

SHEFFIELD CITY COUNCIL

Governance Committee

Meeting held 7 December 2021

PRESENT: Councillors Julie Grocutt (Chair), Penny Baker (Deputy Chair), Sue Alston, Peter Garbutt, Christine Gilligan, Mary Lea and Mike Levery

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Sioned-Mair Richards, Dawn Dale, Mark Jones and Mohammed Mahroof.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest made at the meeting.

4. PUBLIC QUESTIONS AND PETITIONS

4.1 There were no public question or petitions received.

5. TRANSITION TO A COMMITTEE SYSTEM INQUIRY SESSION 2

5.1 The Committee received verbal submissions from a range of witnesses in order to review information which would help the Committee make decisions when developing the new Committee System.

Royal Borough of Kingston Council

5.2 The Corporate Head of Democratic & Electoral Services & Deputy Monitoring Officer at Royal Borough of Kingston Council, Gary Marson, attended the meeting virtually and gave a verbal submission to the Committee.

5.3 Key points from Gary Marson's verbal submission were-

- Royal Borough of Kingston Council had;
 - 48 Elected Members who represented 16 wards.
 - 3 Strategic Committees (Place, People and Corporate & Resources) that met on a cycle of 5 times a year.
 - A Local Area Committee (Neighbourhood) structure that sat beneath the 3 Strategic Committees.
 - Appointed up to 4 Co-Chairs of each Committee.
 - 39 seats for Elected Members across all Strategic Committees.

- Allowed for members of the public to present questions/petitions at any Strategic Committee.
- Cabinet Members had transitioned to Portfolio Holders.
- Portfolio Holders acted as the lead spokesperson for their service area.
- Portfolio Holders were the main point of contact for officers for policy steer.
- Consultation between the Relevant Director and Portfolio Holder was required to take urgent decisions.
- All decision-making by Elected Members was made in Committees.
- There was no scrutiny function although they do retain the ability to call-in decisions.
- Either 9 Elected Members, or 2,500 residents had to give notice to call-in a decision of a Strategic Committee.
- There was a 10 working-day stand still after each Committee where a call-in can be received.
- If a call-in was submitted, a call-in panel would be convened. The leader of the opposition would chair the call-in panel.
- Responsibility for Finance and Assets were within the same Committee. This Committee would also meet at the end of a cycle of meetings, therefore being able to sign off any key decisions.
- A Scheme of Delegation to Officers meant that Officers were able to take decisions on anything that was not reserved for Committee. Royal Borough of Kingston had concentrated on only itemising matters for Committee that they considered sufficiently important.
- Avoided looking at policy matters within Full Council.
- Suggested there was Leader's meetings each month to prepare for upcoming meetings.

5.4 Members of Committee asked questions and the following responses were provided by Mr Marson as follows:-

5.5 He confirmed the portfolio holders, and the Chairs of Strategic

Committees are the same people. Strategic Committees also had multiple Co-Chairs.

5.6 He believed that having 13 Elected Members on a Committee did not cause for bad discussion or debate.

5.7 It was mentioned that Royal Borough of Kingston Council had 4 Local Area Committees. These Committees had the power to take decisions that fell solely within their individual geographical area. This meant a Local Area Committee could find itself taking decisions on a substantial asset, although they tended to mainly determine planning applications or traffic and highway matters.

5.8 It was stated that Royal Borough of Kingston Council had 9 portfolio holders in total. The Leader of the Council was 1 of the 9 portfolio holders. Gary Marson also confirmed the Royal Borough of Kingston did not have any sub-committees.

5.9 Each service area had a portfolio holder, in which Senior Managers were encouraged to keep portfolio holders up to date on any matters in their area. It was added that the delegation to Officers was extensive therefore very limited matters are reserved for Committee.

Hartlepool Borough Council

5.10 Councillor Cameron Stockell, Deputy Leader at Hartlepool Borough Council attended the meeting virtually and gave a verbal submission to the Committee.

5.11 Key points from Councillor Cameron Stockell's verbal submission were-

- Hartlepool Borough Council had previously worked under a Committee System some time ago, although it had since changed to an Executive Model with an elected Mayor. It was now back under a Committee System and had been operating that way since 2012.
- Hartlepool Borough Council had 5 Themed Policy Committees. These were-
 - Finance & Policy
 - Neighbourhood Services
 - Children's Services
 - Adult and Community Services
 - Economic Growth & Regeneration Services

5.12 Members of Committee asked questions and the following responses were provided by Councillor Cameron Stockell:-

5.13 Hartlepool Borough Council do not have any Local Area Committees.

The Council used to have a North and South Community Postal Forum where members of the public were invited to attend, to raise issues on their local area although these meetings were poorly attended.

- 5.14 The Committee were informed that Hartlepool Borough Council do not have any portfolio holders. The Chairs of the Committees communicated with Directors on policy matters. It was added that Chairs of Committees couldn't make decisions although they tended to steer on policy matters where possible, all decisions on policy had to be referred to Committee.
- 5.15 It was stated that Hartlepool Borough Council did not have a separate Scrutiny Committee. It was believed the scrutiny would form part of formal discussion and debate before making a decision. It was added that statutory scrutiny would be carried out by the Audit & Governance Committee.
- 5.16 Key decisions could be taken by a Committee if it was financially significant (result in income, expenditure or savings of £100,000 or greater) or if the decision would affect 2 or more wards.
- 5.17 Councillor Cameron Stockell confirmed that Licensing was the only Committee to have a sub-committee.
- 5.18 Hartlepool Borough Council require at least half of the Elected Members to sign for a call-in.
- 5.19 The Committee were informed that Full Council at Hartlepool Borough met once every 2 months. Policy Committees met once a month although the Chair had discretion to re-schedule a meeting, if there was not any urgent items of business.
- 5.20 Annual Full Council had a function that allowed Elected Members to vote for nominated Chairs/Vice Chairs of Committees. This meant that Chairs/Vice Chairs did not have to be politically proportionate.
- 5.21 Councillor Cameron Stockell believed that having 7 Elected Members on a Committee did not cause for bad discussion or debate.
- 5.22 Councillor Cameron Stockell referred to Hartlepool Borough's constitution in that *The Managing Director (or in his/her absence the Director of Resources and Development), in consultation with the Leader (or in his absence the Deputy Leader), Chair of the relevant Committee (or in his absence Vice Chair), the Section 151 Officer and Monitoring Officer, may take a decision normally reserved to Full Council or a Committee where:*
- a) *Failure to take the decision promptly would, or would be likely to, harm the interests of the Authority and/or the public.*
 - b) *The decision is of such urgency that it cannot be delayed to be*

considered at a meeting of Full Council or the relevant Committee with delegated authority.

Sheffield for Democracy

5.23 Vicky Seddon from Sheffield for Democracy attended the meeting and gave a verbal submission to the Committee. A written submission was also circulated to the Committee, prior to the meeting.

5.24 Key points from Vicky Seddon's verbal submission were-

- It was understood how difficult it had been for Local Authorities in regard to the reduction of money and resource. Therefore, it was mentioned that Sheffield City Council had to get the balance right between resources for decision making and the resources for service delivery.
- Vicky Seddon encouraged Sheffield Councillors to sign a pledge which had previously been circulated. The intention of the pledge is for;
 - Greater independence for local Councils
 - More financial autonomy Local Councils
 - An independent inquiry into the role of local government and the relationship with Whitehall.
- The Council needed to define the relationship between Themed Committees and Local Area Committees, which would not affect the ability for decisions to be made in the communities.
- The Committee was asked to look to how often Local Area Committees meet.
- The Committee was asked to look at how often local elections were held. It was added that frequent elections could have affected the culture of Councillors and their ways of working together.

5.25 The Committee had no questions following the verbal submission.

Brighton & Hove Council

5.26 Councillor Phelim Mac Cafferty, Leader at Brighton & Hove Council attended the meeting virtually and gave a verbal submission to the Committee.

5.27 Key points from Councillor Phelim Mac Cafferty's verbal submission were-

- Brighton & Hove City Council had previously operated under a Cabinet system, although it now operated under a Committee

System.

- Brighton & Hove City Council had 6 Policy Committees. These were-
 - Policy & Resources
 - Children, Young People & Skills
 - Environment, Transport & Sustainability
 - Housing
 - Tourism, Equalities, Communities & Culture
 - Health and Wellbeing Board
- An advantage of the Committee System was the spread of votes in Committees were reflected by public.
- The responsibility of decision-making was split across all 54 Councillors. Different views were captured in the discussions at Committee.
- It was mentioned the decision-making processes could take more time, although it was believed the decision would stand the test of time, as it had been made across all parties.
- The Committee System required a lot of administrative assistance and planning.
- Councillor Phelim Mac Cafferty agreed to circulate a document to the Committee which highlighted some key points to adopt, when transition to a Committee System. Some points were mentioned below-
 - Protocol for no overall control
 - Pre-meets were attended by opposition spokesperson
 - All Members were able to table a letter to the Committee
 - A Committee work plan had been published monthly
 - Effective Member development
 - Ward budgets
 - Effective Community engagement

5.28 Members of Committee asked questions and the following responses were provided by Councillor Phelim Mac Cafferty:-

5.29 It was confirmed that Brighton & Hove City Council held local elections once every 4 years.

5.30 Brighton & Hove City Council meetings were highly attended by members of the public. It was added that Public Questions/Petitions were permitted at all Committee meetings along with Full Council.

5.31 The Committee were advised that Brighton & Hove City Council had 6 portfolio holders, one for each Policy Committee, that would act as Committee Chairs. They also had mixed male and female Co-Chairs

for 4 of the Policy Committees. At present, all the portfolio holders represented the one political party.

- 5.32 Councillor Phelim Mac Cafferty believed that having 10 Elected Members on each Policy Committee, did not cause for bad discussion.
- 5.33 Brighton & Hove City Council had Urgency Sub-Committees and Special Committees which could be formed if an urgent decision was required. The membership of an Urgency Sub-Committee was 1 representative of each political party within that particular Committee. The membership of a Special Committee was the entirety of the Committee.
- 5.34 Councillor Phelim Mac Cafferty explained that Policy Committees would meet depending on their workloads. Committees with less controversial matters would meet on average 5 times per year, whereas more extensive Committees would meet up to 8 times per year.
- 5.35 It was mentioned that Brighton & Hove City Council had 32 working groups and consultative bodies which engaged with members of the public. The Greater Brighton Economic Board also brought together key partners to drive local economy forward. Brighton also had Housing Panels where they would hear from housing tenants.
- 5.36 The Committee were informed there was no formal call-in function within Brighton & Hove City Council's committee system. It was mentioned that decision-making was scrutinised during the time of the decision being made through discussions and debates at Committee meetings.

Professor of Local Politics at De Montfort University

- 5.37 Colin Copus, Emeritus Professor of Local Politics at De Montfort University attended the meeting virtually and gave a verbal submission to the Committee. A written submission was also circulated to the Committee, prior to the meeting.
- 5.38 Key points from Colin Copus's verbal submission were-
- New Committees needed to be deliberative and not just a place where decisions were made.
 - Committees should also be a place where Councillors can get information and support they require from Officers before making a decision.
 - Sheffield City Council should avoid Committees becoming inward looking.

- Local Area Committees could take responsibility of their own budget.
- When the Council developed the new committee system, full member engagement should be considered. Regular reports should be relayed back to Members, so they had a sight of how their input had been considered.
- The Council was encouraged to consider how political party group system would operate including the Whip system.

5.39 Members of Committee asked questions and the following responses were provided by Colin Copus:-

5.40 He recommended that Sheffield City Council retain the ability to call-in and scrutinise decisions. It was mentioned that this could be done through a separate Strategic Overview & Scrutiny Committee. The Council should also retain the ability to call in external witnesses for evidence.

5.41 The Committee were asked to implement single item agendas if they decided to go forward with a separate Strategic Overview & Scrutiny Committee.

5.42 Colin Copus believed that Elected Members made decisions too early. It was mentioned that decisions were made when Members are being briefed by Officers. Therefore, Colin Copus encouraged Members to consider all the information presented to them at Committee meetings, before making a decision.

5.43 The Committee were advised that Sheffield City Council should engage with the public on policies, at the earliest possible time. Colin Copus added that this could be done through online surveys, polls or citizen panels. It was added that the public should have more than one opportunity to impact on policies.

5.44 Colin Copus encouraged the Council to investigate the roles of Co-Chairs rather than how many there should be. The Council should consider what they wanted to achieve by having Co-Chairs before deciding whether it would be beneficial to have them. This would then lead to how many there should be and whether they are politically proportionate.

5.45 The Committee were advised that the Council needed to be satisfied with what powers were delegated to officers.

Member of Parliament

5.46 Clive Betts, MP attended the meeting virtually and gave a verbal submission to the Committee.

5.47 Key points from Clive Betts' verbal submission were-

- It was stated that if the Council did not have an effective Committee System implemented, then it could look like most decisions have been made by Officers.
- Delegate routine decisions to Sub-Committees.
- Needed to be a good relationship between Chairs and Lead Officers.
- Needed to be a structure in place that allowed Local Area Committees to take positive decisions out in the communities.
- The Committee was encouraged to consider how urgent decisions would be taken.

5.48 Members of Committee asked questions and the following responses were provided by Mr Betts: -

5.49 He advised the Committee that cross party Co-Chairs should be considered, due to the current working relations within Sheffield City Council.

5.50 It was suggested that a Scrutiny function remained, although the process should scrutinise public bodies, along with Council decisions, and hold them to account.

5.51 Consideration should be taken on how much budget was delegated to Local Area Committees. They should then be held accountable for the decisions made in the communities. It was mentioned that regular update reports on budgetary spend could be beneficial for the Committee to see at each meeting.

5.52 In response to a question about whether devolution of power to Local Area Committees might be prevented by a desire to avoid handing power to bodies where the political majority may not be the same as the Council's administration, and the associated risk of a 'postcode lottery' of services, Mr Betts drew comparisons with Central Government giving power to Local Government, saying that as long as you draw a clear framework around the delegated authority this was indeed in the spirit of meaningful devolution.

Cheshire East Council

5.53 Councillor Sam Corcoran, Leader at Cheshire East Council attended the meeting virtually and gave a verbal submission to the Committee.

5.54 Key points from Councillor Sam Corcoran's verbal submission were-

- Cheshire East Council had transitioned to a Committee System in May 2021.
- A link was provided to the Committee, which highlighted first impressions of how the system is working at Cheshire East Council.
- Officer time had increased since the introduction of the Committee System.
- They had a joint administration. The aim was to have as many Elected Members as possible at the heart of decision-making.
- Cheshire East Council used pre-meetings to discuss an upcoming agenda which led to clear and thorough deliberations in Committees.

5.55 Members of Committee asked questions and the following responses were provided by Councillor Sam Corcoran:-

5.56 Councillor Sam Corcoran explained that Cheshire East Council had a separate Statutory Scrutiny Committee, the main purpose of which was to scrutinise adults and health issues. It was explained that scrutiny was carried out by all parties in the Committee meetings themselves before making a decision.

5.57 It was stated the majority of the Cabinet Members at Cheshire East Council transitioned to Chairs of Committees. This was the main reason why relationships between lead Officers and Chairs were retained.

5.58 Councillor Sam Corcoran believed having Co-Chairs could potentially damage the relationship between the lead officers and Chairs. Work loads for Officers could also increase if the Co-Chairs needed to be briefed separately. Cheshire East Council had Vice/Chairs of Committees who were briefed at the same time as the Chair, the Chairs and Vice chairs of committees tended to be from different political parties.

5.59 The Committee were advised that it is an important role for Whips to make sure that Councillors are adequately informed to make decisions.

5.60 Since the transition to a Committee System, members of the public at Cheshire East Council were now instructed to ask questions that relate solely to items of business on an agenda, for a particular meeting. Whereas, the Cabinet System had allowed public to ask questions at a Cabinet meeting on anything that related to the Council. This had reduced the amount of public attending Committee meetings at Cheshire East Council.

- 5.61 The Committee were advised there needed to be an administrative majority on Committees, therefore they would need to consider that when determining the size of each Committee.
- 5.62 Cheshire East Council had 7 Policy Committees, one being a Finance Committee, with 13 Elected Members on each Committee. The intention was to have one seat for each Elected Member on every Committee. Cheshire East Council did not have any Local Area Committees.
- 5.63 The Committee were informed that delegation to Officers had increased since the transition to a Committee System. It was mentioned that this had raised some concerns from Elected Members as they initially thought they would have more authority over decision making. What tended to happen at Cheshire East Council was the Elected Members would set the policies, for the Officers to deliver.

Member of House of Lords, Lord David Blunkett

- 5.64 Lord Blunkett, MP attended the meeting virtually and gave a verbal submission to the Committee.
- 5.65 Key points from Lord Blunkett's verbal submission were-
- Recommended an Over-Arching Committee and Scrutiny Function be implemented into the new system.
 - Suggested 5-7 Policy Committees.
 - He stressed the importance of linking the Local Area Committees appropriately into the policy making process, and the need for the main committees to have a subcommittee empowered to monitor performance.
- 5.66 Members of Committee asked questions and the following responses were provided by Lord Blunkett:-
- 5.67 Lord Blunkett suggested the administration of Sheffield City Council thought how they would call-in decisions if they were not the ruling party/coalition. It was added that this could be a useful exercise on how to implement an effective call-in function into the new system.
- 5.68 It was suggested that sub-committees beneath Policy Committees could act as Scrutiny Committees, to scrutinise how policies had been implemented across the City.
- 5.69 The Chair thanked all the attendees for attending the inquiry session and for sharing their views on a new committee system.

6. DATE OF NEXT MEETING

- 6.1 It was noted that the next meeting of the Committee would be held on 8 December 2021.