REVIEW OF DEMOCRATIC STRUCTURE

(Report of the Structure Review Working Party)

1. Introduction

1.1 Councillor K J Churchill, the special adviser to the Cabinet, has been invited by Cabinet to conduct a review of the Council's democratic structure, with the assistance of a working party established by Cabinet at its meeting held on 4th September 2008.

1.2 The working party comprised Councillors K J Churchill (Chairman), Mrs M Banerjee, W T Clough, S J Criswell, T D Sanderson, Ms M J Thomas, G S E Thorpe and R G Tuplin and met on a total of 11 occasions. The working party undertook a visit to Basingstoke and Deane District Council to discuss the constitutional arrangements of a similarly sized shire district. The Chairman attended a seminar in Birmingham presented by the Institute of Local Government Studies of Birmingham University on the role of the Council meeting.

1.3 The Chairman conducted an extensive series of interviews with members of the Cabinet, chairmen of panels, individual councillors, directors and heads of service. An open invitation was extended to all members to raise issues with the Chairman at the outset of the review. The comments raised in those interviews were considered as part of the review exercise.

1.4 The final report itself is unashamedly lengthy which reflects the length of time, range of subject areas and depth of scrutiny given to the subject by the working party. The Presentation on the findings has been given to all Members over 2 separate evenings in March. An executive summary also has been prepared which contains the working party's recommendations which is attached as Annex A.

1.5 The working party is grateful to the staff of the Democratic Services Section for their support in undertaking this extensive review.

2. Background

2.1 The Council's existing democratic structure that had emerged as a result of the constitutional changes introduced by the Local Government Act 2000 had been in place for some 6 years when the review began, with a trial having operated for 2 years prior to that. The new arrangements had represented a fundamental change from the committee structure that preceded it but, although annual and subsequently biennial reviews of the constitution have been undertaken, the Council had yet to commission a comprehensive review of the democratic and decision making arrangements to review their effectiveness and ensure that they are fit for purpose.

2.2 Since that time there has been a proliferation of partnership working which has created issues of accountability and transparency which have yet to be addressed fully. The development of Local Area Agreements and Local Strategic Partnerships do not sit comfortably with a need for greater clarity in

decision making and their deliberations have yet to be held to account satisfactorily.

2.3 Further constitutional change was introduced by the Local Government and Public Involvement in Health Act 2007 as a response to a Government white paper 'Strong and Prosperous Communities' published in October 2006. A further white paper, 'Communities in Control: Real People, Real Power' published in July 2008, contains proposals for additional change which are currently before parliament in the shape of the Local Democracy, Economic Development and Construction Bill. The bill will place a duty on the Council to promote understanding among local people of the authority's functions and democratic arrangements and explain how members of the public can take part in those arrangements. The working party has endeavoured, where possible, to anticipate the implications of the bill in its deliberations and recommendations.

2.4 In order to undertake the review, the working party has had to familiarise itself thoroughly with the legislation that determines the way in which the Council is structured in terms of its decision making. A number of briefing papers were submitted to assist the working party in its deliberations which are listed as background documents to this report. The working party's attention also was drawn to the existing terms of reference of the Cabinet, panels and committees etc. that are reproduced in the Council's constitution. Details of the democratic structures of a number of comparably sized shire districts, together those of the other districts in Cambridgeshire, were obtained and considered. The working party had intended to undertake visits to two district councils to learn from the experience of others but a number of those contacted were in the process of reorganisation as a result of the unitary authority changes introduced by the 2007 Act and felt unable to accommodate a visit. As a result, the only authority that was visited was Basingstoke and Deane Borough Council, a similarly sized shire district in Hampshire.

2.5 Coincidentally, the Institute of Local Studies hosted a seminar at the University of Birmingham on the role of the Council in the new local government structure while the review was being undertaken. This was attended by the Chairman and the Head of Democratic and Central Services and proved particularly helpful in identifying ideas to re-invigorate Council meetings.

3. Changing Roles

3.1 Recurrent themes throughout the review were the need to promote community engagement and the changing role of the local authority councillor.

3.2 Part of the rationale for the Local Government Act 2000 was the Government's desire to modernise local democracy and encourage people to play a more active role in local decision making. Electorate turnout at local elections has been a growing cause for concern, political party membership is falling, parties struggle to interest persons in becoming candidates, councillors are not representative of their communities in terms of their age profile etc. and a relatively high proportion of councillors choose not to stand for re-election after their initial term of office comes to an end.

3.3 Although the 2000 Act introduced fundamental changes to the way in which local authorities are administered, concerns have remained that there is insufficient interest in local democracy, that local people do not engage sufficiently in their local communities and that there is insufficient encouragement for people to become and remain councillors.

3.4 In reviewing the structure of the Council, the working party was conscious of the need to address the role of the councillor in a wider context than simply attendance at meetings of the Council. Increasingly, councillors need to act as local community advocates for their wards and parishioners, respond to the new 'councillor call for action' agenda, and represent the views of their constituents with other service providers. In so doing, they have the potential to raise the profile of the authority with their constituents and encourage greater public participation and involvement in the democratic process.

4. Review Methodology

4.1 The working party divided the task of reviewing the structure into the following broad headings –

- Executive and scrutiny arrangements
- Council and non-executive structure
- Partnerships, joint committees and other issues
- Community engagement and neighbourhood management
- The role of the councillor

4.2 Some changes have been necessitated by recent legislative developments. Others have emerged from the experience of operating an executive/scrutiny structure for a number of years. To put those into context, the working party's report lists the changes that have and are taking place before explaining the reasons for its recommendations or why no change to the present arrangement is proposed.

5. Legislative Position

5.1 The Local Government Act 2000 was intended to modernise and expedite decision making and replace what had become to be regarded as an out-moded committee system. However it was superimposed on the 1972 Local Government Act framework rather than replacing it. A series of regulations and guidance provide a framework for the new structural arrangements. These define a fairly extensive range of functions and responsibilities that are not the responsibility of the executive, with the list being added to from time to time by ensuing legislation. By omission, those functions and responsibilities that are not included on that list are the responsibility of the executive. Failure to attribute a function to the correct decision-making element of the Council will render a decision ultra vires and subject to a potentially successful challenge in the courts.

5.2 The 2000 Act introduced the concept of an executive and scrutiny arrangements to hold that executive to account. The powers of executive and scrutiny are defined in the legislation and are not delegated by the Council, a significant departure from previous legislative provision where all powers rested with the Council and decision making was delegated to individual committees and officers.

5.3 The Local Government and Public Involvement in Health Act 2007 has introduced further change to the way in which the Council can be structured but has not altered the fundamental split in responsibility between the executive and non-executive elements of the authority. Further change will be introduced by the Local Government, Economic Development and Construction Bill which the working party has tried to anticipate as far as is possible at this early stage of the bill's progress through parliament.

6. The Executive

Current Arrangements

6.1 The 2000 Act requires the Council to operate one of three types of executive – an elected mayor and cabinet, an elected mayor and council manager, or a leader and cabinet. Under the latter, the cabinet is chosen either by the leader (referred to as the 'strong leader' model) or by the Council (the 'weak leader' model). The Council operates the latter. Inclusive of the mayor or leader, a cabinet must have a minimum of 2 and a maximum of 10 councillors. Scrutiny members cannot sit on cabinet and vice versa but both can sit on other committees and panels, subject to certain restrictions as to chairmanship. The chairman and vice chairman of the Council cannot be members of the cabinet.

6.2 The vast majority of councils operate under the leader and cabinet model. Despite consistent Government support for directly elected mayors, there are only 12 currently throughout the country. Only one authority is currently operating the mayor and manager model but it is in the process of reverting back to a leader and cabinet. If 5% of the electorate sign a petition in favour of an elected mayor, the Council must hold a referendum to obtain the public's reaction. If a majority vote in favour of a mayoral system, the Council must introduce that form of administration. Once a mayoral system had been introduced, it was not possible, prior to the 2007 Act, for an authority to return to a leader and cabinet system.

6.3 Since the implementation of the present arrangements, the Council has operated under the leader and cabinet model, with cabinet members appointed by the Council (the 'weak' leader model). The rules of proportionality do not apply to executives and the Council has operated a single party cabinet which has fluctuated in size between 8 and 9 members inclusive of the leader.

Local Government and Public Involvement in Health Act 2007

6.4 The 2007 Act has narrowed the choice of executive arrangements open to local authorities to

- an elected mayor and cabinet appointed by him, or
- an executive leader appointed by the Council from amongst its membership and a cabinet executive appointed by that leader.

6.5 In either case the cabinet still must comprise between 2 and 10 councillors inclusive of the mayor or executive leader.

6.6 The Act has introduced significant changes to the current leader and cabinet system which are dealt with in the following paragraphs.

6.7 The executive leader must be elected at the first annual meeting of the Council following the transition to the new executive leader and cabinet executive model. He holds office until the annual meeting after his normal date of retirement as a councillor. In the case of an authority operating partial-council elections such as Huntingdonshire, that period could therefore be up to 4 years in length or such lesser period when the leader's term of office as a councillor comes to an end. If an executive leader would normally have ceased to be a councillor when his term of office comes to an end (because he has decided not to stand again or is not elected), he nevertheless will remain as executive leader and a councillor until the ensuing annual meeting when a new executive leader is appointed.

6.8 The Council can resolve to remove an executive leader from office at any time and appoint a replacement either when the executive leader is removed from office or at a later meeting.

6.9 The executive leader must appoint one of the members of the cabinet executive to be the deputy executive leader who shall serve for the same period of office as the executive leader, unless he resigns as either deputy executive leader or as a councillor in the interim or he is removed as deputy executive leader by the executive leader. The deputy executive leader will act in place of the executive leader if the latter position is vacant or the executive leader is unable to act. If both are unable to act or both positions are vacant, the cabinet must act in the place of the executive leader or can appoint a member of the cabinet to do so.

6.10 The Act effectively gives the executive leader the same powers as a mayor in terms of the discharge of the executive functions of the Council. The leader can discharge any of those functions himself or can arrange for them to be discharged by the cabinet, by a member of the cabinet, by a committee of the cabinet or by an officer. That choice is his and not the Council's. The Act enables the cabinet, a committee of the cabinet or an executive member to further delegate any executive power delegated to them to an officer but gives the leader a right of veto over any such further delegation.

6.11 The Council must decide which form of executive it wishes to operate by the end of the transitional period specified in the Act. A resolution to change the governance arrangements must be made no later than 31st December 2010 with the new arrangements coming into effect no later than the third day after the day of elections to the Council in May 2011. If a resolution is not passed by the due date, the Council must implement the executive leader and cabinet executive arrangements. The Council's existing arrangements will remain in place until the new arrangements are implemented.

6.12 The Council can change governance arrangements subsequently only during a permitted resolution period which extends from the date of the annual meeting in 2014 until the end of that year and a similar period every 4 years thereafter. The change would come into effect on the third day after the day of election in 2015 and any fourth year thereafter. It is open now for an authority to move back from an elected mayor and cabinet system to an executive leader and cabinet executive system.

6.13 Before passing a resolution as to which new form of executive to adopt, the Council must take reasonable steps to consult the electorate and other interested parties. The Council must then draw up proposals for change in order to secure continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The Council has discretion to make a decision on the choice of executive the subject of approval by a referendum, If a referendum is held, the result is binding on the authority. The proposals must be published both before and after the resolution has been passed to change the governance arrangements.

6.14 The change introduced by the Act does not affect the opportunity for the electorate to petition for the introduction of a mayor and cabinet under the 2000 Act which would not follow the above timetable. However where a change to a mayoral system has been made as a result of a referendum, either as a result of a petition or by choice on the part of the authority, the Council cannot resolve to change governance arrangements again without another referendum being held. If a referendum is held as a result of a petition, another referendum cannot be held until a period of 10 years has elapsed.

Communities in Control White Paper

6.15 Further change was heralded in the recent White Paper with the Government indicating that it wants to make it easier for people to demand a mayor through a referendum. The Government is currently consulting on allowing the use of on-line petitions to register support for a referendum, a reduction in the trigger threshold for a referendum from 5% of voters to possibly as low as 2% and a reduction in the period between referenda from 10 to 4 years.

Options

6.16 Fundamental therefore to the review of the Council's structure was the choice of governance arrangements in response to the 2007 Act. This must be in place by 2011 but can be implemented earlier if the Council so decides. Any changes to the Council's existing arrangements in terms of size of cabinet membership, frequency and timing of meetings etc. emerging from the review will only apply from the annual meeting in 2009 until the new governance arrangements of an executive leader or mayor apply. After that date, it will be for the executive leader or mayor to determine all matters relating to the discharge of executive functions over which the Council itself will have no jurisdiction (other than to remove the leader from office or change to the alternative form of executive). In practice, the powers of an elected mayor and an executive leader are broadly similar with the only principal difference being that the mayor is elected for a four year term of office by the electorate whereas the executive leader is appointed by the Council from amongst its membership and can be similarly removed from office.

6.17 The two principal issues that the working party therefore needed to address were which form of executive should be introduced in response to the 2007 Act and whether any changes to the present arrangements should be recommended to Council in the interim.

Choice of Executive

6.18 Addressing the long term future governance arrangements of the Council first, the working party considered whether an elected mayor or executive leader should be adopted, what consultation arrangements should be implemented with electors and interested parties and whether a referendum should be held. The Government is clear in its support for directly elected mayors. Nevertheless, nine years after the 2000 Act, there are still only 12 elected mayors in the country, excluding London itself, which reinforces the view that there is little public appetite or support for elected mayors, notwithstanding the publicity attaching to last year's London mayoral elections.

6.19 The new governance arrangements in 2011 will require a resolution to be passed no later than the Council meeting in December 2010. A decision to hold a referendum will clearly lengthen the timetable for implementation but the latest that the consultation itself should begin is June of that year with a referendum in November and a resolution to adopt the new governance arrangements being made within 28 days of the date of that referendum. To provide sufficient time for consideration prior to the consultation arrangements, the Council would need to begin the process not later than March 2010.

6.20 The working party took the view that there was no useful purpose in delaying consideration of the decision. In terms of the choice of an elected mayor or executive leader, the working party acknowledged -

- the lack of support nationally for the mayoral model,

- that the public consultation that was undertaken on the choice of executive in Huntingdonshire when the 2000 Act was implemented favoured the leader and cabinet model,
- that the County Council (which had to move to the new arrangements earlier in the statutory timescale) has adopted the executive leader model with effect from May 2009 in response to its public consultation on the choice,
- an apparent lack of enthusiasm both in Huntingdonshire and elsewhere within Cambridgeshire for an elected mayor, and
- that the Council's existing leader and cabinet arrangements are understood and have been embedded in the organisation since their initial implementation.

6.21 The working party recognised that the mayoral system enables an individual person to become elected, potentially on the basis of a populist electoral campaign or a single contentious issue of concern, without the benefit of support from one of the political parties. This has the potential to lead to tensions between the mayor and elected councillors from whom the cabinet would be chosen and to consequential operational and practical difficulties in terms of working relationships. Members felt that there was little to be gained and potentially much to be lost if a mayoral system was introduced.

6.22 The working party is of the opinion that the present executive arrangements have worked well and can see no useful purpose in moving toward a mayoral system. In view of the lack of public interest, there also seems little justification in holding a referendum on the choice, as opposed to a public consultation exercise which will give local people an opportunity to express their views. If the latter results in strong support for an elected mayor, the Council can reconsider whether to hold a referendum.

6.23 The working party therefore recommends that the Council undertakes a public consultation exercise as soon as practicable with the intention of implementing an executive leader form of executive in response to the 2007 Act. Following completion of that exercise, the Council is invited to move to the new system with effect from the annual meeting in 2010 or earlier if practicable.

Interim Arrangements

6.24 Pending the implementation of the elected mayor or executive leader arrangements, the working party reviewed the present leader and executive arrangements and addressed a series of questions about the current structure and ways of working of the cabinet. The working party found the views expressed by existing Cabinet members to the Chairman in the course of his interviews as part of the review to be particularly helpful in this context.

6.25 The working party concluded that the present range of executive functions did not appear to be evenly divided, with some executive councillors having extensive portfolios which were difficult to manage effectively. In a large and progressive authority of Huntingdonshire's size, the working party felt that the opportunity should be taken to make maximum use of the size constraint for the executive permitted by the legislation by increasing the size of the Cabinet to 10 from its current number of 9. **The working party recommends that the size of the Cabinet be increased to 10 members, inclusive of the Leader.**

6.26 The working party looked at different ways of structuring the Cabinet to provide continuity and cover in the unavoidable absence of an executive councillor through illness or holiday and to enable new executive councillors to become effective as early as possible. The idea of a two tier system of

senior and junior Cabinet members with a shared portfolio was discussed, as was the possibility of executive councillors being 'shadowed' by another councillor who could substitute for them in an emergency. For a variety of reasons, these were discounted. As cabinet membership is restricted to a maximum of 10, it was felt that combining all executive responsibilities into no more than 4 portfolios shared by a pair of executive councillors (excluding the leader and deputy leader from portfolio responsibility) would result in the portfolios themselves being too large. Confusion might arise as to who was taking the lead on individual functions within each enlarged portfolio. The working party was attracted to the idea of 'shadow' executive councillors who could step in when existing Cabinet Members were unavailable but the restriction on being a member of both the executive and scrutiny and the resources required in keeping 'shadow' executive councillors informed made this a somewhat impractical proposition and it was discounted during the working party's deliberations.

6.27 The working party also considered the role of the deputy leader. Currently the postholder has responsibility for a portfolio which limits his ability to deputise for the leader or for any other executive councillor who is absent. In the absence of a satisfactory alternative to provide cover for executive councillors as outlined above, the working party concluded that both the leader, as currently, and the deputy leader should not be burdened with portfolio responsibilities. It was felt that the deputy leader's primary responsibilities should be to provide the necessary support and assistance to the leader and to be able to stand in for other executive councillors who are absent thereby overcoming the issues of continuity and cover. Later in its report, the working party's views on support for Members are expressed but it was felt that this is a critical function that should also be led by the deputy leader. **The working party therefore recommends that the deputy leader should not have responsibility for a portfolio of executive functions but should be responsible for deputising and supporting the leader and other executive councillors, as necessary, and for a Member training and mentoring programme on a cross party basis.**

6.28 The rules of proportionality in terms of membership reflecting the political composition of the Council do not apply to local authority executives. Since the inception of the present arrangements however, the Council has operated a single party Cabinet comprising members of the majority party only. Practices vary in other authorities but some continue to operate a multi-party executive that reflects the political composition of the Council. The working party discussed whether a single party cabinet should be retained but the minority party members who sat on the working party expressed the view that if the party were to be represented in cabinet, this would constrain their ability to challenge and scrutinise cabinet decisions. They were not therefore in favour of change. **As a result, the working party recommends that the Cabinet should continue to contain members of the majority political party only.**

6.29 The working party considered the frequency and timing of meetings of the cabinet in an attempt to ascertain whether this was restricting membership through an inability of some members in full time employment to become executive councillors. Historically, the Cabinet has met roughly every three weeks on Thursday mornings, with a briefing meeting comprising Cabinet members only earlier that day. The new municipal year will see a move to meetings on a monthly basis on the third Thursday of each month with the timing of meetings remaining unchanged.

6.30 The working party came to the conclusion that the present arrangements do tend to preclude members in full time employment from becoming executive councillors. Although employment legislation entitles employees to

reasonable time off work to undertake Council business, the working party felt that this was still not sufficiently conducive to attract career minded councillors to become executive councillors, nor was the special responsibility allowance sufficient to compensate for the loss of earnings from normal employment. The working party supported the move towards monthly meetings of the cabinet but felt that the present timing of meetings was unsatisfactory on the basis that it did militate against those members in full time employment. **The working party therefore recommends that meetings of the Cabinet should be held in the late afternoon or early evening.**

6.31 Whilst accepting that it is a matter for the Cabinet to determine, the working party did not feel that the present briefing arrangements for Cabinet meetings are particularly helpful. There was a perception that the present system of discussing Cabinet business earlier in the morning of a meeting can create an impression for the watching public of a lack of effective debate and that decisions have been taken in advance. While a preliminary meeting to discuss procedural issues is justifiable, the working party felt that it would be more useful for Cabinet to have a briefing by appropriate officers some 2 or 3 days prior to the monthly meeting. It was also felt that that the Cabinet should introduce more informal meetings at regular intervals to discuss issues of topical or future importance with other panel chairmen, including those of the overview and scrutiny panels. In so doing, cabinet can obtain the views of others on future policy direction, with officers invited where appropriate. **The working party recommends that short briefings of Cabinet members be held prior to Cabinet meetings only with a formal briefing by officers some 2/3 days previously. In addition, regular member only 'blue sky' meetings should be convened by Cabinet at regular intervals involving, where appropriate, other non-executive members.**

7. Overview and Scrutiny

Current Arrangements

7.1 Overview and scrutiny as a concept was applied to local government by the Local Government Act 2000. The Act requires a local authority operating under executive arrangements to appoint one or more overview and scrutiny committees and defines the functions of that committee(s) as –

- to review or scrutinise decisions made or action taken by the executive in discharging its functions
- to make reports and recommendations to the authority or the executive about the discharge of executive functions
- to review or scrutinise decisions made or action taken in the discharge of non-executive functions
- to make reports and recommendations to the authority or the executive about the discharge of non-executive functions
- to make reports and recommendations to the authority or the executive on matters that affect the authority's area or its inhabitants
- to conduct best value reviews if included within its terms of reference by the authority.

7.2 The Act prohibits an overview and scrutiny committee from discharging any other function (with the exception of a county or unitary authority which can scrutinise matters relating to the health service).

7.3 No member of an executive can be a member of an overview and scrutiny panel. Subsequent legislative change enables the co-option of persons who are not members of the Council to an overview and scrutiny committee in a non-voting capacity. If a scheme has been approved and advertised by the

Council in relation to co-option arrangements, a co-opted person can vote at scrutiny committee meetings.

7.4 Scrutiny committees are subject to the normal rules of proportionality. They can require attendance at their meetings by cabinet members, other members and officers but can only invite representatives of external organisations to attend.

7.5 Scrutiny has offered probably the most challenging aspect of the new governance arrangements. The concept is still relatively new to local government, although based on the parliamentary select committee model. It requires scrutiny to challenge and hold to account not only the authority's own executive and other parts of an authority's administration, but also external organisations contributing to the economic, social and environmental well-being of the District.

7.6 How scrutiny addresses those responsibilities is a matter for an individual authority and a range of differing structures have been adopted by authorities to suit their own circumstances. An on-going issue is the need to overcome the perception that scrutiny is an activity for backbench councillors, struggling to find a role for themselves with the demise of the committee system. In reality, scrutiny enables councillors to set their own agenda, to choose which topics they want to study in depth and to take a broader approach to the issues facing the District and their constituents. To operate successfully, it requires scrutiny councillors to take a far more pro-active approach and rely less upon the support of the officer structure.

7.7 Scrutiny is not merely a vehicle for challenging the executive. It can become involved in policy formulation, with topics of its own choosing or which have been referred by the executive for a more in-depth review and investigation. Recommendations that are well argued and evidence based can be constructive and difficult to refute. Scrutiny therefore should not be regarded as threatening by the remainder of the administration although, without some tension and challenge, scrutiny does not function effectively. The phrase most often used to describe effective scrutiny is a 'critical friend'.

7.8 Since the introduction of the new governance arrangements, the Council has appointed two overview and scrutiny panels. Although their titles have changed from time to time (currently service delivery and service support), they have effectively mirrored a split in Cabinet portfolios, each scrutinising roughly half of the Cabinet membership. Suggestions have been made from time to time by scrutiny councillors that there is a need for a third panel to be established because of workload volumes. While that has not found general support within the Council in the constitutional reviews that have taken place to date, a composite of the two panels has been established to deal with the budget, corporate framework and issues of major importance which, in the past, had tended to be submitted to both scrutiny panels.

7.9 The panels originally comprised 12 Members which subsequently was felt to be too small to create a sufficient pool of councillors to sit on the working groups established to undertake detailed studies and reviews. Their size was increased to a maximum of 16 councillors, although in practice only 15 have been appointed to each. The Corporate and Strategic Framework Panel also has a membership of 15 but it is drawn from the 2 existing overview and scrutiny panels, including both chairmen and vice chairmen.

7.10 Although the panels are proportionately balanced to reflect membership of the political parties, they tend not to be arena for political debate, the more appropriate forum for which is the Council meeting. The panels appoint their own chairmen and vice chairmen. During the two year trial prior to

implementation of the 2000 Act, one of the panels was chaired by a member of the opposition. More latterly one of the vice chairmen was a member of the opposition. All of the chairmen and vice chairmen are currently members of the majority party.

7.11 The panels arrange their own work programmes but do not tend to plan ahead for twelve months, as some commentators suggest is advisable. The panels' opinion is that the latter would lose flexibility, make it more difficult to respond to local circumstances and the changing content of the Forward Plan, stifle spontaneity and interest and also alert the Cabinet which might pre-empt any proposals that might be forthcoming.

7.12 The constitution permits non-scrutiny councillors to raise items on panel agenda and speak at panel meetings. Non-scrutiny councillors can be appointed to the ad hoc working groups established from time to time by the panels to undertake investigations and reviews but in practice this has happened rarely.

7.13 One of the major challenges for scrutiny is to raise the awareness of scrutiny councillors and develop their expertise with a wholly different skill set required. A scrutiny councillor is unlikely to be effective if he lacks knowledge of the Council's policy and budgetary framework, how those policies are being implemented, how effectively the Council is performing against target and the growing trend towards partnership delivery. In the wider context, this also requires a sound knowledge of the economic, environmental and social circumstances applying in the district and where local needs and priorities are not being addressed effectively.

7.14 Scrutiny can 'call in' executive decisions made by the executive, irrespective of whether they are made by the cabinet itself, a sub committee of the cabinet, a joint committee exercising executive responsibilities or an individual cabinet member. Key decisions made by officers also can be called in, although in practice all key decisions are dealt with by members. A minimum of three members of the relevant panel is required to trigger the call in mechanism.

7.15 The scrutiny panels have reviewed their working practices and terms of reference on a number of occasions since the present governance arrangements were first introduced and have produced action plans for change and improvement which has produced the present arrangements.

Local Government and Public Involvement in Health Act 2007

7.16 Both the 2007 and the earlier Police and Justice Act 2006 have enhanced the role of overview and scrutiny. The majority of the 2007 Act changes will come into force in April 2009 but those contained in the Police and Justice Act have yet to be implemented by parliament. The changes reflect the importance that Government attaches to role of scrutiny and also the need to secure effective scrutiny of partnership working in the new era of local area agreements, community safety partnerships etc.. The key developments can be summarised as follows –

- provision for any member of an overview and scrutiny committee to refer to the committee any matter of relevance to the functions of the committee;
- provision for any member of the Council to refer to an overview and scrutiny committee any matter of relevance to the functions of the committee that affects his/her ward;

- a requirement to establish a crime and disorder committee to review, scrutinise and make reports and recommendations to authorities responsible for crime and disorder strategies;
- provision for any member of the Council to refer to a crime and disorder committee any matter of relevance to the functions of the committee that affects his/her ward;
- power to scrutinise the discharge of functions by individual councillors in their wards if the Council devolves decision making to ward councillors under the 2007 Act;
- power for an overview and scrutiny committee to require information from the County Council and certain partner authorities;
- power for a crime and disorder committee to similarly require information and also require attendance at committee meetings by responsible authorities;
- power to co-opt additional persons to a crime and disorder committee;
- discretion for an overview and scrutiny committee to publish its report and recommendations to the executive;
- a duty for the executive to respond in writing to an overview and scrutiny's report and recommendations within 2 months and to publish the response if the committee's report was published;
- power for a county council and partner district councils to establish a joint overview and scrutiny committee to scrutinise the attainment of local improvement targets specified in a local area agreement;
- power for a district council to make reports and recommendations to a partner county council relating to the attainment of local improvement targets specified in a local area agreement; and
- power for councils responsible for crime and disorder strategies to appoint a joint crime and disorder committee to exercise scrutiny functions.

Communities in Control White Paper

7.17 The White Paper heralds the Government's intention to raise the visibility of the scrutiny function to ensure that local people are aware that this is at their disposal if they have issues of concern that they want to raise.

7.18 The Government has announced that it intends to do this by –

- encouraging a more creative involvement by the public, for example by holding 'deliberative events';
- moving meetings into the local community and considering webcasting;
- greater public involvement in suggesting and selecting topics for review;
- making information more readily available and accessible on websites and at council offices;
- further enhancing the powers of overview and scrutiny committees to require information from partners on a broader range of issues;
- if necessary providing councils in two tier areas with the power to combine resources in 'area' scrutiny committees; and
- requiring some dedicated scrutiny resource in county and unitary councils.

Some of the above are contained in the Local Democracy, Economic Development and Construction Bill.

Options

7.19 The working party was conscious that the existing overview and scrutiny panels have undertaken a number of reviews of their own structure and working practices since the introduction of the scrutiny principle. With the added emphasis generated by recent legislation, the working party acknowledged that scrutiny's role and significance will continue to grow. It

was felt that perhaps its function was still not appreciated fully, either within the Council or the local community, notwithstanding the efforts of the existing panels to encourage greater participation and awareness in their business. In particular it was suggested that the scrutiny panels are an underused resource that Cabinet do not always take full advantage of to assist in policy formulation.

7.20 The working party was aware that other authorities have found several different ways of structuring their scrutiny arrangements, some having separated the overview and scrutiny functions while others undertake pre-scrutiny of all cabinet items as opposed to post scrutiny. Of particular interest from the discussions with Basingstoke and Deane Borough Council was the fact that, based upon its experience, it was proposing to change its existing arrangements of 3 overview committees and 1 scrutiny committee to a model that comprised committees that undertook both functions. On the whole, the working party concluded that the Council's existing arrangements had largely worked well since their inception.

7.21 In considering whether further change is required, the working party had sympathy with previous suggestions that there should be more than two panels. Although the corporate and strategic panel has provided a forum for discussion of principally budgetary and strategic issues, the working party came to the conclusion that it could at best be regarded as a compromise. The working party therefore looked at the number and size of the panels in the context of the enhanced role of scrutiny. With a current membership of 30 in the existing two panels, the working party agreed that it was impractical for additional Members to become 'scrutineers' and that if the panels' membership was too small, this would lead to insufficient numbers being available to undertake the ad hoc studies through which most of the work of the panels is undertaken.

7.22 In particular, the working party was conscious that scrutiny's role in holding the local strategic partnership to account had not been fully developed to reflect the significance of the recent expansion of partnership working. Currently the work of the Huntingdonshire Strategic Partnership and the various thematic groups that have been formed are not being scrutinised. With the allocation of LPSA reward grant through Cambridgeshire Together (the County LSP), the working party was concerned that there is an absence of transparency and accountability in the process. The 2007 Act does make provision for joint county and district scrutiny of performance achievement and officers of the authorities in the county are currently exploring ways in which this can be achieved whilst safeguarding the role and independence of each authority's own scrutiny arrangements.

7.23 In the interim, the working party considered how best to scrutinise the LSP and its thematic groups. While it seemed clear to the working party that the thematic groups could be aligned to the terms of reference of scrutiny panels, it was less clear how best to hold the Huntingdonshire Strategic Partnership itself to account. The working party concluded that, as the Sustainable Community Strategy is approved by full Council, it would be more appropriate for the LSP to be held to account through the mechanism of the Council itself. This is referred to again later in the section of this report dealing with the role and business of the Council itself.

7.24 The working party therefore concluded that there was sufficient work to justify the creation of an additional panel to replace the corporate and strategic framework panel but with an adjusted re-alignment of responsibilities. In so doing, the working party has used the opportunity to highlight within the panels' terms of reference the corporate priorities and goals of not only the Huntingdonshire Sustainable Community Strategy and the Council's

Corporate Plan but also those of the Countywide Sustainable Community Strategy (Cambridgeshire's Vision) given the new shared responsibility for scrutinising the attainment of local improvement targets.

7.25 The working party therefore recommends that the present scrutiny arrangements be replaced by three new overview and scrutiny panels with the following titles and terms of reference -

Social Well-Being

- **District Council portfolios - housing & public health and leisure;**
- **Cambridgeshire's Vision priorities – equality & inclusion and safer & stronger communities;**
- **Huntingdonshire Sustainable Community Strategy themes - children & young people, health & well-being and inclusive, safe & cohesive communities;**
- **Huntingdonshire Strategic Partnership thematic groups - children & young people, health & well-being and inclusive, cohesive & safe communities; and**
- **Council's corporate plan 'Growing Success' aims - housing that meets individuals' needs, safe, vibrant & inclusive communities and healthy living.**

Environmental Well-Being

- **District Council portfolios - planning strategy & transport, operational & countryside services and the environment aspects of finance and environment;**
- **Cambridgeshire's Vision priorities – environmental sustainability and managing growth;**
- **Huntingdonshire Sustainable Community Strategy theme – environment;**
- **Huntingdonshire Strategic Partnership thematic groups - environment forum and growth & infrastructure; and**
- **Council's corporate plan 'Growing Success' aims - a clean, green & attractive place and developing sustainable communities.**

Economic Well-Being

- **District Council portfolios – resources & policy, customer services & information technology and the finance aspects of finance & environment;**
- **Cambridgeshire's Vision priorities – economic prosperity;**
- **Huntingdonshire Sustainable Community Strategy theme – economic prosperity & skills;**
- **Huntingdonshire Strategic Partnership thematic groups - economic skills & prosperity; and**
- **Council's corporate plan 'Growing Success' aims - a strong local economy and improving systems & practices, learning & developing and maintaining sound finances.**

7.26 If each of the panels contains 10 members, this will not increase the existing number of scrutiny councillors. However the working party felt that the rules on co-option offer an exciting opportunity to encourage members of the public to become more directly involved in participation in Council business which will help promote an involvement in local democracy which is one of the key aims of the current Local Democracy, Economic Development and Construction Bill. The principle of independent persons on the Council's Standards Committee already works well and the working party sees this as a

valuable way of encouraging others to take part in local democracy. The working party therefore suggests that 2 persons should be co-opted to each of the panels with voting rights but without the right of call-in. This could offer practical benefits for each of the panels if co-opted persons have suitable experience in some of the functions or areas being scrutinised by each panel and also provide a useful introduction to local government for prospective election candidates. Another option might include the co-option of young people as a way of encouraging younger individuals to become more involved in local democracy. If Council is agreeable to the proposal, a co-option scheme needs to be formally adopted in accordance with the formal legislation. **The working party recommends that each of the overview and scrutiny panels comprises 10 members plus 2 co-opted persons with voting rights but without a right of call-in and that arrangements be made for a formal co-option scheme to be adopted to this effect.**

7.27 The working party addressed the issue of substitution which has been advocated from time to time as a means of ensuring full attendance at meetings. The practice tends to be used most in authorities with close political control to ensure that a majority party can be assured its policies are carried when a vote is required. Such circumstances tend not to apply to scrutiny where discussion is cross party and divisions on party grounds have been rare. For a variety of reasons, including the fact that the system can be open to political abuse, together with the practicalities of a lack of continuity, inexperience and repetition of debate, the working party did not support the idea of substitution for scrutiny panel membership. **The working party recommends that no change be made to the present system of no substitution on scrutiny panels.**

7.28 The working party considered the role of the chairmen and the vice chairmen of the overview and scrutiny panels and whether specific provision should be made for positions to be offered to members of minority political groups. It was the unanimous view of the working party, which comprised members of both parties and an independent councillor, that chairmanship and vice chairmanship should be undertaken by the best persons for the job, irrespective of party, and also that there should no stipulation as to the length of time that a person should serve in each position. **The working party therefore recommends that no change should be made to the present arrangements in terms of the appointment and length of office of the chairmen and vice chairmen of the panels.**

7.29 In terms of the frequency and timing of meetings, the working party found that the present arrangement of monthly meetings (with the exception of May and August) starting at 7.00 p.m. appears to suit those councillors who sit on the panels and **it is recommended therefore that no change be made to the frequency and starting time of meetings of the panels.**

7.30 The working party was conscious of the need to enhance the profile of scrutiny in the context of recent legislative change but was aware that this has featured often in the deliberations of the panels themselves. Press releases, articles in Districtwide, better use of the Council's website all can play their part but the working party was less than enthusiastic of the Government's proposal that meetings should be webcast to the general public. While supporting the idea that the new civic suite to be constructed as part of the new accommodation project should contain provision for webcams in the event that the Government introduces a statutory requirement to this effect, the working party felt that there was insufficient evidence currently to suggest that the investment required to webcam meetings could be justified. **Nevertheless the working party recommends that every effort be made to highlight the importance of scrutiny and encourage both members and the wider public to play an active role in the scrutiny process.**

7.31 The working party considered the present call-in arrangements and whether they were thought to be working satisfactorily. Call-ins have tended to be infrequent with historically no more than 2 or 3 in total per annum. A requirement for 3 Members of the relevant panel to trigger a call-in appears to offer the right balance and the working party cannot see any reason for change. **It recommends that no change be made to the present arrangements for the call-in of executive decisions contained in the constitution.**

7.32 The changes proposed will create a requirement for additional scrutiny support from the officer structure. Previous suggestions for a dedicated scrutiny resource have not been accepted by the Council and support has been provided by the staff of the Democratic Services Section of the Central Services Directorate. The Local Democracy, Economic Development and Construction Bill makes provision for county and unitary authorities to have a dedicated 'scrutiny officer' which cannot be filled by one of the existing three statutory posts of head of paid service, monitoring officer and section 151 officer. Although this does not extend to district councils, increasingly the partnership agenda will involve scrutiny staff in maintaining close contact with the statutory scrutiny officer at county level.

7.33 Coincidental to the working party's review, the Director of Central Services, following his recent appointment, has undertaken a review of his directorate structure. Through a redistribution of staffing resources, it has been possible to propose the creation of a post of Scrutiny Manager. The restructuring has now been approved by the Employment Panel and the working party welcomes the creation of a dedicated post of Scrutiny Manager to support the scrutiny process.

8. The Non-Executive Structure of the Council

8.1 Regulations made under the 2000 Act list a range of functions that are defined as non-executive. Some are specifically reserved to Council by the regulations and other legislation but for the remainder, the Council can delegate responsibility to committees or officers under the pre-2000 Act arrangements. The functions can be grouped together under the following headings –

- functions relating to town and country planning and development control
- licensing and registration functions
- functions relating to health and safety at work (other than in relation to the Council as an employer)
- functions relating to elections
- functions relating to the name and status of areas and individuals
- functions relating to changing governance arrangements
- functions relating to community governance
- power to make, etc. byelaws
- functions relating to smoke free premises
- power to promote or oppose local or personal Bills
- functions relating to pensions etc.
- functions relating to public rights of way
- duty and power to designate certain officers
- power to appoint staff and determine their terms and conditions
- various other miscellaneous functions

8.2 In addition there are a number of other functions, referred to as local choice functions, that the Council has a choice of determining as executive or non-executive. Those that affect the Council are –

- determination of appeals against decisions made by the authority
- functions relating to contaminated land
- functions relating to the control of pollution or air quality
- functions relating to statutory nuisances
- appointment of individuals to other offices and bodies
- functions relating to local area agreements.

8.3 Some committees (standards and licensing) are statutory and must be established but, those apart, it is a matter for the Council's discretion as how it undertakes non-executive decision making. The working party looked at the remit of each of the panels and committees that have been established.

9. The Council

9.1 Article 4 of the constitution lists the powers that have been reserved to the Council which principally relate to the approval of the budget and various policies and strategies that together make up the Council's policy and budgetary framework. Once those have been approved, it is for the Cabinet to carry out their detailed implementation. Any proposed decision that is contrary to the framework requires reference to Council for determination.

9.2 The Council currently meets 6 times per annum at 2.30 p.m. This includes the statutory annual meeting in May.

9.3 Of all the parts of the democratic structure, the Council has probably changed the least as a result of the implementation of the 2000 Act and attracted the least attention from local government commentators. At the time of the Act, a leading academic of the Institute of Local Government Studies commented in an article that 'under existing structures the Council meeting has become in most authorities an unsatisfactory occasion. Its business consisted largely of reports from committees…….That business covered ground already gone over in committee. The Council meeting became in many authorities little more than a formality.'

9.4 Members will recognise that little has changed in the intervening years, despite various attempts to enliven Council meetings and encourage public attendance which has included –

- introduction of the state of the district debate;
- holding meetings at alternative venues;
- an opportunity for the public to present petitions containing more than 50 signatures;
- introduction of a period for oral questions by councillors to the executive and other chairmen and
- changing the layout of the chamber.

9.5 The Council meeting should be the main forum for debate on the policy and budgetary framework but robust debate is handicapped when policies and strategies have been the subject of prior public consultation, agreement with partners and discussion at scrutiny and cabinet en route to Council for approval. Often there is little left to discuss or time in which to do so. With cabinet being single party, scrutiny tending to be cross party and regulatory committees not the vehicles for party politics, the Council meeting should provide the principal opportunity for political debate.

9.6 The White Paper 'Communities in Control' is largely silent on the role of the Council but the proposed new duty of promoting democracy and involving local people in key decisions has been carried forward in the Local

Democracy, Economic Development and Construction Bill. So too has the introduction of electronic petitions to make it easier for local people to petition the Council but this latter initiative has already been implemented by the Council.

9.7 The working party was faced with the choice of accepting that Council meetings are a rather uninteresting necessity or proposing more radical change. It chose the latter, prompted by some thought-provoking ideas that emerged from the seminar attended by its Chairman that was organised by the Institute of Local Government Studies.

9.8 The 2000 Act superimposed a parliamentary model on local government with an executive (cabinet) and overview and scrutiny committees (parliamentary select committees). The working party looked at the scope for remodelling Council meetings to more closely resemble parliament with debates on the stages of policy formulation, opposition debate days (supply days), question time, early day motions and a speaker. In addition to the Council's existing terms of reference, the working party addressed a number of questions, namely –

- how does the Council hold the executive to account?
- can the Council play a part in supporting the role of the authority in community leadership?
- how can the relationship between the Council, the executive and scrutiny be configured so Council is both supportive and critical of those roles?
- will policy and budgetary proposals be considered at a single meeting or through a series of events?
- are the present arrangements for chairing meetings satisfactory?

9.9 The working party concluded that the Council should become a new democratic forum. While there is a place for ceremony and symbolism, the working party also found a need for flexibility and creativity to stimulate a healthy local democracy and generate debate and deliberation. The Council should be a place for representation and government, for the elected representatives of the people to conduct the politics of the locality and for the people of the locality to conduct their political activity.

9.10 The working party felt that the present reporting arrangements at Council meetings provide an opportunity for not only executive councillors but also scrutiny and the other committees/panels to be held to account and should not therefore be changed. Similarly it considered that the opportunity for the submission of petitions and Members' question time had worked well.

9.11 Conversely the working party regarded the current arrangements for the approval of major policy documents to be unsatisfactory. The statutory guidance on new constitutions envisaged a situation where new policy initiatives are debated first in Council before being the subject of consultation and then final approval by Council. As explained earlier, there is currently little opportunity for debate if the first occasion that a document is presented to Council is after its content has been agreed with partners, discussed by Cabinet and/or scrutiny and is too close to the deadline for approval. Moreover the sheer scale of some of the policy documents means that it is unrealistic for them to be the subject of meaningful debate by Members who may only be aware of the subject area on receiving the meeting agenda. The working party favoured a move towards the parliamentary approach of white and green papers whereby new policies and proposals are raised in Council on a more informal basis.

9.12 The working party suggests a new approach is needed whereby major policy initiatives are discussed first in Council with Members being briefed in

innovative ways to stimulate questions and debate. Meetings could comprise single issue debates on matters of topical importance to the district with external speakers/organisations invited to brief Members on issues of relevance and significance. They could also be used as a forum for local accountability involving outside bodies or partners. As part of those arrangements, the working party was attracted to the idea of the opposition being invited to choose a theme for debate at one meeting each year and for individual Members to be encouraged to make use of the current notice of motion arrangements to identify subjects for discussion either in Council or by reference to cabinet or panel. By so doing, the Council can become a forum for the community and other agencies to debate important local issues with their elected councillors. **The working party therefore recommends that major policy decisions that are reserved to Council should be the subject of debate at Council meetings before public consultation and innovative ways used to brief Members on the subjects to stimulate debate. Arrangements should be made for single issue debates (in addition to normal business), with the opposition political party invited to choose the subject for debate at one meeting per annum.**

9.13 Earlier in its report, the working party touched on the difficulty in effectively scrutinising and holding to account the Huntingdonshire Strategic Partnership. The overarching importance of the LSP and the achievement of targets through the local area agreement suggests that this is a role for the Council itself, especially as the Sustainable Community Strategy which the LSP is responsible for delivering is approved by Council. **The working party recommends that the annual refresh of the strategy and periodic reports on the performance of the LSP should be submitted to Council for consideration and approval, with any detailed scrutiny referred to the relevant panel for investigation.**

9.14 The success of the new format will be dependent to some degree on the skill and expertise of the person chairing the meeting, who will need to be able to exercise a degree of independence of party political control and be answerable only to the Council. The working party was attracted to the idea of meetings being chaired by a speaker along similar lines to parliament. Currently meetings are chaired by the Chairman of the Council who is elected annually but historically tends to serve in that position for two years. The choice of chairman derives largely from seniority and length of service, together with that person's ability to act as the ambassador for the Council at civic functions. An ability to chair meetings is of relatively minor significance and it is often difficult for incoming chairmen to familiarise themselves quickly with the Council's constitution, conduct meetings effectively and stimulate debate.

9.15 The working party accepts that the Chairman's role in undertaking civic duties should remain unaltered but suggests that, other than chairman's announcements, the chairing of meetings of the Council should be undertaken by a speaker elected by the Council and accountable only to that body as a whole. With the exception of executive councillors who will be appointed in future by the leader and therefore could have a conflict in allegiance, the working party suggests that the position of speaker should be open to all, irrespective of whether that person is holding another position within the authority. In the absence of the speaker, it is suggested that his or her place is filled by the Chairman. **The working party recommends that meetings of the Council are chaired by a speaker elected by the Council itself at its annual meeting and that the position be open to any Member irrespective of any other position already held, with the exception of membership of the Cabinet.**

9.16 The working party considered whether an opportunity should be provided for public question time at meetings of the Council. Currently this is limited to Members only, although organisers of petitions can present and speak to their petition at meetings. To encourage public engagement, the working party was of the view that any person who lived, worked or owned property in the district should be able to ask a question at meetings of the full Council using the same criteria as the existing Members' question time but subject to notice of the question being submitted at least one week prior to the meeting, both to ensure that the question is acceptable and to present the person to whom the question is addressed an opportunity to prepare an answer. **The working party recommends that public question time be introduced at Council meetings as set out in the procedure attached as annex B.**

9.17 Bearing in mind the changes proposed, the working party discussed the frequency and timing of meetings. If the new arrangements work successfully, there may be a need for additional meetings but in the first instance, **the working party recommends that the number of meetings of the Council be increased from 5 plus the annual meeting to six plus the annual meeting each year.** Meetings are currently held at 2.30 p.m. but this may present attendance problems for members in full time employment, guest speakers from partner and other organisations and members of the public. **The working party therefore recommends that meetings should commence at 6.30 p.m. for a trial period of twelve months.**

9.18 A suggested format for a new look Council meeting is attached as annex C.

10. Other Non-Executive Functions

10.1 The 2000 Act rules in terms of decision making do not apply to non-executive functions. Hence the previous 1972 Act and associated legislation remain applicable. Delegation can be to a committee and subsequently to a sub committee (as opposed to an individual member) or to an officer. Committees must be politically balanced.

10.2 Statutory guidance on the implementation of the 2000 Act to which the Council has to have regard states that, in the Secretary of State's view, the number of committees to which decision making is delegated should be kept to a minimum, as should the number of members on committees which should be proportionate to the size of the authority. In addition, the membership of committees should be kept under review in line with the principles of efficiency, transparency and accountability.

10.3 How the Council structures its non-executive decision making is a matter for local discretion. The statutory guidance refers only to development control and licensing, registration and health and safety at work functions. The working party was reminded that, if a non-executive decision is not delegated to a committee or to an officer, it must be taken by the full Council itself. While this may enhance the role of the Council as described above, there are some decisions that require detailed investigation, others that are relatively insignificant and others that are simply inappropriate for discussion in a public forum which comprises all members.

10.4 Some specific non-executive functions relating to licensing and standards are derived direct from the relevant legislation and different procedures therefore apply in the case of those committees.

10.5 Before addressing the current way in which non-executive decision making is structured, the working party discussed the issue of substitution in the event of a councillor being unable to attend a committee meeting of which he or she is a member. This has become a relatively common practice within local

government, particularly in authorities where political parties are closely balanced. It does provide an opportunity to ensure full membership of a committee, to share responsibilities and potentially to bring a fresh perspective to a debate. Substitution tends to be attractive if a party's majority is small and there is a danger of being outvoted in committee if one of its members is unable to attend. Similarly if committee membership is small and an opposition party is entitled only to a single seat, an inability of its appointee to attend would leave the party unrepresented at that meeting.

10.6 In discussing substitution, the working party considered the functions of the committees to which it might be applied. Cabinet has been dealt with earlier in the report with the working party concluding that this should remain single party with no opportunity for 'shadow' Cabinet members. Similarly the working party felt that substitution was inappropriate for scrutiny. Party politics should play no part in the deliberations of the regulatory committees where decisions should be free of political bias and the current format of the Standards Committee is not appropriate for substitution, containing as it does a number of independent persons and parish council representatives.

10.7 The working party did not find the idea of substitution attractive. It did not consider that the business and conduct of the Council has been unduly hampered by the absence of substitutes to date and felt that substitution has less relevance in the current constitutional climate. **The working party therefore recommends that substitution is not introduced for non-executive meetings of the Council.**

11. Development Control Panel

11.1 The Council has delegated non-executive functions relating to town and country planning, public rights of way and trees and hedgerows to the Development Control Panel. The Panel is authorised to determine applications and make orders within the local development framework approved by Council and acts as a consultee when LDF policies are being formulated by Cabinet for submission to Council for approval. Where decisions are proposed that are contrary to policy, these must be referred to Council for approval. In the case of planning applications, the Council in effect assumes the Panel's role in determining an application and procedures have been implemented to address this concept.

11.2 The Panel itself currently comprises 16 members, meeting monthly at 7.00 p.m.. In accordance with statutory guidance, the constitution currently provides for the relevant executive councillor to be an ex officio member of the Panel to provide a link with the policy formulators in Cabinet but there is no restriction in terms of the maximum membership of the Panel by executive councillors. The guidance also suggests that the executive councillor who sits on the Panel should not be its chairman.

11.3 An extensive system of delegation to the Head of Planning Services is in place (which is listed in the constitution) to help ensure that the Council meets its statutory target of determining applications within the required timescales and keep meetings to manageable proportions. Nevertheless all Members do have an opportunity within 21 days of the publication of the weekly planning list to ask for an individual application to be determined by the Panel as opposed to an officer, provided that material planning reasons are submitted by the Member to accompany the request.

11.4 The Panel has introduced a system of public speaking at its meetings which has proved popular without elongating meetings unduly. High levels of public attendance are the norm with over 50 people being a regular occurrence. The public speaking arrangements were reviewed last summer by the

Overview and Scrutiny Panel (Service Support) and by the Development Control Panel itself and minor changes made to a system that has been a notable success.

11.5 The working party looked at the size of the panel, the level and nature of representation of executive councillors, the frequency, time, length and venue of meetings, bearing in mind their popularity with the public. Evidence suggests that the level of Member attendance at panel meetings is high with usually only 2 or 3 absentees per meeting. In terms of executive councillor attendance, the working party queried whether there might be a perception that the portfolio holder might be inclined to regularly support planning officers' recommendations on development applications. However the working party did not find any evidence to this effect and felt that the presence of the executive councillor's experience of planning policy was valuable in debate. With regard to the timing etc. of meetings, the working party was satisfied that the present arrangements are working well and **it therefore recommends that no change be made to the terms of reference, composition etc. of the Development Control Panel.**

12. Licensing and Protection Panel and Licensing Committee

12.1 Licensing, registration and health and safety are the only other non-executive functions mentioned in the statutory guidance. In addition to those listed specifically as non-executive in the regulations, the Council has chosen to designate a number of the local choice functions as non-executive and these have been grouped together within the responsibilities of the Licensing and Protection Panel

12.2 Most decision making for licences, registrations and the enforcement of health and safety is delegated to officers, often after consultation with the Chairman and Vice Chairman, as set out in the constitution. The principal function of the Panel is policy formulation and, unlike development control, most applications that require member decisions are dealt with by application sub groups.

12.3 The Panel therefore meets relatively infrequently on three occasions per annum, usually at 2.30 p.m. It comprises 12 members with the relevant executive councillor again being an ex officio member. The Panel must be politically balanced. Public speaking is not permitted at panel meetings but, as the determination of applications is delegated to sub groups, there are few occasions when this would be relevant

12.4 The Licensing Committee, on the other hand, is a statutory committee, the terms of reference of which are determined by the Licensing Act 2003 and subsequently the Gambling Act 2005. It must comprise 12 members and be politically balanced. The Committee must appoint at least one sub committee of 3 members to determine applications at hearings when representations have been received. Most decision making has been delegated to officers or is dealt with by the sub committees.

12.5 As a result of a quirk in the legislation, it is not possible for the Licensing Committee to incorporate the functions of the Licensing and Protection Panel and vice versa. The practical answer has been for the Committee to replicate the membership, chairmanship etc. of the Panel and for its meetings to immediately follow those of the Panel.

12.6 The Working Party looked at the frequency, timing and venue for meetings and the balance between executive and non-executive members of both the Committee and the Panel. It found that the current arrangements are working well and the time and frequency of meetings to be appropriate for its business

and conduct. The working party found that there was therefore little opportunity or need for any amendments and **recommends that no change be made to the terms of reference, composition, etc. of the Licensing and Protection Panel and Licensing Committee.**

13. Standards Committee

13.1 The Standards Committee similarly is a statutory committee but derived from the 2000 Act with subsequent regulations defining its membership and the delegation of functions to a variety of sub committees.

13.2 The Committee must comprise at least 25% independent persons who are not elected members. In addition it must comprise at least one representative of parish councils who must be present when issues relating to parish councils are being discussed. Two mandatory sub committees must be appointed to deal with allegations of breaches of the Members Code of Conduct and each of the sub committees, as well as the committee itself, must be chaired by an independent person. If a sub committee is dealing with an issue relating to parish councils, a parish council member of the Committee must be present. To have sufficient numbers to appoint to and chair the sub committees, it is necessary for the Committee to comprise at least three independent persons and three representatives of town and parish councils. The Committee may include one or more executive councillors.

13.3 The current membership of the Committee is therefore 7 councillors, 4 independent persons and 3 parish council representatives, although it has only recently been possible to attract a full complement of parish councillors on the Committee. Meetings are held quarterly, usually at 4.00 p.m.

13.4 When the Committee was first established, its terms of reference included a number of other miscellaneous non-executive functions in the absence of an alternative decision making forum, e.g. complaints handling, whistleblowing procedure, constitutional matters. However it became apparent that it was inappropriate for independent persons and parish councillors to be taking decisions on matters of Council business of this nature and those functions have now been transferred to the Corporate Governance Panel. This has meant that the terms of reference of the Standards Committee are limited solely to those that specifically derive from the 2000 Act and subsequent regulations.

13.5 The working party found little opportunity to suggest any change to the Standards Committee whose business is heavily constrained by regulation, other than a change in the time of its meetings to an early evening which might be of assistance to the independent persons and parish council representatives who sit on the committee. **The working party recommends that no change be made to the terms of reference, composition, etc. of the Standards Committee, other than a change in the time of its meetings to 6.30 p.m..**

14. Corporate Governance Panel

14.1 The Panel is a relatively recent innovation. It fulfils the role of the Council's audit committee and deals with issues relating to the Council's governance arrangements, internal and financial controls, customer feedback and whistleblowing.

14.2 The Panel comprises 7 members, of which at least one and no more than three should be members of the executive. In practice the Panel has contained 3 members of the Cabinet since its inception. It meets quarterly, usually at 6.00p.m.

14.3 The Panel recently reviewed its own effectiveness in association with the external auditors and prepared an action plan for improvement which contains two issues that were referred to the working party for consideration as part of the review. The first relates to its membership. A quorum for meetings is three Members and the Panel was concerned that this could create a possibility that on rare occasions only Cabinet Members need be present to meet the quorum requirements.

14.4 The second matter related to the Panel's terms of reference. In reviewing its effectiveness, the Panel considered whether these followed the CIPFA model. The Panel had concluded that they did but referred the matter to the working party for consideration as part of its wider review.

14.5 The Panel is not a statutory committee and is not referred to in the statutory guidance for local authority constitutions. However, the Corporate Governance Panel does represent good practice and the Council scores well in terms of its annual use of resources assessment by having invested in the establishment of a panel of this nature.

14.6 In terms of membership, the working party discussed the relationship between the Panel and both the Cabinet and the Overview and Scrutiny Panel (Service Support) as three members of the former and the chairman of the latter are currently members of the Panel. The working party acknowledged the separate roles of the Corporate Governance and Scrutiny Panels but did not consider that this gave rise to a conflict of interest if a Member sat on both. However the working party did think that a maximum of three executive councillors was too high in a panel size of 7. It was felt that the practice of development control and licensing should be followed with those executive councillors with responsibility for finance and corporate governance being ex officio members of the Panel. It was also felt that co-option of external persons might be beneficial on an ad hoc basis in a non-voting capacity. **The working party therefore recommends that the executive councillors whose portfolios include finance and corporate governance should become ex officio members of the Corporate Governance Panel in place of the present arrangements for a maximum of 3 Cabinet members.**

14.7 Having reviewed the Audit Commission's suggested terms of reference for the Panel in comparison to those approved by Council, the working party found that these largely coincided. **However for the sake of clarity, the working party recommends that the following be added to the terms of reference of the Panel –**

- **comment on the scope and depth of external audit work and ensure it gives value for money**
- **liaise with the Audit Commission over the appointment of the Council's external auditor**
- **commission work from internal and external audit**
- **monitor the Council's policies on 'Raising Concerns at Work', the Anti-Fraud and Corruption Strategy and the Council's customer feedback process.**

14.8 With the exceptions referred to above, the only other change considered by the working party was the time of meetings and, for consistency, **it is recommended that meetings of the Corporate Governance Panel commence at 6.30 p.m.**

15. Employment Panel

15.1 The Council's workforce are employees of and accountable to the Council as a whole, not the executive. The functions and responsibilities regulations specifically define the appointment and terms and conditions of staff as non-executive functions which must therefore be dealt with either in full Council or by delegation to a committee or officer.

15.2 The Council has chosen to establish an Employment Panel, whose terms of reference also include responsibility for determining the Employees Code of Conduct, the Protocol on Member/Employee Relations and Officer Employment Procedure Rules. It is not a statutory committee, nor is there any reference in the statutory guidance as to how such matters should be dealt with in a Council's constitutional arrangements.

15.3 The Panel currently comprises 8 Members, including at least one member of the Cabinet, and meets quarterly, usually at 3.00 p.m.

15.4 Although aware of a view that the Panel's existence was unnecessary, the working party found a need for a mechanism to deal with employment issues. The working party acknowledged that it would be inappropriate for staffing matters to be discussed in full Council, nor for issues of such significance as the negotiation of the annual salary award to be delegated to officers. Some form of Member decision making forum is therefore inevitable and the working party found the present arrangements to be working satisfactorily. **The working party therefore recommends that no change be made to the terms of reference, composition, etc. of the Employment Panel.**

16. Appointments Panel

16.1 The Local Authorities (Functions and Responsibilities) Regulations 2000 define the following functions of the Council as not being the responsibility of the executive –

- power to appoint staff and to determine the terms and conditions on which they hold office (including procedures for their dismissal),
- power to appoint officers for particular purposes (appointment of 'proper officers'),
- duty to designate officer as head of the authority's paid service and to provide staff etc.
- duty to designate an officer as the monitoring officer and to provide staff etc., and
- duty to provide staff etc. to person nominated by the monitoring officer.

16.2 The Local Authorities (Standing Orders) (England) Regulations 2001 require an authority to include in its standing orders certain procedures for the appointment and dismissal of staff.

16.3 The statutory guidance for the implementation of the Local Government Act 2000 also makes provision as to how the appointment and dismissal of staff must be dealt with by an authority.

16.4 There is a perception that the current arrangements, contained in the Officer Employment Procedure Rules in the constitution, are unwieldy in terms of the appointment of the Chief Executive, directors and heads of service. For all other employees, both the Regulations and the Rules require the appointment of employees below head of service level to be the responsibility of the Chief Executive or his nominee and this cannot be undertaken by councillors. The working party's review therefore dealt only with employees at head of service level and above.

16.5 In the case of the head of paid service (the Chief Executive), the Employment Procedure Rules require the full Council to approve the appointment, following a recommendation by a panel appointed by the Council which must include the relevant executive councillor. In the case of chief officers (directors) and heads of service, responsibility for their appointment is delegated to a panel (the Appointments Panel) which must include the relevant executive councillor in relation to the post to be filled.

16.6 The Rules stipulate that an offer of appointment by the Council or the Panel cannot take place until –

(i) the Council or Panel has supplied the Chief Executive with details of the proposed appointment,
(ii) the Chief Executive has supplied members of the Cabinet with details of the proposed appointment and allowed a period for objection to the offer by the leader on behalf of the Cabinet, and
(iii) the leader has informed the Chief Executive that -

- there is no objection to the offer,
- such an objection has not been received within the requisite period, or
- the Council or Panel is satisfied that such objection is not material or well-founded.

16.7 In any case, the final decision as to the offer of appointment is the respective responsibility of the Council or Panel. The same situation applies in the case of the dismissal of employees.

16.8 The Local Authorities (Standing Orders) (England) Regulations 2001 define the procedure for the appointment and dismissal of the head of paid service, statutory and non-statutory chief officers and deputy chief officers. Other than the fact that the Council has delegated to the Appointments Panel responsibility for the interviewing of candidates, the Council's Officer Employment Procedure Rules exactly mirror the requirements contained in the Regulations.

16.9 The Appointments Panel is appointed by the Council each year at the annual meeting. Its size is not defined in the constitution and can therefore be varied at each annual meeting, subject to it always including at least one member of the Cabinet and being politically balanced. Historically, the Panel has comprised four members including the deputy leader, the relevant executive councillor in relation to the post to be filled, the chairman of the Employment Panel and a member of the majority opposition party.

16.10 The working party acknowledged that the only flexibility effectively available is the size of the Appointments Panel. The working party had intended to recommend that membership of the panel comprise the chairman and vice chairman of the Employment Panel, deputy leader, relevant executive councillor and one member of the opposition which would provide a balanced cross section of executive and non-executive members of both parties. However before the completion of the review, a further vacancy for a head of service position has highlighted the problem of finding dates when the existing membership are available which can slow the recruitment process. An alternative approach has been mooted whereby a pool of Members is established from which a panel of 5 is appointed on an ad hoc basis. The approach could lead to a potential imbalance in membership in comparison to the working party's original concept. The working party acknowledged the potential problem but was opposed to the idea of a pool of members for the same reasons as it had discounted substitution. The Working Party felt that a solution to this situation would be for each of the members appointed to the

Appointments Panel to be able to nominate an alternative representative who could attend a meeting on their behalf if they were unable to participate in the interview meeting. **The working party therefore recommends that membership of the Appointments Panel comprise the chairman and vice chairman of the Employment Panel, deputy leader, relevant portfolio holder and the Leader of the majority opposition party (or their respective nominees).**

17. Elections Panel

17.1 Finally the working party reviewed the position of the Elections Panel. Functions relating to elections, the name and status of areas and individuals, governance arrangements and community governance are defined as non-executive. The establishment of a panel to deal with such matters has been a relatively recent development that reflected the need for detailed debate on a number of electoral matters in recent years such as boundary reviews and electoral cycles. In the absence of a panel, such matters would need to be discussed in full Council.

17.2 The terms of reference of the Panel will require some amendment to include the new provisions introduced by the 2007 Act which will be dealt with in the biennial review of the constitution which is currently taking place.

17.3 The Panel comprises 7 Members and meets on an ad hoc basis as and when the need arises. The working party found that the Panel provides a practical way of dealing with electoral matters in an informal manner which aids discussion of detailed issues. **The working party therefore recommends that no change be made to the terms of reference, composition, etc. of the Elections Panel.**

18. Other Committees, Panels and Groups

18.1 There remained a number of joint committees, sub and advisory groups and working parties that have been established by Cabinet or panels. These can be summarised as follows –

Cabinet

Hinchingbrooke Country Park Joint Liaison Group
Huntingdonshire Traffic Management Area Joint Committee
Safety Advisory Group
Customer First and Accommodation Advisory Group
Environment Strategy Working Group
Car Parking Working Group

Overview and Scrutiny Panels

Performance Review Working Group

Development Control Panel

Development Plan Policy Advisory Group
Section 106 Agreement Advisory Group
Tree Preservation Order Sub Group

Licensing and Protection Panel/Licensing Committee

Applications Sub Groups
Licensing Sub Committees

Employment Panel

Employees Liaison Advisory Group
Appeals Sub Group

Standards Committee

Referrals (Assessment) Sub Committee
Review Sub Committee

18.2 Some of the sub committees are required by statute. Others have been established to undertake specific functions, either internally or jointly with external partners, by the parent Cabinet or panel. Some are time limited but they are all subject to change at the discretion of the parent body, as in the case of the recent decision to wind up the leisure centre management committees. They therefore were omitted from its review by the working party which left only the question of area committees.

19. Area Committees

19.1 The statutory guidance that was issued by the Secretary of State to accompany the Local Government Act 2000 recognised that area committees or forums could have an important role to play in bringing decision making closer to people and helping to give local people a say in how a local authority works. The Secretary of State therefore encourages local authorities to consider the use of such decentralised arrangements for consultation or decision making or both.

19.2 Area committees or forums can take many forms and undertake a variety of roles. They can include councillors or be comprised of councillors and representatives of other public, private and voluntary sector bodies in the area. They can have delegated functions and budgets or they can be purely advisory or consultative.

19.3 The Council previously had four area consultative committees that comprised ward councillors but these ceased to exist in the mid 1990s because of lack of business and interest. The only restriction in terms of decision making now is that if an area committee is to exercise delegated executive decision making, it must not exceed 40% of the size of the authority in terms of either area or population. In establishing the new structure in response to the 2000 Act, the Council decided not to introduce the concept of area committees at that time.

19.4 Since then, there has been considerable emphasis on community engagement and neighbourhood management and the question of areas committees is dealt with below.

20. Community Engagement and Neighbourhood Management

20.1 A brief report jointly authored by the Heads of Administration, Community and Environmental Health and Policy and Strategic Services was submitted to both Overview and Scrutiny Panels in November which referred to initial discussions into the question of community engagement and neighbourhood management. As the review of the constitution was in progress, it was agreed to refer the matter to the working party for consideration as part of its wider remit.

20.2 The need for closer engagement with local communities and encourage people to participate in local activities have featured strongly in recent Government white papers and legislation. Both the Strong and Prosperous Communities and Communities in Control white papers have recurrent

themes of engaging with communities and engendering a greater involvement and interest on the part of individuals in local decision making and creating a sense of place.

Local Aims and Objectives

20.3 The development of neighbourhood management is a key objective in both County and District sustainable community strategies and in the Council's own corporate plan.

20.4 'Cambridgeshire's Vision', the Cambridgeshire Sustainable Communities Strategy, contains 5 key themes –

- Managing Growth
- Equality & Inclusion
- Safer & Stronger Communities
- Environmental Sustainability
- Economic Prosperity

Effective neighbourhood engagement and management can play a significant role in delivering against the key themes.

20.5 One of the six strategic themes of the Huntingdonshire sustainable community strategy is inclusive, safe and cohesive communities which lists a number of outcomes, one of which is effective neighbourhood management in appropriate communities by

- implementing neighbourhood management in Ramsey, Oxmoor and Eynesbury,
- investigating neighbourhood management in other communities, and
- promoting the engagement of communities in the provision and running of services.

20.6 The Council's own corporate plan, 'Growing Success' lists empowerment as one of the Council's roles by 'helping and empowering local people and acting as their advocate and working closely with town and parish councils, communities and neighbourhoods; listening and communicating with local residents and supporting the representative role of local councillors'. The community aims include safe, vibrant and inclusive communities, one of the objectives of which is to enable residents to take an active part in their communities –

- by encouraging them to take part in representative and democratic activities, and
- by assisting communities to resolve community issues locally and adopting a neighbourhood management approach in the neediest communities.

Current Arrangements

20.7 Neighbourhood police panels, formerly safer neighbourhood panels, have been operating in Cambridgeshire since 2006, concentrating on establishing priorities for community safety issues in localities. They have been serviced by the Police with the support of the Council's community safety team and are public meetings, open to county, district, town and parish councillors as well as the wider community. Sitting alongside each panel is a joint action group of officers from the Police, community safety and others to agree actions to meet the priorities set by the panel and report back. Seven panels in Huntingdonshire cover

- North and West Huntingdonshire
- Ramsey and District
- Huntingdon and District
- Oxmoor and Hartford
- St Ives and District
- Eynesbury
- St Neots and District

20.8 A recent national review of policing undertaken by Sir Ronnie Flanagan has recommended a closer link between local police forces and other partner organisations at a neighbourhood level on the basis that 'neighbourhood policing should exist within a wider context of collaboration and joint working, with police officers working in partnership with a wide range of local agencies, from councils to primary care trusts to schools'.

20.9 In addition to the police panels, there are locality groups operating in those wards with higher levels of deprivation in Huntingdonshire in Eynesbury, Oxmoor and Ramsey.

20.10 Town Centre management groups have been established in each of the four market towns in the District but while they bring together local authority representation and business interests, their principal function is to promote the economic vitality of the towns and their role should not be confused with neighbourhood management.

Developments in Cambridgeshire

20.11 The County Council's Cabinet approved recommendations contained in a report on 'Taking Forward Neighbourhood Management in Huntingdonshire' in July 2007 which facilitated the neighbourhood management initiatives being implemented in Oxmoor, Eynesbury and Ramsey.

20.12 The County Council is also working more widely across Cambridgeshire to develop neighbourhood management with the key aims of –

- improving outcomes for local people by bringing agencies together to address problems in a joined up way,
- helping citizens engage with and influence public service delivery and democratic governance, and
- supporting local communities in taking local action.

20.13 Two neighbourhood panel liaison officers have been appointed in recent months to support the County Council and its members at neighbourhood panel meetings. The officer responsible for the panels in the north of the County has given a presentation on the proposals to County and District members at a Huntingdonshire In Your Patch meeting in December 2008.

20.14 Elsewhere in the County, Fenland District Council recently agreed a proposal for enhanced neighbourhood engagement and management. Building on a pilot scheme that has been operating in Fenland and an extensive consultation exercise, the Council will be developing 5 neighbourhood management boards and 7 forums. The boards are likely to comprise councillors from Fenland, Cambridgeshire, town and parish councils, youth district councillors, Cambridgeshire Constabulary, the local PCT, a housing association and the local secondary school head teacher and will be attended by officers from the District and County Councils.

20.15 The boards will have the following key roles –

- setting local priorities for partner agencies, including safety and policing policies, linked to the Fenland sustainable community strategy and LAA,
- engaging with the community on local planning issues (where appropriate),
- providing grants to voluntary and community organisations,
- seeking accountability of local service providers,
- developing and commissioning local community initiatives such as projects to develop local skills, raise aspirations, improve quality of life etc., and
- helping to enable town and parish plan development and integrate town and parish priorities into area action plans.

20.16 The neighbourhood forums will include the public, Fenland ward councillors and County Council electoral division councillors from the forum catchment area, the chairmen of town and parish councils, representatives of local tenant and residents associations, local youth councillors and the voluntary sector.

20.17 In East Cambs District Council, a review of its neighbourhood panel project was considered in October 2008. A pilot has been trialled in the Soham area since November 2006 and was extended to cover all parts of the District in January of last year with 5 panels currently in operation. Each panel comprises elected members from all 3 tiers of local government with up to 4 community representatives being co-opted. Parish council representatives provide a regular community viewpoint, augmented by contributions from other panel members and the public who are encouraged to attend. The panel is provided with reports on the local issues facing service providers and meets in public to prioritise the actions necessary to address the issues, taking advice from officers of the public service providers. Actions prioritised at each panel meeting are reported back to the panel and public at the next meeting. The process is supported by a neighbourhoods panel co-ordinator, funded through LPSA reward grant.

Neighbourhood Management in Huntingdonshire

20.18 Neighbourhood management is clearly high on the political agenda nationally and forms part of the Council's aims and objectives.

20.19 The Council needs to consider how best to take this forward. To be effective, it requires commitment and support with significant resource implications, both at member and officer level. There are no additional resources available currently and against a background of financial restraint with budgetary cuts required, it is unlikely that any new funding can be found, other than possibly from existing partners. It seems sensible therefore to build on existing neighbourhood management in the District by expanding the role of the police panels which are already attended by representatives of the three local government tiers, the police and the public. Membership could be expanded to include NHS, education and Luminus representation with servicing of the panels transferring from the police to the District Council.

20.20 The working party had a particularly lengthy debate on this subject. If neighbourhood meetings are to be meaningful, it is clear that strong leadership will be required to encourage public involvement and ensure that issues raised are dealt with by relevant bodies. Bearing in mind the developments elsewhere and the commitments expressed in the sustainable community strategy and corporate plan, the working party concluded that the District Council should take the lead in Huntingdonshire by building on the existing foundations of the police panels. Having regard to the specialist nature of the neighbourhood management initiatives in Oxmoor, Eynesbury

and Ramsey, it was felt that these should continue unchanged by any proposals for neighbourhood forums with a wider remit both geographically and in their terms of reference.

20.21 The working party felt that the fundamental principle for the forums should be the provision of an opportunity for members of the public to raise issues of concern with relevant authorities and public bodies. Therefore the forums should not be too remote from local people, nor should there be so many that it would be impossible for them to be serviced satisfactorily. Although a number of different scenarios were considered, the working party concluded that a total of 6 forums meeting on a quarterly basis would be manageable. Parishes have been nominally allocated to each forum area based on ward and electoral division boundaries and what are perceived to be local communities of interest. This is shown on the map attached as annex D. Some variation may be appropriate as a result of local representation or with partners and indeed initial discussions with Cambridgeshire Constabulary suggest that, for operational reasons, they favour retention of the existing neighbourhood police panels boundaries as shown on annex E, with the exception of those at Oxmoor & Hartford and Eynesbury. The working party believes that local communities of interest should be the priority, otherwise the public are unlikely to attend.

20.22 Although the forums will be open meetings, the working party proposes that a panel be established for each area that will comprise a 'top table' at forum meetings with the purpose of presenting information, resolving issues raised from the floor, moderating any requests for information/action that need to be referred elsewhere, monitoring, progress chasing and reporting back to ensuing meetings. As each forum area will vary in terms of its priorities and circumstances, the working party felt that it would inappropriate to predetermine the composition of the panels, subject only to a membership not exceeding 10 and chairmanship by a district councillor from within the catchment area. Dependent on the length of the forum meeting, a separate meeting of each panel might be required either after the forum discussion or on an ensuing date to action issues raised by those attending.

20.23 In terms of the reporting arrangements, the working party proposes that the forums/panels feed into the appropriate thematic groups of the Huntingdonshire Strategic Partnership with any issues of concern with regard to membership, attendance by public bodies, investigation of issues etc. being reported through the HSP itself to the LSP partners. Operational issues would be referred to and dealt with by the appropriate local authority or public sector body with the outcome reported back to the next ensuing forum meeting. A diagram showing the various proposed linkages is attached as annex F.

20.24 **The working party therefore recommends that 6 neighbourhood forums open to the public be established in Huntingdonshire, chaired by district councillors and serviced by the District Council for the areas of Huntingdon, St Neots, St Ives, Ramsey, North Huntingdonshire and West Huntingdonshire with the catchment areas shown on the plan attached as annex D to this report and the following terms of reference –**

- **advising on the setting of local priorities for partner agencies, including safety and policing policies, linked to the Huntingdonshire sustainable community strategy and local area agreement,**
- **engaging with the community on local planning issues (where appropriate),**
- **seeking the accountability of local service providers,**

- **developing and commissioning local community initiatives such as projects to develop local skills, raise aspirations, improve quality of life etc.,**
- **helping to enable town and parish plan development and integrate town and parish priorities into area action plans' and**
- **expressing views in response to consultation on proposals under the Sustainable Communities Act 2007** (see below).

20.25 **The working party recommends that a panel should be established for each forum, chaired by a district councillor and serviced by the District Council, with the composition of each panel being a matter for local determination subject to a ceiling of 10 representatives of local authorities and other public sector bodies active in the area of that forum and with the following terms of reference –**

- **presenting information at forum meetings,**
- **resolving issues raised at forum meetings,**
- **moderating any requests for information/action that need to be referred elsewhere,**
- **monitoring the performance of the forum,**
- **progress chasing requests for information/action, and**
- **reporting back to ensuing meetings.**

The panels and forums will feed into the appropriate thematic group of the Huntingdonshire Strategic Partnership.

21. Sustainable Communities Act 2007

21.1 The principal aim of the Act is to promote the sustainability of local communities by encouraging the improvement of the social, economic and environmental well-being of an authority's area, including participation in civic and political activity. The Act requires the Secretary of State to invite local authorities to submit proposals to promote the sustainability of local communities which can include a transfer of functions between local and public authorities. Before doing so, an authority must consult with the transferor authority and a panel of representatives of local people, including, specifically, under-represented groups. Regulations on the implementation of Act were published only recently by Secretary of State in November 2008.

21.2 For the purposes of the review, the working party considered the composition of the panel required under the Act. Some authorities already have established citizens panels and there is no necessity for such to be duplicated for the purposes of the Act. Where those do not exist, an authority that wishes to submit proposals under the Act must consult a panel, including representatives of persons from under-represented groups. The latter are not defined and it is a matter for each local authority to decide upon reasonable steps to identify under-represented groups if a new panel is to be established.

21.3 The steps should include –

- identifying communities of interest in the area, and
- working with colleagues, the voluntary sector and other service providers on which communities of interest may be under-represented in civic and political activity, in particular those that are hardest to reach

and then ensuring that they are represented on the panel. Once the panel has been established, the authority must take a view as to whether those under-represented groups are sufficiently represented.

21.4 Further consideration of the implementation of the Act will be dealt with elsewhere but the working party can see no reason to establish a separate panel for consultation on proposals coming forward under the legislation. **The working party therefore recommends that any proposals under the Act should be subject to consultation with the neighbourhood forums.**

22. Exercise of Functions by Individual Councillors

22.1 Although the working party's remit related to a review of the constitution, it was conscious of recent legislative change intended to raise the profile of the ward councillor in the community and also enable councillors to take delegated decisions on an individual basis. The working party felt that it would have been remiss of them not to have therefore also addressed the role of the councillor as part of its review.

22.2 Constituency work has long been an important element of a councillor's duties. Indeed one of the aims of the Local Government Act 2000 was to free up councillors' time from committee attendance to allow them to concentrate more on working in their constituencies, previous surveys having suggested that this was what was regarded by councillors as one of their more important and valuable roles. In practice, there has been no less 'committee' work with the creation of overview and scrutiny and other non-executive decision making than was the case with the old committee system. The role of the councillor as a community leader has however increased with recent white papers and legislation. The need for better communication with members has been the subject of separate discussions involving members and officers that has been running parallel to the review which has culminated in a recently produced 'Communicating with Councillors' protocol, available on the Council's intranet site.

22.3 The white paper 'Strong and Prosperous Communities' acknowledged that councillors will often be able to solve a community's problem themselves. A councillor's ability to do so was strengthened in two ways in the 2007 Act. The first was the introduction of the councillor's 'call for action' which enables a councillor to raise an issue on behalf of a constituent through an authority's overview and scrutiny panel. The second, which was considered by the working party, is the ability to delegate decision making to individual councillors.

22.4 Prior to the 2000 and 2007 Acts, as referred to earlier in the report, legislation only enabled decision making to be delegated to committees, sub committees and officers. As a committee cannot comprise one person, individual councillors could not have decision making delegated to them. The 2000 Act introduced executive decision making by executive councillors if the responsibility was delegated to them by the Cabinet or leader. The 2007 Act takes this further and enables both the leader and the Council to delegate responsibility for the discharge of executive and non executive functions respectively to councillors for the wards that they represent. This will not apply where it is expressly prohibited by other legislation (e.g. a hearing to determine an application under the Licensing Act 2003 must be heard by a sub committee comprising three members of a licensing committee). The Secretary of State by order may also limit the functions that can be discharged and any such delegation, as normal, does not prevent the discharge of the function by the person or body that has authorised the delegation.

22.5 Although the discharge arrangements are not limited other than as referred to in the preceding paragraph, it is expected that authorities wishing to make use of the new power will do so to delegate a budget to local councillors for expenditure in their wards to promote social, economic and environmental

well-being. Any decisions made by an individual councillor will have to be recorded and retained for inspection for six years and a councillor can be called to account by an overview and scrutiny panel for his or her actions in this respect.

22.6 Some authorities have found ways of delegating small budgets to individual councillors in the past but the 2007 Act introduced a far more wide ranging ability to facilitate local decision making. Clearly this works best in single member wards where there is more transparent local accountability as in two and three member wards the views of ward members may be divergent.

22.7 If expenditure was to be delegated, budgetary provision would need to be made. Even allowing for a modest sum of say £2,000 per annum for each councillor, this would amount to in excess of £100,000 per annum which would be available for expenditure by individual councillors. The feasibility of this would have to be considered in the context of the Council's current financial position.

22.8 The other consideration is the question of resources. Although decisions would be taken by individual councillors, these would have to be recorded and retained for public inspection, advice may be required from officers on the advisability of certain proposed decisions, actions would have to be monitored etc.

22.9 The working party balanced the benefits of the local discharge of functions against the resource implications and budgetary considerations involved. While superficially attractive, the working party foresaw numerous problems with delegated budgets to individual councillors. The view was taken that any scheme would be difficult and time consuming to administer, it may be tempting for members to take a less than partial view of applications and the effort involved could not be justified by the relatively small amounts of money that might be made available for each member to allocate. **The working party therefore was not persuaded to the idea and recommends that no action be taken to implement delegated decision making, including delegated budgets, to ward councillors under the 2007 Act.**

23. Outside Bodies

23.1 Another significant role for individual councillors is representation on external organisations, the value and extent of which is often underestimated. The latter can be summarised as –

- enabling the Council to maintain close liaison with bodies helping to deliver shared aims and objectives, especially where they are in receipt of Council funding;

- enabling the Council to influence service delivery by other public and voluntary sector organisations;

- providing public and voluntary organisations better access to the Council; and

- adding kudos to the management of an organisation by having an elected representative on its management committee or board.

23.2 The Council has historically encouraged councillors to play an active role in the wider community in this way. In certain limited cases, the representation is statutory (for example internal drainage boards) or the subject of formal agreement (for example East of England Regional Assembly or the Luminus Group). In the majority of cases however, representation is voluntary.

Reviews are undertaken periodically of organisations to which appointments are made to ensure that the Council's representation remains appropriate and adds value.

23.3 Working party members themselves sit on a number of external organisations and therefore had experience of representing the Council in this way. The working party acknowledged the value that representation can bring but did feel that insufficient support was available from the Council to assist councillors who represent it on external organisations in this way. In relatively few cases is a briefing provided of the organisation to which a Member is being appointed for the first time, nor is it often clear where guidance is available if required. There is little opportunity for a representative to report back on matters of interest, particularly when the person appointed to represent the Council is not a member of the authority. The working party was of the opinion that there was scope for a number of improvements in the way that this is handled by the Council which should have relatively minor resource implications. **The working party therefore recommends**

- **that there should be an annual review of the organisations to which representatives are appointed by the Council, prior to new or re-appointments being made;**

- **that cross party discussions should take place between a representative of each of the political parties on the Council and the independent councillors before new or re-appointments are made annually;**

- **that councillors or members of the public newly appointed to an external organisation should receive a briefing note prepared by the Democratic Services Section before attending their first meeting of that organisation, explaining the implications of representation, the aims of the organisation etc.;**

- **that external organisations to which representatives are appointed be requested to provide an induction process for those persons;**

- **that an officer be named in respect of each external organisation to which the Council makes an appointment to whom the representative can turn for advice and support about membership of that body; and**

- **that representatives be encouraged to produce a short report at regular intervals of their membership of external organisations and a page be established on the intranet to enable such reports to be posted.**

24. The Role of the Councillor

The Councillors Commission

24.1 Early in 2007 and in response to the Strong and Prosperous Communities white paper, the Secretary of State established an independent Councillors Commission to -

- encourage people who are able, qualified and representative to be candidates to serve as councillors;

- retain and develop them once they are elected (or appointed under the Local Government Act 2000); and

- enable them to secure public interest and recognition for the work they carry out for their communities.

24.2 The Commission's final report was published in December 2007 and can be found on http://www.communities.gov.uk/documents/localgovernment/pdf/583990.pdf. It contains over 60 far reaching recommendations to address the Commission's underlying principles that –

- local authorities are key to promoting local democratic engagement;
- promoting a sense of efficacy – the feeling that an individual is able to influence the democratic process and the course of events – is key for better engagement;
- councillors are most effective as locally elected representatives when they have similar life experiences as those of their constituents;
- key to local effective representation is the relationship and connections between councillors and their constituents; and
- it should be less daunting to become a councillor, better supported once elected as a councillor, and less daunting to stop being a councillor.

24.3 Several of the recommendations were incorporated in the subsequent Communities in Control white paper and the Local Democracy, Economic Development and Construction Bill will place a duty on Councils to promote an understanding of its functions and democratic arrangements and how members of the public can take part in those arrangements and what is involved in doing so. That understanding must include how to become a member of the Council, what members do and what support is available for them. The duty also extends to promoting a similar understanding of a range of other public sector organisations.

24.4 The working party addressed a number of recommendations that had emerged from the Commission's report which it thought were relevant to its review.

Role Descriptions

24.5 One of those recommendations proposed that descriptions be prepared of the role that councillors play. Political parties tend to struggle to attract people to stand for election and there are few independent candidates. Most candidates are unlikely to have much advance knowledge of what being a councillor entails, other than what is provided to them by the party for which they are standing. Once elected, there is no formal description as to the expectations and duties of councillors in their many and diverse roles. The same applies when members are elected to positions of chairmanship, membership of the Cabinet etc.

24.6 Examples are available of good practice elsewhere where role descriptions have been produced. The working party felt that the adoption of a similar approach would be helpful for both existing members and electoral candidates. **The working party therefore recommends that job or role descriptions should be introduced for all positions that attract a special responsibility allowance, for an individual member, mentors** (see below) **and political group leaders as set out in annex G and that these be updated regularly.**

Training

24.7 Another of the Commission's recommendations was improved member training and mentoring.

24.8 The training provided for councillors now is more extensive than previously with a formal induction process in place and detailed training for membership of the executive, development control, overview and scrutiny, licensing, standards, corporate governance, etc. A Members Training Programme has been prepared and councillors are consulted regularly as to the courses that they would like to see provided, the intention being to offer a minimum of three training opportunities for each councillor annually. Briefings also are given on topical subject areas and the Council's service delivery arrangements on a regular basis.

24.9 What has not proved possible however within existing resources, is the preparation of individual personal development plans for all councillors which is one of the objectives in the learn and develop priority of the Council's corporate plan 'Growing Success'. An earlier overview and scrutiny study that investigated support for councillors recommended that each of the parties appoint 'training champions' but this has met with limited success.

24.10 Nationally the Improvement and Development Agency has initiated a Member Development Charter which a number of authorities have signed up to. Further details can be found on the IDeA website at http://www.idea.gov.uk/idk/core/page.do?pageId=773091 and a self assessment template has been produced which is attached as annex H to this report which illustrates what this entails. The working party endorsed the principles of the charter as a way of demonstrating the significance of a councillor's role and the investment and support which should be provided by an authority to help them in their work as representatives of the local community. **The working party recommends that the Council signs the IDeA Member Development Charter and arranges for its implementation.**

24.11 The working party sees a key place for councillors in mentoring newly elected persons. Notwithstanding the current induction arrangements, the working party is firmly of the view that ongoing support should be available throughout a new councillor's first year of office. To that end, the working party felt that 'mentors' should be nominated by each of the political groups to assist their newly elected councillors throughout their first year. **The working party therefore recommends that the political parties and independent councillors be invited to nominate one or more mentors to assist newly elected councillors to familiarise themselves with their role and to provide support and advice in their first year of office.**

24.12 The appointment of mentors will replace the previous role of training champions which prompted the working party to look at the growth in the number of 'champions' that have been appointed by the Council. The working party felt that this was a somewhat populist terminology for responsibilities that were already being undertaken by the relevant executive councillor or chairman and that its use added little value to the work of the Council. **The working party recommends that the use of the term champion be dispensed with and their roles absorbed in the existing responsibilities of executive councillors, chairmen and ward councillors.**

24.13 Additional support for councillors as proposed above will have resource implications. However the restructuring of the Central Services Directorate, referred to previously in the report, has made provision for a Members Support Officer which the working party welcomes and supports.

25. Financial Implications

25.1 Clearly there are cost implications if the working party's recommendations are accepted by Council. These comprise primarily the additional special responsibility allowances from the increase in the membership of the Cabinet and the extra overview and scrutiny panel, the additional meetings which will need to be supported and the proposals for neighbourhood engagement. Some of the working party's recommendations reflect legislative change while others implement policies approved by Council in the sustainable communities strategy and corporate plan. If the Council is to enhance its community leadership role and comply with its forthcoming statutory responsibilities to promote understanding of local democracy, some additional cost is inevitable. However it can be argued that councillors are an under-valued resource in terms of the volume of work that they undertake which is expected to increase in response to legislative change.

Special Responsibility Allowances

25.2 Any change to the nature of the allowances paid by the Council will need to have regard to the Members Independent Remuneration Panel, although such approval would not normally be required simply for an additional chairmanship or member of the Cabinet. The cost of the proposals recommended by the working party can be summarised as follows -

SRA	*£*
1 additional Cabinet member	8,394
1 additional Chairman of an Overview & Scrutiny Panel	6,311
1 additional Vice Chairman of an Overview & Scrutiny Panel	2,837
6 O & S co-optee's allowances @ say £224	1,344
Speaker of the Council (say)	2,000
Total	20,886

25.3 The total budget for basic and special responsibility allowances in the current year is £372,000. Budgetary provision has been made of an increase of 3% for 2009/10. The Members Allowances scheme makes provision for an annual adjustment in line with RPI which is currently less than the budgetary allowance. Depending upon the final rate, it is possible that a saving in the region of £7,500 might be achieved against the budget provision which would be transferred to the Council's contingency fund.

25.4 If costs are not to be increased, this can only be achieved by a redistribution of SRAs which would require a meeting of the Members Independent Remuneration Panel which normally carries a cost of £5,000 per review.

25.5 Depending upon the level of increase in allowances for 2009/10, **the working party recommends that the Council approves a supplementary estimate to meet the cost of the additional allowances emerging from the review.**

Resources

25.6 The additional resources required in servicing meetings can be summarised as amounting to one extra Council meeting; a standing overview and scrutiny panel as opposed to the Corporate and Strategic Framework Panel which currently meets on the same evening as the service support or service delivery panels; evening as opposed to day time meetings for Council, Cabinet and some other panels; and the proposed neighbourhood forums and panels. Additional resource will be required to provide the enhanced support and training recommended for Members.

25.7 Reference has been made earlier in the report to the restructuring of the Democratic Services Section of the Central Services Directorate to establish posts of Scrutiny Manager and Members Support Officer. Elsewhere the Cabinet has dispensed with the 5 leisure centre management committees which will generate some savings in staff support costs. Officers attending evening meetings will be taking time off in lieu as opposed to the payment of overtime. It should be possible therefore to absorb the costs of servicing the additional meetings internally.

25.8 Support for the introduction of neighbourhood forums and panels is more difficult to quantify. The concept will only succeed if it is publicised and administered well and local people can see value in attending. It should be possible to absorb the cost of servicing the meetings themselves but other costs will be incurred in terms of room hire, publicity, printing etc.. Although officers will be taking time off in lieu for attending the evening meetings, there will be a cost in terms of lost productivity. Mentioned has been made earlier in the report of the County Council's support for improved neighbourhood engagement and the resources required by the Police to service meetings of the existing Policing Panels. It is possible that those and other partners might be prepared to contribute towards the cost involved in the new forums. **The working party therefore recommends that the Cabinet explore the possibility of financial contributions from partners towards the new neighbourhood engagement process.**

25.9 In terms of support for Members, a training budget currently exists but this may not be sufficient to accommodate fully the steps required to achieve and maintain charter status. The additional support costs can be absorbed by the staffing changes recently approved by the Employment Panel. Any additional training costs from the adoption of the Member Development Charter that cannot be absorbed will need to be the subject of future MTP bids in the normal way.

26. Implementation Timetable

26.1 If the working party's recommendations are accepted in full, some of the changes can be implemented quickly. Others will involve public consultation or discussions with partners before new procedures can be introduced.

26.2 To assist in a better understanding of the proposals, two presentations will be given to all Members which have been scheduled for 17th and 24th March. The working party's report will be considered by Cabinet on 2nd April as the body that initially commissioned the review. It will then be submitted to the Overview and Scrutiny Panels (Service Delivery and Service Support) at their meetings on 7th and 14 April. As any changes to the constitution require previous consideration by the Corporate Governance Panel, a special meeting of that Panel will be required to which the comments of the Cabinet and Overview and Scrutiny Panels will be submitted. Final consideration will be given to the report by the Council at its meeting on 22nd April. If approved, those internal changes will come into effect from the beginning of the new municipal year. Annex I lists the timetable proposed.

27. Conclusion

27.1 The working party's review has been thorough. It has looked at best practice elsewhere and at Huntingdonshire's neighbours. Its members have visited a comparable authority and observed how that is currently structured and how it is proposing to change. Its chairman has undertaken extensive interviews with councillors and senior officers to obtain their thoughts about past performance and whether change is required. An open invitation was

extended to all members to submit any comments to the chairman for consideration as part of the review. In total, 11 meetings of the working party have been held.

27.2 On the whole, the working party has found that the structure implemented by the Council in response to the 2000 Act has worked well. Members have played a more active role than hitherto, both in the executive and scrutiny and have enjoyed a higher profile in the local community. Although minor changes have been made from time to time in the intervening years, this is the first occasion when a fundamental review has been undertaken of the Council's democratic structure. Where parts of the structure are considered to be working satisfactorily, no change is recommended. However legislative change does require the Council to amend some of its working practices and formats and these have been accommodated as part of the review. The working party believes that its recommendations will place the Council in a position to respond well to the legislative changes and further promote its leadership role in the community and engage with local neighbourhoods and the public.

27.3 There are costs attached to the proposals which the working party is conscious of in the current financial climate but these are relatively minor and are considered to represent good value for money having regard to the benefits that will be achieved in terms of access to local democracy and more efficient and effective councillors. The working party believes that this is a small price to pay for a healthy local democracy.

28. Recommendations

28.1 The working party's recommendations are dealt with in the body of the report but are reproduced in full below. The working party commend them to the Cabinet, Overview and Scrutiny Panels, Corporate Governance Panel and the Council.

(a) that the Council undertakes a public consultation exercise as soon as practicable with the intention of implementing an executive leader form of executive in response to the 2007 Act. Following completion of that exercise, the Council is invited to move to the new system with effect from the annual meeting in 2010 or earlier if practicable; (paragraph 6.23)

(b) that the size of the Cabinet be increased to 10 members, inclusive of the leader; (paragraph 6.25)

(c) that the deputy leader should not have responsibility for a portfolio of executive functions but should be responsible for deputising and supporting the leader and other executive councillors, as necessary, and for a Member training and mentoring programme on a cross party basis; (para. 6.27)

(d) that the Cabinet should continue to contain members of the majority political party only; (para. 6.28)

(e) that meetings of the Cabinet should be held in the late afternoon or early evening; (para. 6.30)

(f) that short briefings of Cabinet members be held prior to Cabinet meetings only with a formal briefing by officers some 2/3 days previously. In addition, regular member only 'blue sky' meetings should be convened by Cabinet at regular intervals involving, where appropriate, other non-executive members; (para. 6.31)

(g) **that the present scrutiny arrangements be replaced by three new scrutiny panels with the following titles and terms of reference -**

Social Well-Being

- **portfolios for housing and public health, leisure and operational and countryside services;**
- **health & well-being and inclusive, safe & cohesive communities thematic groups of the Huntingdonshire Strategic Partnership;**
- **safer & stronger communities priority of Cambridgeshire Vision (the local area agreement); and**
- **the housing that meets individuals' needs, safe, vibrant & inclusive communities and healthy living aims of the Council's corporate plan 'Growing Success'.**

Environmental Well-Being

- **portfolios for resources & policy and planning strategy and transport;**
- **children & young people, environment, and growth & infrastructure thematic groups of the Huntingdonshire Strategic Partnership;**
- **managing growth and environmental sustainability priorities of Cambridgeshire Vision; and**
- **a clean, green & attractive place and developing sustainable communities aims of the Council's corporate plan 'Growing Success'.**

Economic Well-Being

- **portfolios for customer services & information technology and finance & environment;**
- **economic prosperity and equality & inclusion thematic groups of the Huntingdonshire Strategic Partnership;**
- **a strong local economy, improving systems & practices, learning & developing and maintaining sound finances aims of the Council's corporate plan 'Growing Success'** (para. 7.25)

(h) **that each of the overview and scrutiny panels comprises 10 members plus 2 co-opted persons with voting rights but without a right of call-in and that arrangements be made for a formal co-option scheme to be adopted to this effect;** (para. 7.26)

(i) **that no change be made to the present system of no substitution on overview and scrutiny panels;** (para. 7.27)

(j) **that no change should be made to the present arrangements in terms of the appointment and length of office of the chairmen and vice chairmen of the overview and scrutiny panels;** (para. 7.28)

(k) **that no change be made to the frequency and starting time of meetings of the overview and scrutiny panels;** (para. 7.29)

(l) **that every effort be made to highlight the importance of scrutiny and encourage both members and the wider public to play an active role in the scrutiny process;** (para. 7.30)

(m) **that no change be made to the present arrangements for the call-in of executive decisions contained in the constitution;** (para. 7.31)

(n) **that major policy decisions that are reserved to Council should be the subject of debate at Council meetings before public consultation and innovative ways used to brief Members on the subjects to stimulate debate. Arrangements should be made for single issue debates (in addition to normal business), with the opposition political party invited to choose the subject for debate at one meeting per annum;** (para. 9.12)

(o) **that the annual refresh of the sustainable community strategy and periodic reports on the performance of the LSP should be submitted to Council for consideration and approval, with any detailed scrutiny referred to the relevant panel for investigation;** (para. 9.13)

(p) **that meetings of the Council are chaired by a speaker elected by the Council itself at its annual meeting, that the position be open to any Member irrespective of any other position already held with the exception of membership of the Cabinet;** (para. 9.15)

(q) **that public question time be introduced at Council meetings as set out in the procedure attached as annex B;** (para. 9.16)

(r) **that the number of meetings of the Council be increased from 5 plus the annual meeting to six plus the annual meeting each year;** (para. 9.17)

(s) **that meetings of the Council should commence at 6.30 p.m. for a trial period of twelve months;** (para. 9.17)

(t) **that substitution is not introduced for non-executive meetings of the Council;** (para. 10.7)

(u) **that no change be made to the terms of reference, composition etc. of the Development Control Panel;** (para. 11.5)

(v) **that no change be made to the terms of reference, composition, etc. of the Licensing and Protection Panel and Licensing Committee;** (para. 12.6)

(w) **that no change be made to the terms of reference, composition, etc. of the Standards Committee, other than a change in the time of its meetings to 6.30 p.m.;** (para. 13.5)

(x) **that the executive councillors whose portfolios include finance and corporate governance should become ex officio members of the Corporate Governance Panel in place of the present arrangements for a maximum of 3 Cabinet members;** (para. 14.6)

(y) **that the following be added to the terms of reference of the Corporate Governance Panel –**

- **comment on the scope and depth of external audit work and ensure it gives value for money**
- **liaise with the Audit Commission over the appointment of the Council's external auditor**
- **commission work from internal and external audit**
  monitor the Council's policies on 'Raising Concerns at Work', the Anti-Fraud and Corruption Strategy and the Council's complaints process; (para. 14.7)

(z) **that meetings of the Corporate Governance Panel commence at 6.30 p.m.;** (para. 14.8)

(aa) **that no change be made to the terms of reference, composition, etc. of the Employment Panel;** (para. 15.4)

(bb) **that membership of the Appointments Panel comprise the chairman and vice chairman of the Employment Panel, deputy leader, relevant portfolio holder and the Leader of the majority opposition party (or their respective nominees);** (para. 16.10)

(cc) **that no change be made to the terms of reference, composition, etc. of the Elections Panel;** (para. 17.3)

(dd) **that 6 neighbourhood forums open to the public be established in Huntingdonshire, chaired by district councillors and serviced by the District Council for the areas of Huntingdon, St Neots, St Ives, Ramsey, North Huntingdonshire and West Huntingdonshire with the catchment areas shown on the plan attached as annex D to this report and the following terms of reference –**

- **advising on the setting of local priorities for partner agencies, including safety and policing policies, linked to the Huntingdonshire Sustainable Community Strategy and Local Area Agreement,**
- **engaging with the community on local planning issues (where appropriate),**
- **seeking the accountability of local service providers,**
- **developing and commissioning local community initiatives such as projects to develop local skills, raise aspirations, improve quality of life etc.,**
- **helping to enable town and parish plan development and integrate town and parish priorities into area action plans' and**
- **expressing views in response to consultation on proposals under the Sustainable Communities Act 2007;** (para 20.24)

(ee) **that a panel should be established for each forum, chaired by a district councillor and serviced by the District Council, with the composition of each panel being a matter for local determination subject to a ceiling of 10 representatives of local authorities and other public sector bodies active in the area of that forum and with the following terms of reference –**

- **presenting information at forum meetings,**
- **resolving issues raised at forum meetings,**
- **moderating any requests for information/action that need to be referred elsewhere,**
- **monitoring the performance of forum,**
- **progress chasing requests for information/action, and**
- **reporting back to ensuing meetings.**

The panels and forums will feed into the appropriate thematic group of the Huntingdonshire Strategic Partnership; (para 20.25)

(ff) **that any proposals under the Sustainable Communities Act should be subject to consultation with the neighbourhood forums;** (para 21.4)

(gg) **that no action be taken to implement delegated decision making, including delegated budgets, to ward councillors under the 2007 Act;** (para 22.9)

(hh) **that there should be an annual review of the organisations to which representatives are appointed by the Council, prior to new or re-appointments being made;** (para 23.3)

(ii) **that cross party discussions should take place between a representative of each of the political parties on the Council and the independent councillors before new or re-appointments to external organisations are made annually;** (para 23.3)

(jj) **that councillors or members of the public newly appointed to an external organisation should receive a briefing note prepared by the Democratic Services Section before attending their first meeting of that organisation, explaining the implications of representation, the aims of the organisation etc.;** (para 23.9)

(kk) **that external organisations to which representatives are appointed be requested to provide an induction process for those persons;** (para 23.3)

(ll) **that an officer be named in respect of each external organisation to which the Council makes an appointment to whom the representative can turn for advice and support about membership of that body;** (para 23.3)

(mm) **that representatives be encouraged to produce a short report at regular intervals of their membership of external organisations and a page be established on the intranet to enable such reports to be posted;** (para 23.3)

(nn) **that job or role descriptions should be introduced for all positions that attract a special responsibility allowance, for an individual member, mentors and political group leaders as set out in annex G and that these be updated regularly;** (para 24.6)

(oo) **that the Council signs the IDeA Member Development Charter and arranges for its implementation;** (para 24.10)

(pp) **that the political parties and independent councillors be invited to nominate one or more mentors to assist newly elected councillors to familiarise themselves with their role and to provide support and advice in their first year of office;** (para 24.11)

(qq) **that the use of the term champion to describe positions filled by councillors be dispensed with and their roles absorbed in the existing responsibilities of executive councillors, chairmen and ward councillors;** (para 24.12)

(rr) **recommends that the Council approves a supplementary estimate to meet the cost of the additional allowances emerging from the review;**(para 25.5) and

(ss) **that Cabinet explore the possibility of financial contributions from partners towards the new neighbourhood engagement process.** (para. 25.8)

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Background Papers

The Council's Constitution
Secretary of State's guidance on implementation of new constitutions in accordance with the Local Government Act 2000
The Local Government Acts 1972 and 2000
The Local Government and Public Involvement in Health Act 2007
Sustainable Communities Act 2007, associated regulations an statutory guidance
The Local Democracy, Economic Development and Construction Bill
Strong and Prosperous Communities White Paper
Communities in Control: Real People, Real Power White Paper
DCLG consultation paper on Improving Local Accountability
DCLG consultation paper on Local Petitions and Calls for Action
Constitutions of Cambridgeshire County Council and the City and District Councils in Cambridgeshire
Council Structures of Basingstoke and Deane Borough Council, North Wiltshire District Council, Colchester Borough Council, Cherwell District Council and Mid Beds District Council.
Report to Cambridgeshire County Council Cabinet on 2nd July 2007 on Taking Forward Neighbourhood Management in Huntingdonshire
Progress report to Huntingdonshire In Your Patch meeting on 8th December 2008 on Neighbourhood Panels
Report to Cabinet of Fenland District Council on 20th November 2008 on Effective Three Tier Working in Cambridgeshire
Report to Community Services Committee of East Cambs District Council on Neighbourhood Panels in October 2008
Institute of Local Government Studies presentation on the Role of the Council
Report of the Councillors Commission
Improvement and Development Agency Member Development Charter
Report by Director of Central Services to Employment Panel on restructuring of Directorate.
Report on Community Engagement and Neighbourhood Panels by Heads of Community and Environmental Health, Administration and Policy & Strategic Services to Scrutiny Panels in November 2008.

Annex A

REVIEW OF DEMOCRATIC STRUCTURE

EXECUTIVE SUMMARY

A working party chaired by Councillor K J Churchill, the special adviser to the Cabinet, has undertaken an extensive review of the Council's democratic structure. The review is the first comprehensive, formal analysis of the Council's democratic arrangements since it was implemented in accordance with the Local Government Act 2000. The review also had regard to recent and forthcoming legislative change that will necessitate some modification to the Council's executive and scrutiny arrangements.

The working party's final report is lengthy which reflects the depth of its investigations and discussions. This brief executive summary therefore accompanies the report and reproduces its recommendations.

The working party met on a total of 10 occasions, including a visit to a similarly sized shire district in Hampshire. Copious background information was obtained on the arrangements in comparable authorities, best practice, legislative requirements and Government proposals. Interviews were held with Chairmen, Members and officers to obtain their views on the current structure of the Council and how this might be improved.

The working party has found that the structure generally has performed well since its implementation. It found that Cabinet, committees and panels have been monitoring their own performance and changes and improvements have been made periodically to improve performance and effectiveness. Where further change was not thought to be necessary, the working party has said so in its report.

Elsewhere, the working party found scope for improvement, particularly in the functions and responsibilities of the executive, scrutiny, Council, partnerships, neighbourhood management and the role of the councillor. A series of recommendations have been made to propose improvements in Council effectiveness and promote the role of the Council as a community leader and enhance local democratic engagement.

The working party commends its recommendations to Cabinet, Overview and Scrutiny Panels, Corporate Governance Panel and Council as follows –

(a) that the Council undertakes a public consultation exercise as soon as practicable with the intention of implementing an executive leader form of executive in response to the 2007 Act. Following completion of that exercise, the Council is invited to move to the new system with effect from the annual meeting in 2010 or earlier if practicable; (paragraph 6.23)

(b) that the size of the Cabinet be increased to 10 members, inclusive of the leader; (paragraph 6.25)

(c) that the deputy leader should not have responsibility for a portfolio of executive functions but should be responsible for deputising and supporting the leader and other executive councillors, as necessary, and for a Member training and mentoring programme on a cross party basis; (para. 6.27)

(d) that the Cabinet should continue to contain members of the majority political party only; (para. 6.28)

(e) that meetings of the Cabinet should be held in the late afternoon or early evening; (para. 6.30)

(f) that short briefings of Cabinet members be held prior to Cabinet meetings only with a formal briefing by officers some 2/3 days previously. In addition, regular member only 'blue sky' meetings should be convened by Cabinet at regular intervals involving, where appropriate, other non-executive members; (para. 6.31)

(g) that the present scrutiny arrangements be replaced by three new scrutiny panels with the following titles and terms of reference -

Social Well-Being

- portfolios for housing and public health, leisure and operational and countryside services;
- health & well-being and inclusive, safe & cohesive communities thematic groups of the Huntingdonshire Strategic Partnership;
- safer & stronger communities priority of Cambridgeshire Vision (the local area agreement); and
- the housing that meets individuals' needs, safe, vibrant & inclusive communities and healthy living aims of the Council's corporate plan 'Growing Success'.

Environmental Well-Being

- portfolios for resources & policy and planning strategy and transport;
- children & young people, environment, and growth & infrastructure thematic groups of the Huntingdonshire Strategic Partnership;
- managing growth and environmental sustainability priorities of Cambridgeshire Vision; and
- a clean, green & attractive place and developing sustainable communities aims of the Council's corporate plan 'Growing Success'.

Economic Well-Being

- portfolios for customer services & information technology and finance & environment;
- economic prosperity and equality & inclusion thematic groups of the Huntingdonshire Strategic Partnership;
- a strong local economy, improving systems & practices, learning & developing and maintaining sound finances aims of the Council's corporate plan 'Growing Success' (para. 7.25)

(h) that each of the overview and scrutiny panels comprises 10 members plus 2 co-opted persons with voting rights but without a right of call-in and that arrangements be made for a formal co-option scheme to be adopted to this effect; (para. 7.26)

(i) that no change be made to the present system of no substitution on overview and scrutiny panels; (para. 7.27)

(j) that no change should be made to the present arrangements in terms of the appointment and length of office of the chairmen and vice chairmen of the overview and scrutiny panels; (para. 7.28)

(k) that no change be made to the frequency and starting time of meetings of the overview and scrutiny panels; (para. 7.29)

(l) that every effort be made to highlight the importance of scrutiny and encourage both members and the wider public to play an active role in the scrutiny process; (para. 7.30)

(m) that no change be made to the present arrangements for the call-in of executive decisions contained in the constitution; (para. 7.31)

(n) that major policy decisions that are reserved to Council should be the subject of debate at Council meetings before public consultation and innovative ways used to brief Members on the subjects to stimulate debate. Arrangements should be made for single issue debates (in addition to normal business), with the opposition political party invited to choose the subject for debate at one meeting per annum; (para. 9.12)

(o) that the annual refresh of the sustainable community strategy and periodic reports on the performance of the LSP should be submitted to Council for consideration and approval, with any detailed scrutiny referred to the relevant panel for investigation; (para. 9.13)

(p) that meetings of the Council are chaired by a speaker elected by the Council itself at its annual meeting, that the position be open to any Member irrespective of any other position already held with the exception of membership of the Cabinet; (para. 9.15)

(q) that public question time be introduced at Council meetings as set out in the procedure attached as annex B; (para. 9.16)

(r) that the number of meetings of the Council be increased from 5 plus the annual meeting to six plus the annual meeting each year; (para. 9.17)

(s) that meetings of the Council should commence at 6.30 p.m. for a trial period of twelve months; (para. 9.17)

(t) that substitution is not introduced for non-executive meetings of the Council; (para. 10.7)

(u) that no change be made to the terms of reference, composition etc. of the Development Control Panel; (para. 11.5)

(v) that no change be made to the terms of reference, composition, etc. of the Licensing and Protection Panel and Licensing Committee; (para. 12.6)

(w) that no change be made to the terms of reference, composition, etc. of the Standards Committee, other than a change in the time of its meetings to 6.30 p.m.; (para. 13.5)

(x) that the executive councillors whose portfolios include finance and corporate governance should become ex officio members of the Corporate Governance Panel in place of the present arrangements for a maximum of 3 Cabinet members; (para. 14.6)

(y) that the following be added to the terms of reference of the Corporate Governance Panel –

- comment on the scope and depth of external audit work and ensure it gives value for money
- liaise with the Audit Commission over the appointment of the Council's external auditor
- commission work from internal and external audit
  monitor the Council's policies on 'Raising Concerns at Work', the Anti-Fraud and Corruption Strategy and the Council's complaints process; (para. 14.7)

(z) that meetings of the Corporate Governance Panel commence at 6.30 p.m.; (para. 14.8)

(aa) that no change be made to the terms of reference, composition, etc. of the Employment Panel; (para. 15.4)

(bb) that membership of the Appointments Panel comprise the chairman and vice chairman of the Employment Panel, deputy leader, relevant portfolio holder and a member of the majority opposition party; (para. 16.10)

(cc) that no change be made to the terms of reference, composition, etc. of the Elections Panel; (para. 17.3)

(dd) that 6 neighbourhood forums open to the public be established in Huntingdonshire, chaired by district councillors and serviced by the District Council for the areas of Huntingdon, St Neots, St Ives, Ramsey, North Huntingdonshire and West Huntingdonshire with the catchment areas shown on the plan attached as annex D to this report and the following terms of reference –

- advising on the setting of local priorities for partner agencies, including safety and policing policies, linked to the Huntingdonshire Sustainable Community Strategy and Local Area Agreement,
- engaging with the community on local planning issues (where appropriate),
- seeking the accountability of local service providers,
- developing and commissioning local community initiatives such as projects to develop local skills, raise aspirations, improve quality of life etc.,
- helping to enable town and parish plan development and integrate town and parish priorities into area action plans' and
- expressing views in response to consultation on proposals under the Sustainable Communities Act 2007; (para 20.24)

(ee) that a panel should be established for each forum, chaired by a district councillor and serviced by the District Council, with the composition of each panel being a matter for local determination subject to a ceiling of 10

representatives of local authorities and other public sector bodies active in the area of that forum and with the following terms of reference –

- presenting information at forum meetings,
- resolving issues raised at forum meetings,
- moderating any requests for information/action that need to be referred elsewhere,
- monitoring the performance of forum,
- progress chasing requests for information/action, and
- reporting back to ensuing meetings.

The panels and forums will feed into the appropriate thematic group of the Huntingdonshire Strategic Partnership; (para 20.25)

(ff) that any proposals under the Sustainable Communities Act should be subject to consultation with the neighbourhood forums; (para 21.4)

(gg) that no action be taken to implement delegated decision making, including delegated budgets, to ward councillors under the 2007 Act; (para 22.9)

(hh) that there should be an annual review of the organisations to which representatives are appointed by the Council, prior to new or re-appointments being made; (para 23.3)

(ii) that cross party discussions should take place between a representative of each of the political parties on the Council and the independent councillors before new or re-appointments to external organisations are made annually; (para 23.3)

(jj) that councillors or members of the public newly appointed to an external organisation should receive a briefing note prepared by the Democratic Services Section before attending their first meeting of that organisation, explaining the implications of representation, the aims of the organisation etc.; (para 23.9)

(kk) that external organisations to which representatives are appointed be requested to provide an induction process for those persons; (para 23.3)

(ll) that an officer be named in respect of each external organisation to which the Council makes an appointment to whom the representative can turn for advice and support about membership of that body; (para 23.3)

(mm) that representatives be encouraged to produce a short report at regular intervals of their membership of external organisations and a page be established on the intranet to enable such reports to be posted; (para 23.3)

(nn) that job or role descriptions should be introduced for all positions that attract a special responsibility allowance, for an individual member, mentors and political group leaders as set out in annex G and that these be updated regularly; (para 24.6)

(oo) that the Council signs the IDeA Member Development Charter and arranges for its implementation; (para 24.10)

(pp) that the political parties and independent councillors be invited to nominate one or more mentors to assist newly elected councillors to familiarise themselves with their role and to provide support and advice in their first year of office; (para 24.11)

(qq) that the use of the term champion to describe positions filled by councillors be dispensed with and their roles absorbed in the existing responsibilities of executive councillors, chairmen and ward councillors; (para 24.12)

(rr) recommends that the Council approves a supplementary estimate to meet the cost of the additional allowances emerging from the review;(para 25.5) and

(ss) that Cabinet investigates the possibility of additional funding from the LPSA reward grant to support the neighbourhood engagement process. (para. 25.8)

Your right to **speak** at meetings of the District Council

This leaflet explains how you can speak directly to Councillors at meetings of the District Council.

If you would like a translation of this document, a large text version or an audio version, please contact us on ☎ **01480 388388** and we will try to accommodate your needs.

If you wish to take part by speaking at meetings and you have special needs and requirements, please let us know beforehand.

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This leaflet explains how you can address meetings of the District Council. It outlines the Council's public participation policy and answers some questions you may have about procedures, and what to expect at the meeting itself. It is based on some simple rules formulated by the Council to make the system as fair and as easy to operate as possible.

What issues can I refer to?

So long as you live, work or own property in the District you may ask a question on any topic if there is no suspicion that the question is improper *(i.e. offensive, slanderous or might lead to disclosure of exempt or confidential information)*. Furthermore, they should be capable of being adequately answered in 5 minutes.

When does Council meet?

Full Council meet on Wednesdays. There are 6 meetings each year plus the annual meeting in May. The meetings are held in various venues around the District, starting at 6.30 pm. The Agenda is published a week before the meetings, and can be viewed on the Council's website www.huntsdc.gov.uk.

What do I do if I wish to raise a question or make a statement to Council?

Members of the public wishing to ask a question at Council should provide the following details to the Council's Democratic Services Section by **no later than 7 days before the meeting** -

- Name and address and contact details of the person asking the question.
- The name of the organisation if the question is being asked on their behalf.
- Details of the question to be asked.
- The name or the position of the Member of the Council to whom it is to be put.
- Brief information about how the subject of the question relates to the person asking the question *(e.g. as a resident of the area, as a recipient of a service, the owner of a property affected by a proposal)*.

Only one question may be asked by each member of the public or organisation and the question must relate to a single topic.

To whom may I address the question to

Questions may only be asked of the following:

- The Leader of the Council.
- A portfolio holder *(Cabinet Member).*
- The Chairman of a Scrutiny Committee.
- The Chairman of another Committee or Panel.

NB *You cannot ask a question about an individual planning or licensing application or case or an investigation into a Member or Officer Code of Conduct issue.*

What will happen at the meeting?

The following process will apply at the meeting:

- The Chairman will invite questions to be asked at the meeting in the order in which they are received by Democratic Services.
- The Chairman of the Council will invite the member of the public to put his/her question from the floor using the microphone provided.
- The member of the public will then ask their question. Up to a maximum of 2 minutes will be allowed in which to ask the question.
- The named Member will respond to the question which may take the form of –

  (a) a direct oral response of up to a maximum of 2 minutes;

  (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or

  (c) where the reply cannot conveniently be given orally, a written response circulated later to the questioner and made available to all Members of the Council and to the public.

- After the response has been given, the questioner has up to a further minute in which to put 1 supplementary question or seek clarification of the response to the original question. The supplementary question must arise directly out of the original question or the reply and must not introduce new material.
- The recipient of the original question then has up to a further 2 minutes in which to reply to the supplementary question.
- The Chairman of the Council may, in exceptional circumstances, extend the time either for a question or its response. The timing of questions and responses is controlled by the system of lights in the room.

- Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written response.
- No debate will be allowed on any question or the response.

Will I receive a transcript of the response?

Yes, a transcript of Public Question Time will be made available to all Members of the Council and to the public following the meeting.

For further information please contact –

The Democratic Services Section
Central Services Directorate
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon, PE29 3TN

For a location map of the District Council Offices please see the back page of this leaflet.

Huntingdonshire District Council Offices 01480 388388

This map was produced using aerial photography © Huntingdonshire District Council.

A NEW LOOK COUNCIL MEETING

Programme Meeting

Frequency:	6 meetings per annum in the intervening months between Council meetings.
Attendees:	Speaker of the Council, Deputy Leader of the Council, Leaders of opposition parties and independent councillors, appropriate officers.
Purpose:	To devise a forward plan of business for meetings of the Council on a rolling twelve months basis for approval by the Council.

The Council Meeting

Frequency:	6 meetings per annum plus the annual meeting of the Council
Time:	Commencing at 6.30 p.m.
Expected duration:	No longer than 3.5 hours
Venue:	The Civic Suite, Pathfinder House

The Council Agenda

1.	Opened by the Chairman of the Council, accompanied by any guests.	6.30 p.m.
2.	Prayers	5 minutes
3.	Chairman's Announcements	5 minutes
4.	Hand over to Speaker of the Council to lead the remainder of the business.	
5.	Presentation of Petitions (if any).	10 minutes
6.	Public Question Time to the Council. Questions to be answered by appropriate Member at invitation of Speaker.	15 minutes
7.	Debate on choice of subject included in Council forward plan/Opposition debate day.	1 hour
8.	White Paper proposals by the Executive/launch of policy initiative prior to consultation.	30 minutes
9.	Any other business reserved to Council.	15 minutes
10.	Monitoring of performance against local area agreement targets (half yearly)	15 minutes
11.	Notices of Motion by Members	10 minutes
12	Reports and recommendations (if any) by Cabinet, committees, etc., providing opportunity to hold executive and other committees etc. to account.	30 minutes
13.	Member Question Time (written or oral)	15 minutes
14.	Close	10.00 p.m.

POSSIBLE SUBJECTS FOR DEBATE

Healthy Living

The future of hospital services in Huntingdonshire (guest speaker from NHS)
NHS proposals for 'super clinics' in Huntingdonshire (guest speaker from NHS)
How can we promote active lifestyles

A Clean, Green and Attractive Place

How do we deal with waste in Huntingdonshire
The impact of climate change in Huntingdonshire

Developing Communities Sustainably

What are the implications for growth in Huntingdonshire
How can we tackle highway congestion in Huntingdonshire
The impact of the guided bus in Huntingdonshire
The future of RAF Alconbury
The future of RAF Wyton

Housing That Meets Individuals' Needs

How can we tackle the problem of affordable housing

Safe, Vibrant and Inclusive Communities

Fear of crime in Huntingdonshire (guest speaker from Cambridgeshire Constabulary)
Anti-social behaviour in Huntingdonshire (guest speaker from Cambridgeshire Constabulary)

A Strong Local Economy

Employment opportunities in Huntingdonshire
Retail opportunities in Huntingdonshire (guest speaker from major retailer)
Improving the skills base of Huntingdonshire residents (guest speaker from Huntingdon Regional College)

Improving Systems and Practices

How can we promote local democracy
How can we promote community engagement
The role and effectiveness of the voluntary sector in Huntingdonshire (guest speaker from the voluntary sector)

Maintaining Sound Finances

The Council's financial strategy

Opposition Debate Day

Subject of choice by the Opposition party

Huntingdonshire
DISTRICT COUNCIL

Panel Boundaries

Areas

- Huntingdon
- North
- Ramsey
- St Ives
- St Neots
- West

February 2009

Neighbourhood Panel Boundaries

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Huntingdonshire
DISTRICT COUNCIL

Neighbourhood Policing Panel Boundaries

Parishes

Wards

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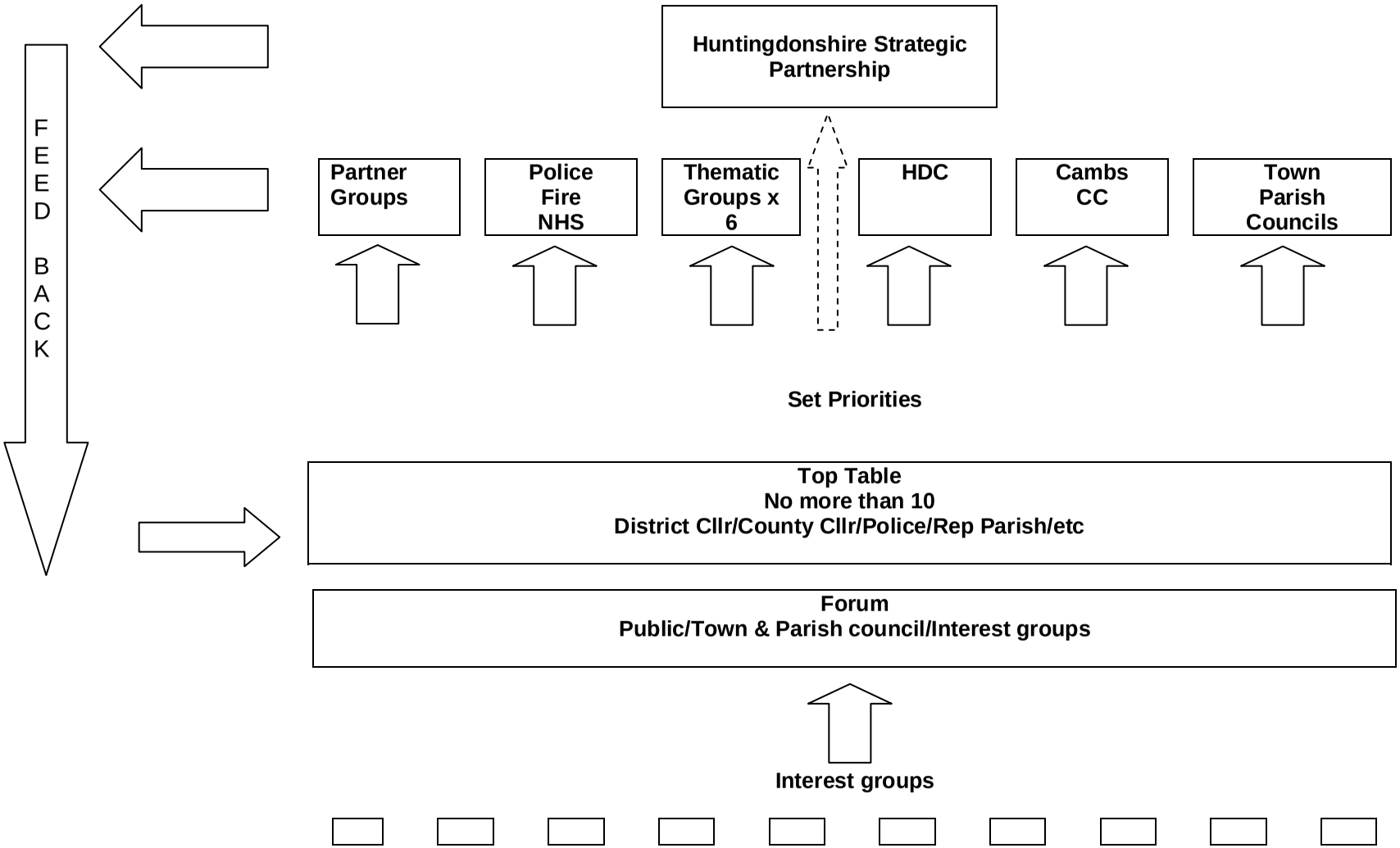
Annex F


Huntingdonshire Strategic Partnership
Partner Groups
Police Fire NHS
Thematic Groups x 6
HDC
Cambs CC
Town Parish Councils
FEED BACK
Set Priorities
Top Table
No more than 10
District Cllr/County Cllr/Police/Rep Parish/etc
Forum
Public/Town & Parish council/Interest groups
Interest groups

HUNTINGDONSHIRE DISTRICT COUNCIL

Annex G

COUNCILLORS

All Councillors, during the course of their term of office, will aim to acquire the following knowledge and skills which they will develop as their experience grows:

Knowledge – General

Huntingdonshire District Council

- An introduction to the Council, its democratic and directorate structures and relevant strategies and plans.

Code of Conduct

- The current Members Code of Conduct and the role of the Standards Committee in ensuring that the Code is adhered to.

The Constitution

- The Council's rule book of protocols and procedures.

Scrutiny

- The scrutiny procedure and the role of the Overview and Scrutiny Panels.

Partnerships

The local area agreement and partnership working through local strategic partnerships.

The Forward Plan

- The Cabinet's agenda for the ensuing four months.

Equalities, Customer Care and Risk Management

- Policies implemented by the Council.

Knowledge – Specific

Budgets and Finances

- Members should have a working knowledge of the Council's finances as they collectively have responsibility for approving the budget.

Planning

- Members should have a working knowledge of planning legislation, policies and procedures with Development Control Panel members having a more extensive and detailed knowledge.

Licensing

- Members should have a working knowledge of licensing legislation, policies and procedures and a knowledge of the various licensing functions that the Council is responsible for.

SKILLS

ICT – Word, Excel, Powerpoint, Email and Internet

- All Members should be able to make full use of technology, not only as a tool for preparing reports, researching topics of interest or making presentations but also for contacting their constituents, colleagues and officers.

Communication – Presentational Skills, Questioning Skills and Listening Skills

- Communication is used in every aspect of Members' roles and they should have the skills necessary to put across their point of view, the wishes of their constituents and information generally in a clear, concise and well planned manner that will make it easy to understand.

Written – Report Writing

- All Members should be able to prepare reports in a clear, concise and well planned format.

Media

- The ability to make use of the various forms of media, how to react to approaches from the media and when to encourage or discourage media interest.

Officers within the Democratic Services Section will assist Members to develop their abilities to meet the demands of their individual roles.

Desirable Skills and Abilities

Members should have the necessary attributes and skills -

- to represent the District Council and explain the policies and decisions affecting the individuals and communities in their ward,

- to represent their ward and the District Council on a range of external bodies,

- to communicate effectively with the local community, other councillors and Council officers,

- to be aware of the nature, scale and scope of the District Council and to develop and maintain a knowledge of its services, management arrangements, powers, duties and constraints,

- to develop good working relationships with other councillors and relevant officers of the Council,

- to participate in meetings of the Council and committees/panels as required, so ensuring the effective and efficient operation of the Council,
- to act as ward representative and advocate for people resident in the ward and to undertake a councillor's call for action to bring forward issues on behalf of their constituents,
- to undertake casework for ward residents,
- to contribute to policy and strategy review and development,
- to act as a community leader,
- to support local partnerships and organisations,
- to campaign on local issues,
- to work in collaboration with officers to achieve solutions to local issues, and
- to use ICT effectively to communicate with officers and others.

Profile

A Member should:

- ensure that constituents have access to him/her by way of surgeries, use of modern technology, letter and telephone,
- develop and maintain links as required with the local MP, MEPs, county councillors and the towns or parishes situated in his/her electoral ward,
- participate in any political group to which he/she belongs, and
- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

A Member should have:

- an ability to manage and prioritise workloads effectively,
- an ability to work to deadlines,
- effective communication skills including written, spoken and ICT, and
- an ability to network and develop relationships within the Council, ward and wider community.

HUNTINGDONSHIRE DISTRICT COUNCIL

LEADER OF THE COUNCIL

The Leader of the Council will be appointed by the District Council in accordance with its Constitution and current legislation.

The Leader of the Council will represent the Council at all levels and will be an ambassador and its principal spokesman, representing the views of the Council at local, regional and Government forums.

Responsibilities

- chairing meetings of the Cabinet,
- creating and amending portfolios of executive responsibilities,
- allocating portfolios to executive councillors,
- acting as lead member on the Council's overall strategy,
- having overall responsibility for:
    - policy development,
    - the Council's budget and its expenditure,
    - effective and efficient delivery of the Council's corporate plan,
- promoting corporate membership of any appropriate body or organisation whose objectives are considered to be beneficial to the pursuit of the Council's own priorities,
- ensuring the work of the Cabinet is co-ordinated and progressed effectively,
- reporting on the work of the Cabinet to Council and responding to questions by Members in that forum,
- maintaining a cordial, effective and efficient working relationship with leaders of opposition groups, other Members and Council officers,
- ensuring that the Executive responds to reports of the Overview and Scrutiny Panels,
- chairing the Huntingdonshire Strategic Partnership,
- representing the Council at partnership meetings as appropriate, and
- carrying out the duties set out in the job description of a councillor.

Profile

The Leader of the Council should:

- lead by example in accordance with the highest standards of probity in public life in all matters relating to the Council's Code of Conduct, related protocols and supporting guidance,

- comply with any relative legislative provisions, best practice and good governance arrangements with regard to local government,

- be aware of any personal training needs and of other executive councillors and liaise with the relevant officers to ensure those needs are addressed,

- keep abreast of national best practice and new initiatives relating to local government so ensuring the continuous improvement of Council services, and

- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Leader of the Council should have:

- an ability to manage and prioritise workloads effectively,

- an ability to work to deadlines,

- effective communication skills, including listening, written, spoken and ICT,

- effective leadership skills,

- effective chairmanship skills,

- an ability to engage with the media including television, radio and press to promote the Council's profile,

- an ability to act as a mentor to other executive councillors,

- an ability to think analytically and make effective decisions, and

- an ability to read and assimilate copious amounts of information.

HUNTINGDONSHIRE DISTRICT COUNCIL

EXECUTIVE COUNCILLORS AND MEMBERS OF THE CABINET

Each member of the Executive shall be referred to as an executive councillor and shall be allocated by the Leader a specific area of responsibility known as his portfolio.

The executive councillor will take the leading role in the development and implementation of the policies covered by his/her portfolio.

Shared Responsibility as a Member of the Cabinet

Each executive councillor has shared responsibility for:

- the co-ordination, promotion and implementation of the Council's statutory plans and strategies and for the setting of the Council's objectives, and priorities,

- the oversight, development, monitoring and promotion of all services provided by the Council within the appropriate performance management framework,

- ensuring that suitable and proper arrangements are made for the procurement, development, monitoring and promotion of all services relating to executive functions which are provided by or under contract to the Council,

- the promotion of the economic, social and environmental well-being of Huntingdonshire, its residents, businesses and other organisations,

- promoting the Council as a community leader within the public, voluntary and business sectors, including the development of good and effective working links and partnerships with all sectors,

- the promotion and implementation of an effective equal opportunity policy in relation both to the Council's employees and the delivery of services by the Council and other agencies,

- the promotion of services which:
    - improve the safety and well being of the community,
    - secure a sustainable and attractive environment,
    - create a prosperous local economy,
    - raise corporate standards and efficiency, and

- improving arrangements for communicating, consulting and maintaining a dialogue with residents and service users.

Responsibilities as an Executive Councillor

- to represent the Council or arrange for it to be represented in all national, regional and local forums relevant to the duties of the portfolio,

- to liaise with other executive councillors as required,

- advising the Council, Cabinet or Overview and Scrutiny Panels on matters concerning the implementation, monitoring and performance of services, initiatives and projects relating to the executive councillor's portfolio,

- to bring forward revenue and capital budget proposals relevant to the responsibilities of the portfolio,

- to monitor the performance of portfolio functions and activities to ensure corporate objectives and targets are achieved,

- to represent the Council's views relating to the executive councillor's portfolio to other agencies, community interests and local media,

- to attend and answer questions at meetings of the Overview and Security Panel relevant to the executive councillor's portfolio,

- liaising with other Members and officers on strategic matters to ensure proper co-ordination, consistency and seamless delivery of services within Council policy,

- to chair, when required, meetings of Members and officers and Council partners,

- to assist in the development of work programmes, forward plans and the setting of agenda,

- to be consulted as part of any decision-making processes within the portfolio which have been delegated to Officers,

- reporting on the portfolio responsibilities to Council and responding to questions by Members in that forum,

- to be aware of the best practice of other leading authorities and to promote best practice and best value in the areas covered by the portfolio, and

- to carry out the duties set out in the job description for a Councillor.

Profile

An executive councillor should:

- comply with any legislative provisions, best practice and good governance arrangements with regard to his portfolio,

- Keep abreast of national best practice and new initiatives relating to the executive councillor's portfolio, and

- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

An executive councillor should have:

- an ability to prioritise workloads effectively,

- an ability to work to deadlines,

- effective communication skills including listening, spoken, written and ICT,
- a keen knowledge and interest in the areas of his own portfolio,
- effective chairmanship skills,
- an ability to read and assimilate information quickly and effectively,
- an ability to discuss financial matters and the Council's budget with confidence, and
- an ability to engage effectively with the media.

HUNTINGDONSHIRE DISTRICT COUNCIL

DEPUTY LEADER OF THE COUNCIL

Responsibilities

In addition to his shared responsibility as an executive councillor, the Deputy Leader shall have the following specific responsibilities

- to deputise for the Leader of the Council in the latter's absence,
- to undertake the individual responsibilities of any executive councillor in his/her absence,
- to monitor on behalf of the Leader the corporate performance of the Cabinet and executive councillors;
- to organise the appointment of representatives to external organisations and bodies within the remit of the Cabinet,
- to liaise with the Leaders of opposition parties on the choice of representatives to external organisations and bodies,
- to liaise with the Speaker of the Council on the business to be conducted at Council meetings,
- to be a member of the Appointments Panel for the appointment of directors and heads of service, and
- to ensure that a Member mentoring and training programme is provided for all Members of the District Council.

The Deputy Leader shall not have individual responsibility for a portfolio, other than by way of undertaking the responsibilities for an executive councillor who is absent.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF THE COUNCIL

The role of the Chairman is to act as the leading citizen in Huntingdonshire and to represent the Council at the various functions which the Council might host or to which it might be represented of a civic nature.

The main areas of duty are:

- Ceremonial
- Procedural

Ceremonial

- to act as the Council's civic head and represent the Council during the Chairman's term of office,
- to promote public involvement in the Council's activities,
- to act as an ambassador for the Council and for Huntingdonshire both inside and outside the District and to attend such civic and ceremonial functions as the Council and he determines appropriate.
- to promote the Council and Huntingdonshire in a positive manner,
- to act as a link between the Council and various groups and organisations,
- to fund raise for a charity or charities of his/her choice during his/her term of office,
- to attend civic functions as the Council's representative,
- to liaise with the Lord Lieutenant and High Sheriff on visits by members of the Royal Family to the District, and
- to perform opening ceremonies as appropriate.

Procedural

- to open meetings of the Council and to make civic announcements,
- to deputise for the Speaker of the Council in his absence by chairing meetings of the Council, and
- to exercise a casting vote at meetings of the Council where there is otherwise an equality of votes.

Profile

The Chairman of the Council should:

- have excellent speaking skills to enable him/her to make speeches at formal and public ceremonies, and

- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The **Chairman of the Council** should have:

- an ability to chair meetings effectively,
- an ability to assimilate information swiftly and effectively,
- excellent interpersonal skills and an ability to deliver speeches effectively,
- an ability to take an active part in functions managed by other authorities, organisations and individuals and to host those run by the Council,
- effective communication skills including listening, written, spoken and ICT,
- a keen knowledge of and interest in the District and its people, and
- a willingness to mentor the Vice-Chairman as his successor.

HUNTINGDONSHIRE DISTRICT COUNCIL

SPEAKER OF THE COUNCIL

The role of the Speaker of the Council is to encourage and promote high standards of debate in meetings of the Council and to promote the role of the Council as the forum for local democracy in Huntingdonshire.

Responsibilities

- to promote meetings of the Council as the focus for local democracy in Huntingdonshire,
- to liaise with the Deputy Leader of the Council and the leaders of opposition groups and the independent councillors on the business to be conducted at Council meetings,
- to manage the agenda for meetings of the Council in a flexible and creative manner to stimulate healthy debate and encourage public attendance,
- to encourage the public to deliver and speak to petitions submitted to the Council,
- to encourage and promote public question time at meetings of the Council,
- to act as an independent and impartial arbiter of discussion at meetings of the Council, irrespective of political affiliation,
- interpret and apply the Council Procedure Rules at meetings of the Council,
- to be accountable to the Council as a whole,
- to work effectively with the Leader, Chairman, Members and officers of the District Council,
- to attend briefings for meetings convened by appropriate officers supporting the Council, and
- to carry out the duties set out in the job description for a councillor.

Profile

The Speaker of the Council should:

- thoroughly familiarise him/herself with the Council's constitution and in particular the Council Procedure Rules,
- have excellent chairmanship skills,
- have an ability to encourage participation to promote high standards of debate, and
- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

HUNTINGDONSHIRE DISTRICT COUNCIL

The Speaker of the Council should have:

- effective leadership skills,
- effective chairmanship skills,
- an ability to assimilate information swiftly and effectively,
- excellent presentational and motivational skills, and
- effective communication skills including listening, written, spoken and ICT.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF OVERVIEW AND SCRUTINY PANEL

The Chairman of an Overview and Scrutiny Panel is responsible for the effective management and running of the Panel's business which is:

- to hold the executive to account,
- to make a pro-active and positive contribution to policy development, and
- to monitor the performance of the Council and other partners contributing to the sustainable community strategy.

Responsibilities

- to effectively chair meetings of the Overview and Scrutiny Panel, ensuring effective management of the Panel's deliberations,
- to direct the Panel's work programme,
- to present to the Cabinet reports of individual scrutiny reviews,
- to present and monitor progress in respect of the Overview and Scrutiny Panel's work programme,
- to consider decisions and relevant reports from the Cabinet,
- In conjunction with the Scrutiny Manager, to lead the Panel in the drawing up of terms of reference for individual scrutiny reviews,
- to encourage involvement from all Members of the Panel and to promote participation in scrutiny reviews.
- to facilitate access to the necessary information for any review, namely:
    - research facilities
    - expert witnesses
    - specialist advice
    - comment and representation from the public
    - officer support,
- to ensure that Panel Members benefit from appropriate training and development to deal effectively with the Panel's business,
- to meet at pre-arranged intervals with Chairmen and Vice-Chairmen of other Scrutiny Panels to ensure that work programmes are properly co-ordinated, cross-panel working is facilitated and that there is no duplication of topic matter at review level,
- to ensure that reports are drafted to a high standard, focused, relevant and timely and presented to Cabinet, the public, other stakeholders and the media,

- reporting on the work of the Panel to Council and responding to questions by Members in that forum,

- to attend briefings for meetings convened by appropriate officers supporting the panel,

- to develop and maintain effective links with his/her Vice Chairman, the executive, the Chairmen and Vice Chairmen of other Scrutiny Panels, other Members of the Council, the Council's officers, the public and stakeholders, and

- to carry out the duties set out in the job description for a Councillor.

Profile

The Chairman of an Overview and Scrutiny Panel should:

- keep abreast of the Council's policies, plans and strategies within the remit of his/her Panel,

- be aware of any personal training needs and those of other members of the Panel and ensure that appropriate training is provided and taken up by Overview and Scrutiny Panel members,

- encourage use of the councillor's call for action to raise awareness of issues of local concern, and

- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Chairman of an Overview and Scrutiny Panel should have:

- an ability to prioritise workloads effectively,

- an ability to work to deadlines,

- an ability to judge when to close down an issue or inquiry and move on to the next,

- effective communication skills, including listening, written, spoken and ICT,

- a keen knowledge and interest in the areas of his/her own Panel's remit,

- an ability to challenge constructively and an inquiring mind, and

- chairmanship skills specifically relevant to Scrutiny Panels.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF THE DEVELOPMENT CONTROL PANEL

The Chairman of the Development Control Panel will be appointed to chair, lead and co-ordinate the Panel in an effective, open and transparent way. He/she will be expected to structure the business of the Panel and determine priorities in the light of the volume of work presented to the Panel.

Responsibilities

- to effectively chair meetings of the Development Control Panel,
- to understand the national, regional and local planning perspectives,
- to develop a thorough understanding of the:
    - development process
    - transportation issues
    - sustainability issues
    - legal and probity framework relating to planning and development,
- to encourage consultation with the public and special interest groups within the context of the Council's planning policies,
- to communicate constructively with Members of the Council with regard to development proposals that impact on their area,
- to work effectively with the Leader, relevant executive councillor, Members and officers of the District Council,
- reporting on the work of the Panel to Council and responding to questions by Members in that forum,
- to attend briefings for meetings convened by appropriate officers supporting the Panel,
- to be consulted as part of any decision-making processes within the remit of the Panel which have been delegated to officers,
- to ensure that planning matters are dealt with in a positive, constructive and non-partisan manner which enhances the image and reputation of the Council, and
- To carry out the duties set out in the job description for a Councillor.

Profile

The Chairman of the Development Control Panel should:

- keep abreast of and promote compliance with current legislation,
- be aware of any personal training needs and those of other members of the Panel and ensure that appropriate training is provided and taken up by Development Control Panel members, and

- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Chairman of the Development Control Panel should have:

- effective leadership skills,
- effective chairmanship skills,
- an ability to assimilate information swiftly and effectively,
- effective decision making skills,
- an ability to engage with and manage the public during meetings of the Development Control Panel, and
- effective communication skills including listening, written, spoken and ICT.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF LICENSING COMMITTEE/LICENSING AND PROTECTION PANEL

The Chairman of the Licensing Committee and Licensing and Protection Panel will be appointed to chair, lead and co-ordinate the Committee and Panel in an effective, open and transparent way. He/she will be expected to structure the business of the Committee and Panel and to determine priorities in the light of the volume of work presented to those bodies.

Responsibilities

- to effectively chair the Licensing Committee and Licensing and Protection Panel,
- to effectively structure the business of the Committee and Panel,
- to determine priorities in the light of the volume of work presented to the Committee and Panel,
- to understand the context and legislative framework in relation to the Council's responsibilities for licensing, including alcohol licensing, gambling, taxis, public charitable collections, animal welfare and food,
- to understand the context and legislative framework in relation to statutory nuisances, air quality and contaminated land;
- to encourage consultation with the public and special interest groups within the context of the Council's policies,
- to determine, through the medium of sub committees and sub groups, applications for licences,
- to ensure that licensing matters are dealt with in a positive, constructive and non-partisan manner which enhances the image and reputation of the Council,
- to attend briefings for meetings convened by appropriate officers supporting the Committee or Panel,
- reporting on the work of the Committee and Panel to Council and responding to questions by Members in that forum,
- to be consulted as part of any decision-making processes within the remit of the Committee and Panel which have been delegated to officers,
- To work effectively with the Leader, relevant executive councillor, other Members and officers of the District Council, and
- To carry out the duties set out in the job description for a Councillor.

Profile

The Chairman of the Licensing Committee and Licensing and Protection Panel should:

- keep abreast of and promote compliance with current legislation,
- be aware of any personal training needs and those of other members of the Committee and Panel and ensure that appropriate training is provided and taken up by Committee and Panel members, and
- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Chairman of the Licensing Committee and Licensing and Protection Panel should have:

- effective leadership skills,
- effective chairmanship skills,
- an ability to assimilate information swiftly and effectively,
- effective decision making skills,
- an ability to engage with and manage applicants and the public during meetings of sub committees and sub groups, and
- effective communication skills including listening, written, spoken and ICT.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF THE EMPLOYMENT PANEL

The Chairman of the Employment Panel will be appointed to chair, lead and co-ordinate the Panel in an effective, open and transparent way. He/she will be expected to structure the business of the Panel and determine priorities in the light of the volume of work presented to the Panel.

Responsibilities

- to effectively chair meetings of the Employment Panel,
- to represent the Council as the employer at meetings of the Employment Liaison Advisory Group and to chair meetings of that body as appropriate,
- to have an understanding of employment legislation,
- to promote effective communications and joint consultation between the Council as an employer and its employees,
- to assist in the resolution of differences between the Council and its employees,
- to promote the training, development and welfare requirement of the Council's employees,
- to promote high standards of conduct by the Council's employees and compliance with the Employees Code of Conduct,
- to work effectively with the Leader, Members and officers of the District Council,
- reporting on the work of the Panel to Council and responding to questions by Members in that forum,
- to attend briefings for meetings convened by appropriate officers supporting the Panel,
- to be consulted as part of any decision-making processes within the remit of the Panel which have been delegated to officers,
- to be a member of the Appointments Panel for the appointment of directors and heads of service,
- to ensure that employment matters are dealt with in a positive, constructive and non-partisan manner which enhances the image and reputation of the Council, and
- to carry out the duties set out in the job description for a councillor.

Profile

The Chairman of the Employment Panel should:

- keep abreast of and promote compliance with current legislation,
- be aware of any personal training needs and those of other members of the Panel and ensure that appropriate training is provided and taken up by Employment Panel members, and
- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Chairman of the Employment Panel should have:

- effective leadership skills,
- effective chairmanship skills,
- an ability to assimilate information swiftly and effectively,
- effective decision making skills,
- an ability to engage with employees during meetings of the Employees Liaison Advisory Group, and
- effective communication skills including listening, written, spoken and ICT.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF THE CORPORATE GOVERNANCE PANEL

The Chairman of the Corporate Governance Panel will be appointed to chair, lead and co-ordinate the Panel in an effective, open and transparent way. He/she will be expected to structure the business of the Panel and determine priorities in the light of the volume of work presented to the Panel.

Responsibilities

- to effectively chair meetings of the Corporate Governance Panel,
- to ensure that the financial management of the Council is adequate and effective,
- to ensure that the Council has a sound system of internal control, including arrangements for the management of risk,
- to consider the Council's code of corporate governance and approve the annual statement and statement of accounts,
- to monitor the internal and external audit plans and liaise with the external auditors on the Council's internal controls and corporate governance arrangements,
- to monitor compliance with the Council's customer feedback procedure and consider reports emerging either through the feedback system or the Local Government Ombudsman,
- to monitor the effectiveness of and compliance with the Council's whistleblowing policy,
- to oversee the Council's constitutional arrangements,.
- to work effectively with the Leader, Members and officers of the District Council,
- to attend briefings for meetings convened by appropriate officers supporting the Panel,
- reporting on the work of the Panel to Council and responding to questions by Members in that forum,
- to be consulted as part of any decision-making processes within the remit of the Panel which have been delegated to officers, and
- to carry out the duties set out in the job description for a councillor.

Profile

The Chairman of the Corporate Governance Panel should:

- keep abreast of and promote compliance with current legislation,

- be aware of any personal training needs and those of other members of the Panel and ensure that appropriate training is provided and taken up by Corporate Governance Panel members, and

- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Chairman of the Corporate Governance Panel should have:

- effective leadership skills,

- effective chairmanship skills,

- an ability to assimilate information swiftly and effectively,

- effective decision making skills,

- an ability to engage with internal and external auditors, and

- effective communication skills including listening, written, spoken and ICT.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF STANDARDS COMMITTEE

The Chairman of the Standards Committee will be an independent person who is not an elected Member of the District Council, nor a member or employee of another local authority. He/she will be expected to structure the business of the Panel and determine priorities in the light of the volume of work presented to the Panel.

Responsibilities

- effective chairing of meetings of the Standards Committee.
- effective chairing of hearings into cases of alleged breaches of the Members Code of Conduct,
- ensuring high standards of behaviour by District Council Members and members of town and parish councils in Huntingdonshire,
- maintaining effective and proper links with the Leader of the Council, leaders of opposition groups, all Members, other Independent Members and parish council representatives of the Standards Committee, the Chief Executive, the Monitoring Officer and Deputy Monitoring Officer,
- liaising with the Monitoring Officer and Deputy Monitoring Officer as appropriate,
- to attend briefings for meetings convened by appropriate officers supporting the Committee,
- reporting on the work of the Committee to Council and responding to questions by Members in that forum,

Profile

The Chairman of the Standards Committee should lead by example in accordance with the highest standards of probity in public life in all matters relating to the Council's Members Code of Conduct, related protocols and supporting guidance. In particular he should -

- have accurate and current knowledge of legislation relating to Members and the Code of Conduct,
- have accurate and current knowledge of the policies covering gifts and hospitality and notification of financial and other interests, and
- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Chairman of the Standards Committee should have:

- an ability to prioritise workloads effectively,

- the flexibility to make provision for unplanned issues,
- effective communication skills including listening, written, spoken and ICT,
- effective chairmanship skills,
- an understanding of the relevant legislation and how to carry out investigations and determinations in relation to breaches of the Members Code of Conduct,
- effective leadership skills,
- an ability to think analytically, and
- effective decision-making skills.

The Chairman of the Standards Committee needs to undertake the following functions of the Committee -

- interview witnesses and others,
- ensure the production of appropriate recommendations to the Council,
- ensure changes in legislation are considered by the Committee and necessary arrangements are put in place,
- be aware of any personal training needs and those of other members of the Committee and ensure that appropriate training is provided and taken up by Standards Committee members,
- promote the highest standards of behaviour of the elected Members of the District Council and all town and parish councils in Huntingdonshire, and
- encourage and assist in the provision of training in the Members Code of Conduct for all elected councillors of the District Council and town and parish councillors in Huntingdonshire.

HUNTINGDONSHIRE DISTRICT COUNCIL

CHAIRMAN OF THE ELECTIONS PANEL

The Chairman of the Elections Panel will be appointed to chair, lead and co-ordinate the Panel in an effective, open and transparent way. He/she will be expected to structure the business of the Panel and determine priorities in the light of the volume of work presented to the Panel.

Responsibilities

- to effectively chair meetings of the Elections Panel,
- to monitor the electoral arrangements of the District Council and the town and parish councils in Huntingdonshire,
- to ensure the promotion of high standards of electoral probity at elections in Huntingdonshire,
- to encourage high levels of turnout at elections in Huntingdonshire,
- to liaise with the Returning Officer and Electoral Registration Officer on the efficient conduct of elections in Huntingdonshire,
- to work effectively with the Leader, Members and officers of the District Council,
- to attend briefings for meetings convened by appropriate officers supporting the Panel,
- reporting on the work of the Panel to Council and responding to questions by Members in that forum,
- to be consulted as part of any decision-making processes within the remit of the Panel which have been delegated to officers, and
- to carry out the duties set out in the job description for a councillor.

Profile

The Chairman of the Elections Panel should:

- keep abreast of and promote compliance with current legislation,
- be aware of any personal training needs and those of other members of the Panel and ensure that appropriate training is provided and taken up by Elections Panel members, and
- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively.

The Chairman of the Elections Panel should have:

- effective leadership skills,

- effective chairmanship skills,
- an ability to assimilate information swiftly and effectively,
- effective decision making skills,
- an ability to engage with internal and external auditors, and
- effective communication skills including listening, written, spoken and ICT.

HUNTINGDONSHIRE DISTRICT COUNCIL

VICE CHAIRMEN

A Vice Chairman shall be appointed by the Council and by each of the Council's committees and panels, with the exception of the Cabinet in which case the Vice Chairman shall be the Deputy Leader who shall be appointed by the Council. The Vice Chairman of the Standards Committee shall be a member of the Council.

Responsibilities

In addition to his shared responsibility as a member of the Council and the appropriate committee or panel, the Vice Chairman shall have the following specific responsibilities -

- to deputise for the Chairman of the Council, committee or panel in the latter's absence,

- to undertake the individual responsibilities of the Chairman of the Council, committee or panel in the latter's absence, and

- to attend briefings for meetings convened by appropriate officers supporting the Council, committee or panel.

HUNTINGDONSHIRE DISTRICT COUNCIL

GROUP LEADERS

The Council recognises the key leadership role played by the leaders of all political groups on the Council and the importance of their commitment to cross-party working.

Responsibilities

- to provide leadership in their own party group,
- to act as principal political spokesman for their group,
- to nominate Members of their group to serve on committees and panels in accordance with proportionality rules.
- To take part in cross party discussion on the appointment of representative to outside bodies,
- to consult with other group leaders as required,
- to ensure high standards of probity and conduct by members of their group and levels of attendance are maintained,
- to encourage healthy debate at meetings of the Council and in committees and panels,
- to promote compliance with the Code of Recommended Local Authority Publicity by members of their group,
- to ensure that mentors are nominated by their group to assist newly elected councillors in their first year of office, and
- to carry out duties set out in the job description of a councillor.

Profile

The Group Leader should:

- keep abreast of and comply with current legislation,
- be aware of any training needs of himself/herself and other members of the Group and ensure that appropriate training is provided and taken up, and
- devote as much time as is necessary and reasonable to fulfil the requirements of the role effectively

The Group Leader should have:

- effective leadership skills, and
- good communication skills.

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MEMBER DEVELOPMENT CHARTER
SELF ASSESSMENT TEMPLATE

This template aims to help councils that sign up to aspire to the principles of the Charter for Member Development. It provides a guide for self assessment and for drawing up the action plan that must accompany the statement of commitment. Councils wanting to use their own action planning format should do so.

Whichever style of action plan is used it should identify:

- future planned action
- when action is expected to be completed
- who is responsible for the action
- who is responsible for monitoring implementation of the action plan

Councils may find it useful to have a team of people responsible for pulling the action plan together, such as the all party member development group with officer support.

Those responsible for drawing up the action plan should look at each point on the 'Guidelines' and 'What this means in practice' and ask

1. 'What evidence do we have that suggests we are following good practice?'
2. What action do we need to take, if any, to follow good practice or continuously improve? (Taking account of any resource implications and constraints)
3. When will this action be taken by?
4. Who will be responsible for the action?

A named person should be identified as being responsible for monitoring the action plan.

The 'Examples of Evidence' given in the Good Practice Guidance may help in identifying action to take, however the examples are not a requirement and councils must decide on action that best fits their particular circumstances.

SELF ASSESSMENT TEMPLATE

1. Commitment to member development

GUIDELINES	WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
Top political and managerial leadership commitment to development of elected members	The political and managerial leadership can describe strategies put into place to develop elected members in order to improve the council's performance.	*Evidence:* *Action:*		
Policy statement	The council has a written statement, issued to all members, specifying its policy on member development in terms of equality of opportunity, priority development areas and named member and officers responsible.	*Evidence:* *Action:*		
Equality of opportunity and access to learning and development	The political and managerial leadership can describe specific actions that they take to ensure equality of opportunity, and access to learning, in the development of elected members.	*Evidence:* *Action:*		
Budget	The council has allocated a budget for member development which is adequate to address priority and other development needs.	*Evidence:* *Action:*		

GUIDELINES	WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
Officer resource support	An officer of the council has responsibility, which is time resourced and in their job description, for co-ordinating member development.	*Evidence:* *Action*		
Dissemination of learning	The political and managerial leadership can provide examples of learning among elected members, and of promoting exchange of information, as part of encouraging a learning organisation culture.	*Evidence:* *Action*		

2. Strategic approach to member development

GUIDELINES		WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
2.1	Member led strategy	Representative members are involved in the formulation, implementation, monitoring and evaluation of member development strategies, possibly through an established all party task group or other all party committee.	*Evidence:* *Action*		
2.2	Linkage to council corporate plan	Political and managerial leadership are actively involved in identifying priority organisational development needs which link council's aims and objectives to the development of elected members.	*Evidence:* *Action*		
2.3	Member roles clearly set out	The various representative roles of elected members are clearly specified and members are able to describe how they contribute to achieving the council's objectives.	*Evidence:* *Action*		
2.4	Process for identification of needs at individual and Council wide level	The council has a structured process for regularly assessing elected member development needs at the individual and council wide levels.	*Evidence:* *Action*		

GUIDELINES		WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
2.5	Structured and timely approach to promoting development opportunities	Members confirm that they receive appropriate and adequate notice of development opportunities to allow them to plan in advance.	*Evidence:* *Action*		
2.6	Appropriately learn with external partners	Political and managerial leadership can provide examples of action taken to encourage joint development opportunities for elected members and external partner organisations.	*Evidence:* *Action*		
2.7	Strategy for Induction	Elected members who are new to the council, and those new to a particular role, confirm that they received a structured and effective induction.	*Evidence:* *Action*		
2.8	Addresses political leadership and team development	Top political leadership are actively involved in defining the council's approach both to effective political leadership (for current and prospective leaders) and to team development.	*Evidence:* *Action*		

GUIDELINES		WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
2.9	Mechanisms for evaluation, and informing future plans, identified.	The council has systems in place that effectively evaluate the benefits from elected member development and identify areas for improvement.	*Evidence:* *Action*		

3. Member learning and development plan in place

GUIDELINES		WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
3.1	Addresses development priorities	The council draws up plans to meet, training and development needs identified as a priority in helping it to achieve corporate aims and objectives.	*Evidence:* Action		
3.2	Identify what development activities should achieve	The council can demonstrate that elected member training and development activities have well defined and focused objectives.	*Evidence:* Action		
3.3	Sets out how, when, where and who is responsible	The elected member training and development plan follows a developed planning process including who is responsible for implementing, monitoring and evaluating the plan.	*Evidence:* Action		

GUIDELINES		WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
3.4	Takes account of access to development opportunities	The council organises events at various times, to allow for access by those with work or family commitments, and utilises a range of methods to meet learning needs.	*Evidence:* Action		
3.5	Linkage between Individual plans and the council's corporate and other plans	Individual elected members can describe their learning needs and how these link into function and corporate aims and objectives.	*Evidence:* Action		
3.6	Representative elected members consulted	The council has an open and constructive relationship on elected member development with representatives from the various political / non-political groups.	*Evidence:* Action		

4. Learning and development is effective in building capacity

GUIDELINES		WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
4.1	Members learn and develop effectively	The top political and managerial leadership can consistently give tangible examples of how development of elected members has improved the performance of the council, functions and individuals.	*Evidence:* Action		
4.2	Learning is shared with other elected members and where appropriate with officers and stakeholders.	Elected members can give examples of how they have been encouraged to learn, and to share the learning with others, so as to improve their own performance and that of others.	*Evidence:* Action		
4.3	Investment in learning and development is evaluated in terms of benefits and impact	The council can demonstrate that it periodically evaluates the cost and benefits of member training and development and the impact it has had on performance.	*Evidence:* Action		

4.4	Identifies (and implements) improvements to learning and development activities	People confirm that the council is genuinely committed to the continuous development of elected members and can give examples of relevant and timely improvements that have been made to development activities.	*Evidence:* Action		

5. Elected Member Development promotes work life balance and citizenship

GUIDELINES		WHAT THIS MEANS IN PRACTICE	EVIDENCE / ACTION	BY WHEN	BY WHO
5.1	Assists those with family responsibilities.	The council regularly assesses how it can assist those with family responsibilities in terms of suitable allowances and support.	*Evidence:* Action		
5.2	Reviews how council business is conducted to allow for equality of access to key political decision making mechanisms	The council regularly reviews how it conducts its business, in terms of when meetings are held and access based on a clear understanding of diversity, so that elected members or potential members, are able to take part in the democratic process.	*Evidence:* Action		
5.3	Holds events for the community to encourage people to become community leaders.	The council actively encourages citizenship, and publicises the role of elected members as community leaders, as part of promoting local democracy and encouraging under represented groups to take up office.	*Evidence:* Action		

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DEMOCRATIC STRUCTURE REVIEW

Timetable for Implementation

Despatch of draft report to all Members	6th March 2009
Member seminars on contents of report	17th & 24th March 2009
Cabinet	2nd April 2009
Overview & Scrutiny Panel (Service Delivery)	7th April 2009
Overview & Scrutiny Panel (Service Support)	14th April 2009
Corporate Governance Panel	16th April 2009
Cabinet	17th April 2009
Council	22nd April 2009
Implementation of changes with the exception of –	13th May 2009

Start of consultation process on choice of elected mayor/executive leader

(Commencement in April with final decision in September.)

Adoption of proposals for the co-option of independent persons to the Overview & Scrutiny Panels

(Commencement in April with adoption and implementation in September.)

Adoption of Member Development Charter

(July)

Consultation on proposals for neighbourhood engagement

(Commencement in April with final proposals in September.)