

Sandwell Metropolitan Borough Council

4 April 2017

Governance (Committee and Scrutiny Board Structure) 2017/18

1. Summary Statement

- 1.1 This report sets out proposed revisions to the Council's current committee and scrutiny board structure as recommended by the Constitution Working Group, to take effect from the new municipal year 2017/18.
- 1.2 At its meeting on 22 March 2017, the Constitution Working Group considered the findings of an advisory group convened by the Leader to advise him on any changes that needed to be considered to address deficiencies in the current structure or areas of duplication, and to ensure that governance structures are fit for purpose in meeting current and future challenges.
- 1.3 The Leader's advisory group comprised member representatives with executive, scrutiny and regulatory experience and included Councillors Khatun, P Hughes, Costigan, Gavan, Hevican, Sandars, Piper and Taylor.
- 1.4 The Constitution Working Group welcomed and endorsed the advisory group's view that changes to the Council's Committee and Scrutiny Board Structure, should seek to:
- make it more streamlined, clearer and consistent;
 - focus Member involvement on strategic decision-making; and
 - tighten up (in terms of methodology) and open out (in terms of transparency), decision-making, scrutiny and performance management.
- 1.5 The Constitution Working Group's proposals for specific changes to be implemented from the new municipal year are detailed in Background Details below.
- 1.6 Any changes required to Terms of Reference as a result of these proposals will be presented to Full Council at the Annual Meeting.

2. Recommendations

- 2.1. That Council consider the proposals to amend the current Committee and Scrutiny Board structure to take effect from the new Municipal Year 2017/2018.
- 2.2. That any consequential changes to Terms of Reference be included for approval at the Council's Annual Meeting 2017.

Darren Carter
Interim Director – Resources

Contact Officers

Diane Baker

Head of Governance (Interim)

0121-569-3183

diane_baker@sandwell.gov.uk

3. Strategic Resource Implications

- 3.1 The proposals may affect Member Allowance allocations; this will be determined as part of the forthcoming Independent Member Remuneration Panel review. In the meantime, allowances for new positions will be set with reference to equivalent positions in the existing allowances scheme: including 60% of the Leader's allowance for the position of Chair of the Budget and Corporate Scrutiny Board, and 33.3% of the Leader's allowance for Member Champion positions. Democratic Support for the new Committee structure will be met from current resources.

4 Legal and Statutory Implications

- 4.1 All legal and statutory implications have been considered; Terms of Reference for each Committee or Board will be reviewed in order to reflect any changes and these will be presented to Full Council at the start of the municipal year.

5. Implications for the Council's Scorecard Priorities

- 5.1 The proposals contained in this report link to the all of the scorecard priorities for Sandwell MBC.

6. Background Details

Proposed Structure 2017/18:

- 6.1 **Planning Committee** – it is proposed that the geographical representation of the Committee remains unchanged; the Chair/Vice-Chair should not represent the same ward and where possible, represent different towns. It is also recommended that new Members to the Council should not be placed on the Planning Committee within their first year of office and should be required to attend relevant training before taking up a seat on the Committee. Planning Committee members should continue to receive relevant training on an on-going basis.
- 6.2 **Licensing Committee and Licensing (Miscellaneous) Committee** – it is proposed to merge the two Committees to create one single Licensing Committee, responsible for discharging the functions of the Council in relation to the complete range of licenses. It is recommended that the membership is geographically representative and that the Chair/Vice-Chair should not represent the same ward and where possible, represent different towns. It is also recommended that the meetings be webcast where appropriate and held locally. As for the Planning Committee, it is also proposed that new members do not serve on the Committee within their first year of office and then receive relevant training before taking up a seat.
- 6.3 **Audit Committee** – it is proposed to enhance the status of the Audit Committee to reflect its importance within the governance framework of the Council. On this basis, a change of name to **Audit and Risk Assurance Committee** and widening of scope is recommended. It is also recommended to increase membership of the Committee from six to seven and ensure no one is a member of the Executive. It is also proposed to appoint another Independent Member and ensure they have recent and relevant financial experience. It is proposed that meetings should be webcast where appropriate to increase transparency and accessibility.
- 6.4 **Standards Committee** – It is proposed to introduce a wider remit to the Committee and incorporate Member Personal Development and Training. In order to reflect this, it is recommended that the name of the Committee be changed to **Ethical Standards and Member Development Committee**. It is further proposed that membership of the Committee should not include Party Whips to avoid conflicts of interest.

- 6.5 **Member Development Working Group** – it is recommended that this Working Group be disbanded as the remit of the Group will be included in the reconstituted Ethical Standards and Member Development Committee.
- 6.6 **General Purposes and Arbitration Committee** – no changes are recommended in respect of this Committee.
- 6.7 **Land and Asset Management Committee** – It is proposed that the Terms of Reference for this Committee should be widened and made more robust. Otherwise, no changes are recommended.
- 6.8 **Joint Consultative Panel** – no changes are recommended in respect of this Panel.
- 6.9 **Cabinet Petitions Committee** – no changes are recommended in respect of this Committee.
- 6.10 **Constitution Working Group** – it is proposed that the Group should have a wider remit to reflect the role and scope of the Committee. It is therefore proposed that the name be changed to **Governance and Constitution Review Committee** and the membership be increased from five to eight.
- 6.11 **Health and Wellbeing Board** – it is recommended that membership of the Board is reviewed to ensure it aligns with legislation otherwise, no changes are recommended.
- 6.12 **Chief Officer Terms and Conditions Committee and Chief Officers Appointments Sub-Committee** – no changes are recommended in respect of this Committee and Sub-Committee.
- 6.13 **Strategic Waste Partnership Board** – no changes are recommended in respect of this Committee.
- 6.14 **Select Committee for Leisure Provision** – it is proposed that membership of the Committee cannot include nominated members to the Sandwell Leisure Trust Board. No other changes are recommended in respect of this Committee.
- 6.15 **Select Committee for Service and Policy Improvement** – no changes are recommended in respect of this Committee.

6.16 **Scrutiny Boards** – it is recommended that the Scrutiny Boards be remodelled and reduced from six to four Boards, to align with Cabinet Portfolios, as follows:

- **Health and Adult Social Care**
- **Children’s Services and Education**
- **Economy, Skills, Transport and Environment**
- **Safer Neighbourhoods and Active Communities**

In addition, it is recommended to introduce a formal Chair of the Budget and Corporate Scrutiny Board and rename this Board to **Budget and Corporate Scrutiny Management Board**. The Chair will have overall responsibility for the coordination of Scrutiny work across the Council.

6.17 **Town Leads and Deputy Leads**– It is proposed that the titles of Town Lead Members are changed to **Town Chair and Vice Chair** to provide clarity and recognition. In addition, it is proposed to develop Job Descriptions and Terms of Reference for these roles. It is also recommended that meetings take place on a structured timescale.

6.18 **Member Champions** – it is proposed to introduce four additional Member Champions, who will work with Cabinet and Scrutiny to develop strategic areas and promote change across the Council.