

Overview and Scrutiny Management Committee

Meeting held 17 October 2019

PRESENT: Councillors Mick Rooney (Chair), Steve Ayris, Ben Curran, Denise Fox, Tim Huggan, Douglas Johnson, Mike Levery, Cate McDonald, Sioned-Mair Richards, Jim Steinke and Richard Shaw (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Ian Auckland (with Councillor Richard Shaw attending as his substitute) and Julie Grocutt.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 19th September, 2019, were approved as a correct record and, arising therefrom,

(a) further to queries raised by the Chair, it was reported that:-

- (i) information on whether the Council, as part of its telephone service, provided members of the public with the option of ringing them back, if so requested, had been sent to Members;
- (ii) the Committee was still awaiting guidance from Councillor Mark Jones (Cabinet Member for Environment, Streetscene and Climate Change) in connection with the proposed establishment of a Citizens' Assembly to look at climate change;
- (iii) Councillor Tim Huggan would be contacting Councillor Sioned-Mair Richards to inform her of the nominee from the Liberal Democrat Group on the cross-party Member Task and Finish Group to look into communications and consultation on the budget process;
- (iv) the Chairs of this Committee and the Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee (Councillor Cate McDonald) would be meeting to discuss the issue regarding the Access to Mental Health Services – Call for Evidence, with the aim of progressing this issue; and

- (v) the information referred to in Item 6 – Corporate Performance Framework (paragraphs (a), (b) and (c)) was in the process of being collated by Louise Brewins (Head of Performance and Intelligence), and would be either actioned or sent to Members, whichever relevant, at the earliest possible opportunity; and
- (b) further to a query raised by Councillor Douglas Johnson, the information in item 6 – Corporate Performance Framework (paragraph 6.4, third bullet point) was being collated by Louise Brewins (Head of Performance and Intelligence) and would be circulated to Members at the earliest possible opportunity.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Members of the public raised questions as follows:-

5.2 Woll Newall

Has this Committee been given the power to fulfil the Council’s legal obligation to “draw up proposals for the operation of the modernised Committee system” and publish them before March? If not then, which cross-party group is in charge of producing the proposals and why is it not mentioned in the report?

5.3 Nigel Slack

- (a) The current review is expected to come to Council with a proposal within three months. This demonstrates one of the issues around Cabinet systems. If the Cabinet Member responsible does not take the steps needed to progress a decision, the risk escalates that a wrong, or at least ill-informed, decision is taken. I have been tasked with facilitating two significant public events in this review. The first will concentrate on the review this Committee is deliberating, on what form a future “modern committee system” might take. Will this Committee undertake to treat evidence from the public event as seriously as that from internal sources and their own evidence sessions?
- (b) Will all meetings and deliberations of the Committee on this matter of Governance Review be webcast to ensure fullest transparency for the public and Councillors?

5.3.1 The Chair stated that the Committee would undertake to treat evidence from this public event as seriously as that from internal sources and its own evidence sessions, and confirmed that all meetings and deliberations of the Committee on this issue would be webcast.

5.4 Shelley Cockayne

- (a) In light of the fact that those Cabinet post-holders in favour of a move to a modern committee system resigned because of their belief that this is a

better system for representation, participation, partnership and transparency, does the Panel in front of us have the best visionary minds for the job at hand?

- (b) In tandem with Mr. Newell's question, surely a separate Committee with the sole focus on exceeding your legal responsibilities, a Panel that includes non-partisan experts and other interested community contributors, is what is required?

5.5 The Chair, in reference to the questions raised, and which had not been responded to, stated that there was a likelihood that responses to the questions would be provided, either as part of the introduction to the report or as part of the presentation to be made.

6. REVIEWING DECISION MAKING IN SHEFFIELD CITY COUNCIL

6.1 The Committee received a joint report of the Director of Policy, Performance and Communications and Director of Legal and Governance on the proposed arrangements in terms of reviewing decision making in Sheffield City Council.

6.2 In attendance for this item were Councillor Terry Fox (Cabinet Member for Finance, Resources and Governance) and Gillian Duckworth (Director of Legal and Governance).

6.3 Gillian Duckworth introduced the report, indicating that the Council, at its meeting held on 3rd July, 2019, had debated a petition calling for a referendum to change the way the Council makes decisions, from a Leader and Cabinet model to a committee system. At that meeting, the Council requested that the Deputy Leader works with this Committee to review decision-making at the Council. The report provided the Committee with an overview of the context, the petition and referendum, and proposed an approach the Council could adopt to take this work forward.

6.4 The report was supported by a presentation by the Policy and Improvement Officer (Emily Standbrook-Shaw) which contained information on timescales, a list of suggested elements for consideration for which any future decision-making structure should be based and a list of suggested key lines of enquiry.

6.5 Councillor Terry Fox referred to the timeline for the review, stressing that the timescale requiring the report to be submitted to full Council within six months had been agreed by full Council, at its meeting on 3rd July, 2019, hence the target date of Council on 8th January, 2020, and had not been his decision. In addition, there was a 56-day notice period determined by law that the Council had to meet. He stated that a considerable amount of work was required between now and the Council meeting on 8th January, 2020, which would include, amongst other things, extensive consultation with as many of the 95% of the City's residents as possible who had not been party to the Sheffield People's Petition. He referred to the important role of this Committee in gathering the evidence and considering options, together with the need for the whole process to be open and transparent.

- 6.6 The Chair stated that it was proposed that this Committee would decide on a series of principles that should form the basis for any future governance model in Sheffield, to inform the report to be submitted to the Council on 8th January, 2020.
- 6.7 In terms of responses to Mr. Newall's questions, which he indicated had not been answered as part of the report and presentation, the Director of Legal and Governance (Gillian Duckworth) stated that the decision-making powers sat with the Council's Executive and, therefore, this Committee could not take the decision. However, as the Council, at its meeting held on 3rd July, 2019, had requested the Cabinet Member for Finance, Resources and Governance to work cross-party, and with this Committee, to review the Council's current governance model, this would allow cross-party input to inform the decision to be taken by the Cabinet before the referendum.
- 6.8 In terms of the views of the opposition parties, Councillor Douglas Johnson stated that he believed that all Members should have an input in terms of formulating the model and Councillor Tim Huggan stated that he would like to see transparency and meaningful consultation at all levels, which would hopefully result in a positive outcome.
- 6.9 Councillor Terry Fox stated that all Members would be tasked to arrange consultation events in their respective Wards, in whichever format they chose, thereby providing the opportunity for as many residents as possible, and for all Members, to have an input. He made reference to the very tight timescales involved, but it was hoped that there would be sufficient time for anyone who so wished, to put forward their views.
- 6.10 Shelley Cockayne confirmed that responses to her questions had been reported as part of the presentation.
- 6.11 Members made the following comments/suggestions in terms of what they would like to see as part of the consultation process:-
- It was important that all Members listened to, and considered, all the evidence and information in terms of a suggested model. As part of this process, Members needed to look at what models the Council had used in the past, as well as visiting other local authorities to find out the merits of the systems they were using. As part of such visits, the views of both Councillors and officers must be sought.
 - As part of the process, this Committee needed to consider the weaknesses of the Authority's current decision-making structures, and those of a modern committee system, as well as the strengths.
 - Any additional costs of implementing a new committee system needed to be taken into consideration. The Committee needed to consider the views of a wide range of residents as part of the consultation.
 - Members of the Committee needed to make sure they set aside sufficient time, as part of the review.

- Due to the tight timescales, Members, with the support of officers, needed to start preparing consultation events/meetings in their Wards, which could take the form of “stand alone” consultation events/meetings, or held in conjunction with other meetings held in the community, such as Equality Hubs and Area Housing Meetings.
- It was important that tenants’ and residents’ associations, young people and students and external partners, such as the Sheffield City Partnership Board, were involved in the consultation.
- There was a need to include the scrutiny function, in whatever format, as part of any new committee system. It was important, as part of the review, to seek Members’ views on the effectiveness of the current scrutiny system.
- It was important that Members received further information with regard to officer delegations, information in terms of decisions to be published and an estimate in terms of the potential costs of administrating a committee system.

6.12 Members of the Committee raised questions, and the following responses were provided:-

- Additional resources would be made available as part of the review process, mainly with regard to officer-time in terms of the arrangement of meetings in the community and visits to other local authorities. The results of the “Big City Conversation”, a major consultation exercise, where the views of citizens, voluntary, community and faith organisations and public and private sector partners would be asked about key issues and on how the Council engaged and serves the people of Sheffield, would be used as part of the review. With regard to the scrutiny function, the views of Members would be sought, in terms of what they considered was working, or not working, as part of the current system.
- Whilst the views of independent experts would be sought, such as the Centre for Public Scrutiny, it was not envisaged, particularly given the tight timescales, that their involvement would form a major part of the review.
- Whilst there would be resources made available, in terms of officer support, there would be a reliance on Members to take a lead in connection with either arranging new consultation events/meetings in their respective Wards, or making arrangements for the issue to be discussed at community events/meetings already planned. It was proposed that there would be guidance for Members to allow for some form of consistency in terms of what questions were asked and how the responses were collated.
- In terms of the proposed visits to other local authorities, it was suggested that these should involve a minimum of three Members of this Committee, and accompanied by an officer, with preparatory work being undertaken in order to ensure the relevant Members and officers of the authorities to be

visited were available.

- In terms of preparatory work, a number of press releases had already been made, Councillor Terry Fox had been interviewed about the review on Radio Sheffield, and Members and officers were working with The Star in connection with a 10-week media plan.
- In terms of timescales, a report setting out a proposed option would be submitted to full Council on 8th January, 2020. A proposal for a committee system must be published by 11th March, 2020, and a referendum thereon would be held on the day of the local elections, on 7th May, 2020.
- Regardless of whether the Council, prior to May 2020, resolved to change to a new committee system, on the basis that the Sheffield People's Petition had received the required number of signatures, with all the signatures being verified, the Council was obliged, under current legislation, to hold a referendum on or before the day of the next local elections.

6.13 RESOLVED: That the Committee:-

- (a) notes the contents of the report now submitted, together with the comments now made and the responses to the questions raised; and
- (b) approves the proposed approach in terms of the review, as set out in the report and detailed as part of the presentation now made, taking into consideration the comments and suggestions now made.

(NOTE: Prior to the passing of the above resolution, an additional recommendation moved by Councillor Steve Ayris, and seconded by Councillor Tim Huggan, as follows, was put to the vote and negatived:-

"The Centre for Public Scrutiny be tasked to undertake groundwork interviews and make recommendations to full Council".

The votes on the additional recommendation were ordered to be recorded and were as follows:-

For the additional - Councillors Steve Ayris, Tim Huggan, Mike
recommendation (4) Lavery and Richard Shaw.

Against the additional - Councillors Ben Curran, Denise Fox, Douglas
recommendation (6) Johnson, Cate McDonald, Sioned-Mair Richards
and Mick Rooney.

7. ISSUES TO RAISE FROM SCRUTINY COMMITTEES

7.1 Councillor Mick Rooney reported that the Children, Young People and Family Support Scrutiny and Policy Development Committee had considered the Adoption and Fostering Annual Reports 2018/19, at its last meeting held on 14th October, 2019, which had been very positive in that there had been a number of

improvements in both Services.

- 7.2 Councillor Cate McDonald reported that the Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee had undertaken a high level scrutiny exercise in terms of the Mental Health Strategy.
- 7.3 Councillor Denise Fox reported that the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee were to receive an update on the likely effects of Brexit on the City Council at its next meeting, to be held on 22nd October, 2019.
- 7.4 Councillor Ben Curran reported that, with regard to the Safer and Stronger Communities Scrutiny and Policy Development Committee (a) following consideration of the South Yorkshire Fire and Rescue Draft Risk Management Plan, at its meeting held on 11th July, 2019, which contained proposals to cut the number of firefighter crews, together with a petition organised by the Fire Brigades Union, opposing the cuts, which had been submitted to the Council on 12th June, 2019 and referred to the Committee, the proposed cuts had now been shelved, and the Union had expressed its appreciation of the Committee's involvement and (b) there were plans for the Committee to look into the problems of knife crime in the City.
- 7.5 The Committee noted the information now reported.

8. WORK PROGRAMME 2019/20

- 8.1 The Committee received a report of the Policy and Improvement Officer containing the Work Programme for 2019/20.
- 8.2 Councillor Cate McDonald stated that it would be useful to obtain feedback from those groups likely to be affected by the Ethical Procurement Policy, including groups in the community and voluntary sector.
- 8.3 Further to respective queries raised by Councillors Douglas Johnson and Cate McDonald it was reported that (a) the additional meetings required as part of the review of the governance arrangements would be scheduled towards the end of November, 2019 and (b) the findings of the Member visits made to other local authorities would be written up, and included in the evidence to be submitted to the Council at its meeting on 8th January, 2020.
- 8.4 RESOLVED: That the Committee notes and approves the Work Programme for 2019/20, including the suggestions now raised.

9. DATE OF NEXT MEETING

- 9.1 It was noted that the next meeting of the Committee would be held on Thursday, 14th November, 2019, at 1.30 p.m., in the Town Hall.

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