

# Governance Review **Melton Borough Council**

12<sup>th</sup> – 14<sup>th</sup> March 2018

Feedback Report

# 1. Report

## Policy Development

How and where policy is developed across the council is not clear to members, officers or to us as external observers. There do not appear to be enough informal arenas for ideas and potential policies to be explored, developed, adopted as policy or discarded; and there is not enough shared understanding of the existing roles including those of Conservative Chairs. In addition there is too much emphasis placed on the formal committee meeting for policy development to take place, and whilst this might feel inclusive for members, it does not aid officer capacity or members themselves in coming to fully rounded and informed conclusions and decisions. Nor does it allow for competing ideas to be weighed against each other or for projects to be prioritised. Whilst task and working groups may have been created to develop policy, the role of the parent committees and the role of the respective chairs of both task and working groups can become unclear, making it difficult for officers to know where to obtain an overall policy steer. Overall how policy is developed at the moment is difficult to describe and appears sometimes to be haphazard.

Senior members in chairing roles, by virtue of being in those roles, have a responsibility to take a lead in developing policy for their committees. This includes engaging with officers to discuss emerging issues, as well as taking a lead within the group, and being accountable for ideas as they develop into policy. There also needs to be an agreed place within the governance arrangements where the Leader and policy chairs can work informally with officers to develop policy.

Existing arrangements can be better utilised to provide opportunities to discuss ideas:

- Group meetings could focus on ideas and give a direction for officers, so they can undertake the necessary research and thinking to help inform members
- Chairs playing a leading role in shaping policy
- Members working more closely with officers, as the latter need to be able to talk to members on an informal basis much earlier on in the process
- Consider revising the Conservative Chairs group with a smaller membership of policy chairs and vice-chairs; and develop an alternative forum for the chairs and vice-chairs of the regulatory committees

## Roles of the Leader, Chairs and Lead Members

It is very clear that members have a strong focus on governance being very inclusive, and this extends to the engagement and involvement of the two opposition members on the council. Undoubtedly some members feel very strongly about continuing to be very inclusive, yet the extent of the inclusion and involvement gives an impression that the council's leadership is widely dispersed. This creates problems for officers in determining who is in charge and who should be consulted across the membership, and seems to involve senior officers regularly having to consult a wide number of members on an individual basis. It also causes frustration for some councillors. Even when policy discussions are held with lead members in advance, the involvement of significant numbers of members, sometimes across multiple committees, leads to uncertainty about

whether a recommendation will be supported or not. This leads to the potential to generate lots of work which becomes unrealised or abortive, and which further exacerbates capacity issues.

We suggest that the pendulum has swung too far in favour of everyone being involved in everything, as there appears to be strong resistance to any degree of hierarchy across the membership. This is despite the constitution setting out senior roles, which are then allocated special responsibility allowances. Members at the senior level including the Leader and Chairs need to be allowed to lead, as that is what they are being paid for.

Some clarification is needed between the roles of Chairs, Lead Members, Champions and the Leader. It is not clear what the roles of Lead Members and Champions are, relative to the Chair and Leader roles. The council should consider significantly rationalising the number of ancillary roles to bring greater clarity on the role of the Leader and policy chairs in setting direction.

Attention also needs to be given to balancing urgent business against the usual business in a Committee meeting. We heard that the number of items of urgent business can outnumber the number of scheduled items. This could be due to a number of factors:

- A lack of clarity about how to get items onto the agenda
- A lack of discipline from members about respecting due process
- A lack of understanding about what genuinely constitutes an urgent and pressing item for consideration.

Chairs have a stronger and more overt role in developing the agendas for meetings, and being clear about what can and cannot be considered as an urgent item. Participating members should indicate to the Chair before the meeting, of their desire to discuss an urgent item. Chairs should be willing to say no about those items if they are not genuinely urgent: and members should respect their views.

Training to develop the new approach should consider the following issues:

- When and how to engage earlier with officers, both on an individual basis as well as collectively through a forum for policy development
- Chairs' roles in defining and shaping reports
- Developing a clearer stance about the role of the Committee.

## **Committees and Decision Making**

There are overlaps between the committees and examples of the same issue being bounced across committees. It is not clear whether this is because the remit of each committee is fully understood, or whether there is an unwillingness to make a decision. There is much inclusivity but less apparent ownership from some councillors. The current arrangements need streamlining, and Terms of Reference need reviewing. This is a particularly important factor in addressing any overlaps across the committees. Members and officers can work on this together, so that the rationale is clearly understood by all.

At officer level the reporting to more than one committee creates unnecessary duplication and uses up valuable capacity, and although one could argue that officers are already paid for, there is an opportunity to reduce the costs involved or at least re-focus capacity. It also saps energy and headspace to work on other issues of importance for members. As the council's finances become tighter over the next two years, it will become increasingly important to ensure that it is as efficient as possible, and that activities are focused on priorities. Members also are a resource that is potentially over used when there is duplication.

A consideration going forward should be to devolve some degree of expenditure to each committee so that decisions that could be made by one committee are not then referred to the Policy, Finance and Administration Committee or its future equivalent, for approval.

Another issue is the volume of reports going to members for information. Some meetings are relatively short, even if they include a number of "for information" reports. Again this is a poor use of resources, for both members and officers. A better way to do this would be to develop a members' information resource, such as a newsletter, to keep them informed of new ideas, national policies and progress: there are plans to provide this over the next few months.

Committees are for making decisions: that is their primary purpose and if this does not happen, it suggests that the current arrangements are out of kilter.

The role of Town Area Committee is not widely understood. It appears to overlap with other committees and as it does not have a decision making role, it is an expensive resource to maintain. Consideration needs to be given to the future of the Special Expenses Account and this should be the subject of a review to broaden understanding of its value and what the few other councils who have a Special Expenses arrangement do with theirs, including consideration of its overall role.

Engaging with the public and the town's business and other stakeholders may be better served through a partnership approach, perhaps through a Town or Place Partnership. This would create an opportunity to focus on more strategic issues with greater impact for the town.

### **Working Groups, Task Groups and Boards**

There are many examples of Working Groups, Task Groups and Boards, to the extent that the structure as currently shown in the February 2018 version of the constitution is cluttered and difficult to understand. Members and officers offered a variety of explanations as to why some of these sub-structures exist, although we repeatedly heard that a number of the groups were redundant, did not meet or had not met for a long time. The existence of so many smaller groups dilutes the importance and significance of the committees, and therefore disempowers the main committees. It also increases the amount of officer time and energy in servicing them, and again risks creating ambiguity about who is driving overall policy direction.

In particular the reporting of performance should not be delegated to a Working Group: council performance is a significant, corporate matter which should be discussed and visible at a senior level.

The number of sub groups across the structure should be radically reduced, and going forward members should be ruthless in resisting the temptation to create a plethora of new permanent groups.

## **Delegation Scheme**

The council's delegation scheme is also not understood by members or officers. It is variable across the council's functions and can be described as somewhat behind the times. The low levels of delegations to officers are an indication of poor levels of member trust in the professional officer resources they employ to deliver on behalf of the council.

Going forward the scheme of delegation needs revision: members and officers can work together on this to develop a new scheme which is in accordance with the business of a modern borough council; particularly one that wishes to become more commercial in approach. In doing so, members need to be prepared to let go of some of that control exerted through the scheme.

## **Design Principles**

Overall the council's governance arrangements need a radical approach. Although what happens now may feel comfortable for members, the system feels archaic and out of kilter with other councils and how they operate.

The arrangements need to be more closely aligned to the Corporate Plan priorities and new senior management structure which is currently being implemented. They also need to be more efficient and commensurate with the size and resources of Melton BC.

Committees and not the sub-structures such as Task Groups, Working Groups and Boards, should be where the main business of the council is undertaken.

A streamlined system should focus on fewer main committees and involves sub structures which are time bound and are actively disbanded once the primary focus has been achieved. As much as possible they should report to the main committee and not directly to the Full Council. A proposed structure is attached at Appendix A.

Whilst radical changes to the current Committee System are needed, there should also be some active consideration of a Leader and Cabinet model. This does not appear to have been explored for nearly two decades in Melton, and yet there is strong and active member resistance to the Cabinet model, without any real understanding of what a Cabinet model involves. In many of our discussions it felt that people were circling around this model, and our observation is that there is a possibility that the 4<sup>th</sup> option Committee System has been exhausted in the council.

The next steps for governance in Melton should be to take some active and decisive steps in improving how the current committee system and related structures work. In the longer

term consideration should be given to members and officers working together to actively explore the advantages and disadvantages of the Cabinet model, including visiting other councils to talk to members and officers about how it works for them.

## **2. Key recommendations**

There are a range of suggestions and observations within the main section of the report that will inform some 'quick wins' and practical actions, in addition to the conversations onsite, many of which provided ideas and examples of practice from other organisations. The following are our key recommendations to the Council about how the current committee system can be improved and which we think could be adopted at the Annual Council Meeting in May 2018:

- These changes should focus on reducing the number of main committees to four, as follows:
  - Corporate to include Finance and Performance Management
  - Place
  - People
  - Retaining the existing separate Governance Committee, which appears to work well
- Dramatically reduce unnecessary sub-structures including some working groups, task groups and boards, and consolidate those responsibilities within the committees and roles of chairs
- Replace the Conservative Chairs groups with an informal policy development forum involving the policy chairs and vice-chairs, and consider an alternative forum for the lead members from the regulatory committees
- Create a Town or Place Partnership with a broader membership which is less constrained by the council's formal structures and governance processes to focus on the particular needs of Melton Mowbray
- Revise the scheme of delegation through members and officers working together to determine what is required

In addition, over the next 12 months the council should explore the merits of the Leader and Cabinet model and consider whether it is the right approach and right time for it to be introduced. The LGA can signpost to other councils, if required.

## **3. Summary of the Governance Review approach**

### **The peer team**

The peers who reviewed the governance arrangements at Melton BC were:

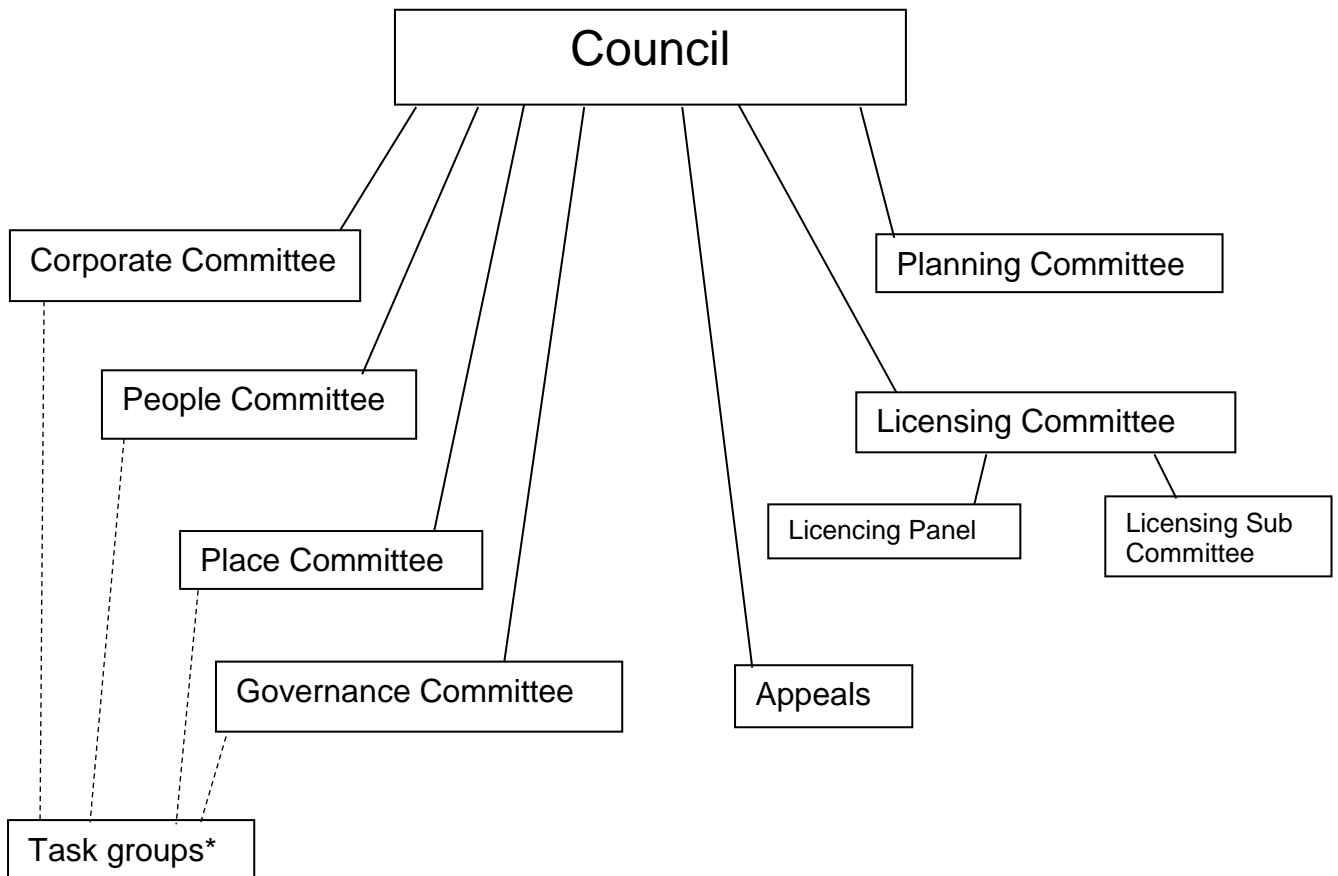
- Cllr Heather Goddard, Cabinet Member for Communities and Tourism, South Gloucestershire Council
- LGA programme manager: Judith Hurcombe

## **Scope and focus**

We were asked to consider where the council can improve, streamline and clarify its policy development, committee system and decision making arrangements.

## **The process**

We spent 3 days onsite at Melton Borough Council, from Monday 12<sup>th</sup> March – Wednesday 14<sup>th</sup> March 2018. We spoke to members and officers across various meetings and gave feedback to the council on Wednesday 14<sup>th</sup> March. This report is based on that feedback.



**Notes**

\*A small number of task or development groups, actively disbanded as soon as the task is completed. The terms of reference for these needs to be updated to ensure effective informal policy development

To work effectively the proposed structure will need the Leader, chairs and vice-chairs of policy committees to work informally with officers through a newly created policy development forum, replacing the Conservative Chairs group.