

Divisions affected – All

**CABINET
23 JANUARY 2024**

FUTURE COUNCIL GOVERNANCE GROUP – FINAL REPORT

Report of the Director of Law & Governance and Monitoring Officer

RECOMMENDATIONS

1. To note the work undertaken by the Future Council Governance Group including the following recommendations for consideration by the Cabinet:
 - 1.1 To review the inter-relationship between the Cabinet and Scrutiny and introduce an integrated forward plan which brings together the individual work plans of the Cabinet and Overview and Scrutiny Committees.
 - 1.2 To evaluate the cost and processes for a citizens' panel with a view to selecting one topic in 2024-25 for review by a citizens' panel and review its success or otherwise before committing to any future panels.
 - 1.3 To reinvigorate locality meetings by inviting local stakeholders as necessary and undertake a wider review of locality working including the practicalities of delegating some budgets and allowing recommendations to be made to the Cabinet and Cabinet Members.
 - 1.4 To take steps to embed 'futures planning' across the Council and for it to become integral part of the decision-making process and scrutiny work plans.

Background

2. The final report of the Future Council Governance Group is attached at Annex 1. It was presented to the Audit and Governance Committee on 29 November 2023 by Cllr Stefan Gawrysiak, chair of the cross-party group. Members of the committee welcomed the findings and recommendations of the Future Council Governance Group.
3. The group's recommendation relating to the formation of the Education and Young People Overview and Scrutiny Committee was supported at the full Council meeting on 12 December 2023. The terms of reference for the new committee were developed ahead of Council and were approved at the meeting.

4. The other recommendations made by the group, including the inter-relationship between Cabinet and Scrutiny, participatory process, locality working and futures planning, will need to be taken forward by the Cabinet, Leader of the Council and individual Cabinet Members.

Governance model

5. There is no consensus amongst members of the group for changing from leader with cabinet to a committee system. It is too late in the current council cycle, with the next election in May 2025, to consider a governance change. Changing to a different governance model at the present time would provide an unnecessary distraction from critical service issues.

Improving the current governance arrangements

6. Members of the group note that the recent change to the Administration at the Council and note that this has had an impact on how political groups operate and the wider governance arrangements. They are anxious that any changes are robust enough to deal with future changes, irrespective of how many political groups sit inside or outside the Administration. A critical element is giving backbench members more opportunities to engage in policy development with influence decision-making.

Integrated forward plan

7. The Scrutiny process needs to be reviewed to ensure that the timing of items fits with the Cabinet decision-making process. Whenever possible, Cabinet Members should present reports to Overview and Scrutiny Committees and be accompanied by the relevant senior officers.

Deputy Cabinet Members

8. The appointment of Deputy Cabinet Members would allow more members to engage in the decision-making process and spread the workload. It is noted that the power to appoint Deputy Cabinet Members rests with the Leader of the Council.
9. There should not be an expectation that Deputy Cabinet Members are appointed for every portfolio but they could be useful where the Leader, following consultation with the relevant Cabinet Member, believes they would be of value to lead on a topic or help in managing the workload associated with a particular portfolio.
10. It is not envisaged that these positions will attract a special responsibility allowance as part of the Councillor Allowance Scheme.

Cabinet Advisory Groups

11. Cabinet Members are already able to set up and chair Cabinet Advisory Groups on a time-limited basis to focus on individual policy areas. Cabinet Advisory Groups allow backbench members with an interest or expertise in particular areas to help with policy development. Deputy Cabinet Members could chair these groups when required to allow the workload to be shared.

Participatory process and deliberative democracy

12. One of the core ingredients for deliberative democracy is that it should be able to plug into existing democratic structures and fit into policy making. It should not be seen as a separate process for it to be successful.
13. The approach works best when it looks at particular issues where there is not a clear way forward. A citizens' panel provides an opportunity to consider priorities and acceptable trade-offs.
14. Citizens' panels should complement existing member arrangements and care is required in choosing the right topics. Run well, citizens' juries provide opportunities for a more people to get involved in local democracy and influence things that matter to local people. Oxford University's Kellogg College ran a particularly successful process that had empowered local people.
15. There is, however, divided opinion amongst members of the group on the value of citizen's panels. Some members believe that they provide an opportunity for wider public engagement on issues where there are a range of options open to Council. By engaging more widely views are likely to become less polarised and solutions can be co-produced with community representatives and other stakeholders.
16. It is recognised that the Council's financial position is becoming extremely challenging and it may be difficult to provide adequate resources for a citizen's panel to undertake an effective review of a particular issue.
17. Other members of the group did not support a citizen's panel as they feel that it undermines the democratic accountability of councillors and to be effective would require committing significant resources. They believe that a 'deep dive' led by Scrutiny with expert witnesses is a better way to look at a particular issue and can be undertaken with significantly less resources.

Locality working

18. Members value the meetings which allow them to meet with members from neighbouring divisions and Council officers. They note that members bring a wealth of local knowledge which the Council often fails to tap in to and locality meetings provide an opportunity to utilise that knowledge in decision-making. Locality meetings have the potential to be a key source of information for the

Council in understanding the needs of individual communities but they are currently under-utilised.

19. Local stakeholders could be invited to meetings as necessary and there might be an opportunity for some budgets to be delegated to a local level. It is also suggested that locality groups should be able to make recommendations to the Cabinet or Cabinet Member.
20. There are already good examples of members from different political groups working well together in particular localities. It is hoped that this good practice can be extended throughout the county.

Future and foresights policy-making

21. Intergeneration fairness (IGF) is a way to negotiate needs between people alive today and those who will live in the future. In reality, it is 'easy to say but harder to do'. It is often difficult to relate to the issues that are likely to impact on future generations.
22. The IGF Framework has three essential elements: policy assessment, national dialogue and institutional ownership. Work undertaken in Japan shows that people could adopt a different mindset of looking towards the future and the results are very different. The National Assembly for Wales is legislating for future generations including sustainable development.
23. Cllr Charlie Hicks has been appointed as the Champion for Future Generations. His role is to make sure that young people's voices were heard, including those not yet born.
24. Members of the group are anxious that 'futures planning' is embedded across the Council and becomes an integral part of policy making in the same way as climate change considerations.

Corporate policies and priorities

25. The Council has a stated priority to ensure a vibrant participatory democracy

Financial implications

26. Additional costs may arise depending on the evaluation of the citizens' panel and the review of localities including the practicalities of delegating some budgets. These will need to be addressed as part of the outcome of those pieces of work and upon future recommendations to Cabinet.

Comments checked by – Lorna Baxter, Executive Director Resources and Section 151 Officer

Legal implications

27. There are no direct legal implications from the recommendations in this report as they all relate to operating within the current governance model of Leader and cabinet as included in Section 9B of Part 1A of the Local Government Act 2000.
Comments checked by – Anita Bradley, Director of Law & Governance and Monitoring Officer

Staff implications

28. The actions identified by the Future Council Governance Group will require the involvement of staff across the organisation, most notably Democratic Services and Scrutiny, in helping to facilitate some of the recommendations.

Anita Bradley

Director of Law & Governance and Monitoring Officer

Annex 1 – Future Council Governance Group final report

Background papers:

- a) Report to full Council on 12 December 2022 – Review of Council Governance Arrangements
- b) Report to Audit and Governance Committee on 20 September 2023 – Future Council Governance Group
- c) Report to the Audit and Governance Committee on 29 November 2023 – Future Council Governance Group
- d) Report to full Council on 12 December 2023 – Future Council Governance Group
- e) Centre for Governance and Scrutiny paper: Rethinking Council Governance

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