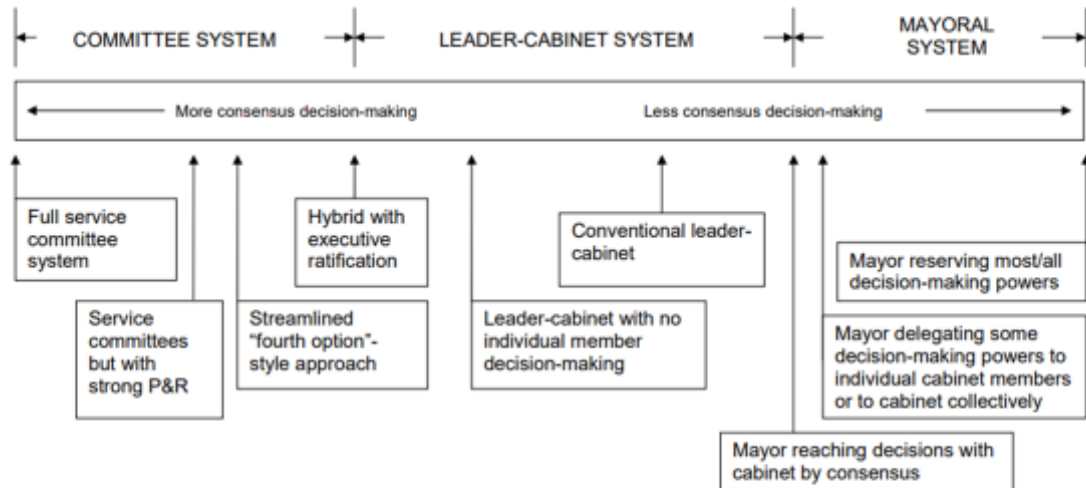


- More councillors have a role in decision-making in a committee system bringing their personal knowledge and strengths to the table. As a result, there is likely to be less disaffection within both majority and minority groups.
- A committee system may be more appropriate in a council where there is no overall control or where the majority is finely balanced and/or keeps changing.
- Cabinet encourages a strong leadership culture whereas Committees encourage a participation culture.
- However, there may be a need for more decisions to be delegated to officers in a committee system since the committees are unlikely to have time to debate everything. This can provide a challenge in maintaining sufficient transparency of decision making.

## Options

89. Legislation defines three models for local authority governance structures:
  - a. Mayoral System
  - b. Cabinet System
  - c. Committee System
90. However, there are many variations on each model and possibilities for mixed or hybrid systems. The Centre for Public Scrutiny have produced this graphic, which the Task Group felt was particularly useful, showing the spectrum of possibilities:

## The spectrum



91. The current system at Oxfordshire County Council is the “Conventional leader-cabinet” which includes individual member decision-making. The Councils visited that had a Committee model all had “Service committees but with strong P&R” (Policy & Resources Committee). In the task group’s discussions nobody has suggested a system outside of those points on the spectrum. The discussion needs to focus on where Oxfordshire County Council should be between or at those two points.
92. Switching between the three main models can only be done at an Annual General Meeting of the Council and any council that switches between Cabinet and Committee cannot change again for at least five years. However, variations on the Cabinet structure can be introduced by Oxfordshire County Council at any time without committing to a five-year minimum.
93. Another factor that was repeated throughout the discussions was Culture. It was particularly emphasised at the Members’ Workshop. Where a particular system sits on the spectrum above can be affected by the prevailing culture in a council. Is it adversarial or co-operative? Is open debate welcomed or avoided? How often are reports exempt?
94. The point has also been made that the type of system chosen can in itself affect the prevailing culture. Whether the chicken or the egg comes first, it is clear that culture is an important factor that everybody needs to be aware of and in which everybody needs to play their part.

95. Training (for Members and Officers) will also be a key factor whatever changes are introduced. In particular if a more inclusive system is adopted everyone will need to know the thinking behind the changes and what their role and workload is likely to be. As has been noted, change will only be really effective if people change too.
96. There was agreement in the task group that there must be some change. The three main proposals that have emerged are as follows:
- a. The current governance system with improvements to communications and/or the potential introduction of deputy cabinet members, with greater demonstrable involvement and engagement with all councillors.
  - b. A hybrid system which officially remains a Cabinet/Leader model with Cabinet retaining its decision-making status for executive decisions but which introduces the characteristics of a committee model.
  - c. An official change to the Committee model.
97. Options for improving the current system include:
- a. The introduction of Deputy Cabinet Members. This would
    - i. Involve more Members in decision-making.
    - ii. Share the workload of Cabinet Members so that they can give more consideration to strategic issues.
    - iii. Help with succession planning.
  - b. There was a suggestion that if Deputy Cabinet Member positions are created, they could potentially be filled by members of the opposition groups – especially given that the largest group does not have a majority.
  - c. The establishment of more scrutiny committees, dividing up the current heavy workload of the Performance Scrutiny Committee. This could include the use of more ‘deep-dives’ which the present scrutiny committees have found to be very effective but which may require further focused resourcing.
  - d. The establishment of a system of All-Member Briefings to keep members better informed of the latest developments and proposals and provide a forum for early debate on issues. If Buckinghamshire’s example is to be followed, these could be recorded and made available publicly to improve overall transparency.
  - e. More information could be included in the Forward Plan – for example brief summaries of the proposal rather than just headings as now.
  - f. The re-introduction of political group assistants – perhaps particularly for opposition groups to enable them to do their own research on

issues for decision, given that (apart from Opposition briefings), the Opposition does not have access to resources in the way that Cabinet does.

98. A hybrid system could involve:
- a. Setting up policy and/or service committees with the ability to discuss issues and make recommendations before they go to Cabinet or Cabinet Members for final decision.
  - b. Scrutiny committees would remain in place as the Cabinet model would still be the official structure.
  - c. Members could assess what is effectively a committee system without committing to a five-year timeframe.
  - d. Points d. to f. above could also be applied.
99. A formal change of model to a committee system could involve:
- a. Initially creating a policy or service committee for each Cabinet position with the former Cabinet Member taking the Chair of each Committee.
  - b. The Chairmen of the Committees form a Policy and Resources Committee to take an overarching view and be available to discuss cross-services issues or issues where committees failed to make a decision. This Committee would be chaired by the Council Leader.
  - c. The four statutory areas of scrutiny would be assigned to relevant committees.
  - d. A period of one year would be required to work on the constitutional changes required and the new system would have to be formally adopted at a May Council meeting meaning that, effectively, a change would not be implemented before May 2020.
100. Whichever option is taken there should be a first review set after 12 months of operation.

## Considering a recommendation

101. The Committee system was not universally agreed upon as the best governance model. Also, given the other major projects being pursued by the Council – the Fit For the Future Programme, the joint working arrangements with Cherwell District Council, and the Housing and Growth Deal – some Members suggested that it would be better to avoid a full change of Model at this time.

102. There was a lot of debate on the question of whether a change in political culture always necessitated a change in governance structure. However, there was concern that simply making improvements to the current system would not deliver enough change for backbenchers who want to feel more involved in decision-making.

### **‘Hybrid system’**

103. The Task Group decided to explore further how a ‘hybrid’ system might look. It was agreed that this would significantly increase opportunities for involvement by backbenchers and allow discussion on decisions at an earlier stage where they would have a real possibility of influencing the outcome.
104. Kent County Council is an upper-tier authority with a hybrid system. The ruling party has a large majority (67 Con, 6 LD, 5 Lab, 3 Others). It has a 10-member Cabinet and 5 “Cabinet Committees” as follows:
- Adult Social Care
  - Children’s, Young People and Education
  - Environment and Transport
  - Health Reform and Public Health
  - Policy and Resources

105. The Cabinet makes the final decisions.

106. The Cabinet Committees are described as follows:

“Cabinet Committees are advisory committees of the Cabinet. Each Cabinet Committee is able to consider and make recommendations on the functions of the Council that are the responsibility of the Cabinet Member(s) for matters within the Committees 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.”

107. The Task Group in its discussion accepted that the Cabinet or Cabinet Members would make the final decisions in order that there is a clear line of responsibility.
108. Kent schedules Cabinet meetings monthly (although generally 2 or 3 are cancelled each year). Each Cabinet Committee meets 6 or 7 times a year. Cabinet Members are not members of the Cabinet Committees but attend meetings. All Chairmen and Deputy Chairmen are from the ruling party. It was suggested at the Task Group that, in Oxfordshire’s more balanced political representation, Deputy Chairmen could potentially be from opposition parties.

### **Other proposals**

109. It was agreed that Scrutiny Committees could include more policy discussion in their work programmes. This is provided for in the Constitution as it stands. Scrutiny should not just be about reviewing what has happened but should also look forwards.
110. It was agreed that establishing Area Committees with budgets (in place of the current locality meetings) would help to ensure that they were not regarded as just 'talking shops' but would achieve a more serious engagement on local issues.
111. With regard to the possibility of re-introducing political group assistants, it was agreed that they could provide a valuable research resource. However, there was concern that their time would inevitably be taken up by the needs of the group leader and that, in practice, they would not be available to backbenchers. In the end, the Task Group did not support this proposal.
112. In discussing the question of Culture, Members noted that having separate political group rooms was not conducive to working together and this is a practical change that might be considered to help encourage a more collaborative approach.

## RECOMMENDATIONS

113. The Cabinet is RECOMMENDED to:
  - a) endorse the proposal to move to a 'hybrid' system of governance;
  - b) request the Governance Review Task Group to draw up a specific proposal for Cabinet's consideration based on the following design features:
    - i. Cabinet Committees –The membership of the Committees should be politically proportional.
    - ii. Cabinet Members should attend Cabinet Committee meetings when issues in their portfolio are on the agenda. The Cabinet and Cabinet Members would still need to make the final decisions.
    - iii. The Chairman and Deputy Chairman of each Cabinet Committee will be elected by the members of the Committee as usual but political group leaders should try to ensure that the Chairman and Deputy Chairman come from different political groups.
    - iv. The proposal should address any improvements required in the Forward Plan process to ensure that sufficient lead time is allowed for Cabinet Committees to discuss issues at an early stage.

- v. The proposal should take into account the partnership arrangement with Cherwell District Council and the County Council's relationships with all local authorities and partners in Oxfordshire.
- vi. The proposal should include an estimate of any changes in the overall number of Committee meetings in the new system as well as any changes to the costs in supporting meetings.
- c) request the Task Group to draw up a timetable to implement the changes within six months of a Cabinet decision on the final proposals. The change programme should include training for Members and Officers and specific training for Chairmen to ensure that the new committees encourage inclusive debate.
- d) request the Task Group to include a review mechanism 12 months after the introduction of the new system. The review should include asking Members to complete the same questionnaire that they were given at the start of this process in order to measure any improvements.
- e) request the Task Group to explore further the idea of establishing Area Committees with budgets addressing how they would relate to City and District Councils.
- f) request the Chairmen of Scrutiny Committees to ensure that time is allowed in their work programmes to discuss policy matters.
- g) request Facilities Management to draw up plans to reformat the rooms on the Members' corridor to provide more shared Members' facilities in the place of political group rooms.

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## CABINET – 22 JANUARY 2019

### ITEM 12 – FORWARD PLAN AND FUTURE BUSINESS

Members are asked to note the following changes to the Forward Plan:

#### Amendments to items in the present Plan

Portfolio	Topic (Ref)/Decision	Present Timing	Change
<i>Environment</i> Cabinet Member	<b>Cumnor: Cumnor Hill – Proposed Extension of 30mph Speed Limit</b> (Ref: 2018/148) To seek approval of the proposals.	14 February 2019	Deferred to 28 March 2019
<i>Environment</i> Cabinet Member	<b>Banbury: Castle Quay Are (Spiceball Park Road) – Amendment to Waiting Restriction, Traffic Calming and Bus Stops</b> (Ref: 2018/161) To seek approval of the proposals.	14 February 2019	Deferred to 28 March 2019
<i>Environment</i> Cabinet Member	<b>Oxford Iffley Area – Proposed Waiting Restrictions</b> (Ref: 2018/188) To seek approval of the proposals.	14 February 2019	Deferred to 28 March 2019
<i>Environment</i> Cabinet Member	<b>Oxford: Queen Street – Taxi Access</b> (Ref: 2018/192) To seek approval of the proposals.	28 March 2019	Deferred to 14 February 2019

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