



meeting **COUNTY COUNCIL**

date **18th May 2006**

agenda item number

REPORT FROM THE LEADER OF THE COUNCIL

NEW POLITICAL STRUCTURE

1. PURPOSE OF REPORT

To propose changes to the executive and non-executive parts of the Council's political structure.

2. INTRODUCTION

6 years ago this September the council trialled new arrangements to meet the requirements of the Local Government Act 2000. After the elections in May 2001 the authority adopted the Cabinet and Leader, model of decision making. Over the last 5 years, we have altered the detail of how we make the system work and there has been considerable debate nationally and in this chamber about the effectiveness of this system of governance.

The distinction between the 'executive' and 'non-executive' parts of the Council introduced by the Local Government Act 2000 now needs support and development to help us to work 'all together better'.

The authority has also been working to implement the Children Act 2004 and has appointed a new Strategic Director of Children and Young People.

To meet all these challenges, I believe that the time is right to change the way we do business here at County Hall. The new way of doing business which I am proposing in this report continues the tradition in Nottinghamshire of excellent cross-party working. I commend it to the Council.

3. THE EXECUTIVE

3.1 Appointing the Cabinet and allocating portfolios

One of the aims of the proposed new officer structure is to give more opportunity for cross-service and strategic working across the authority. Over my first year as Leader I have been working with my cabinet team to encourage just this.

Working in parallel with the changes to the officer restructuring, I need to be able to use the skills and talents of all the Cabinet across the wide range of council activity we make decisions on. To achieve this I may need, from time to time, to move responsibilities between Cabinet members.

Currently the Council appoints both the Leader and the members of Cabinet, including the allocation of portfolio responsibilities. Consequently, any changes needed for the council to be responsive to changing needs and priorities or for portfolio issues to continue to be dealt with in the event of an unforeseen absence are cumbersome and time-consuming. The leadership of an organisation such as the council ought to be in a position to make best use of the skills and talents of its councillors. I am therefore proposing that the Council appoints the Leader and then the Leader appoints the Cabinet. I believe that this will enable the executive to operate with more flexibility and across services.

I will personally notify all members of the authority when this happens and will welcome comments on changes through the normal channels of communication. In the immediate term, and if this report is agreed, I will be establishing the following portfolios, which will be in addition to the Leader and Deputy Leader:-

- Adult Services and Health
- Children and Young People's Services
- Community Safety and Partnerships
- Culture and Regeneration
- Environment
- Finance and Property
- People and Performance

3.2 Portfolio deputising arrangements

To support the Cabinet and individual cabinet members, and to offer opportunities to develop Cabinet member skills for non-Cabinet members, it is proposed to appoint 3 Deputy Portfolio members.

Deputy Portfolio members will not have any decision-making powers. They will assist Cabinet members in policy development. By assisting cabinet members in their areas of responsibility and on occasion presenting information in relation to matters affecting the portfolio, Deputy Portfolio members will thus develop their own skills, and enable Cabinet members to work more effectively.

Being a Deputy Portfolio member is a new role and I envisage there being 3 key areas of responsibility:

1. working with senior officers/stakeholders/members to bring forward proposals for consideration
2. monitoring and evaluating the budget implications of decisions
3. maintaining and developing knowledge of the portfolio

In the first instance I intend that the Children and Young People's Services should have 2 Deputies, with the Adult Services and Health portfolio also having a Deputy.

3.3 How it will work

The Cabinet will continue to work in the way it does now. I am doing some work with Cabinet and Chief Officers on developing the way both work together and I want to improve the way the executive work across the whole range of services the authority provides, or works in partnership to provide.

Circumstances will arise where I need to re-allocate responsibilities across the cabinet, this flexibility will help cross-service working. However I will make sure that the balance of responsibilities across the cabinet remains the same. The new officer structure, with 4 Strategic Directors, will also help us do this.

Although the council needs to keep the distinction between the executive and non-executive political structures, we also need to build a more effective bridge between the two. This will be achieved partly by involving more members in the detail of council business through the work to be undertaken by the Deputy Portfolio members. However, I want to take other steps to bring together these two aspects of council business by establishing Cabinet Committees and Departmental briefings.

Cabinet Committees will discuss Cabinet issues with a wider audience. The relevant Cabinet member will chair them, supported (where applicable) by the Deputy Portfolio member. Representatives from all groups will be invited and will participate in the discussion. Cabinet members may also want to invite non-councillors to make a contribution to discussions. The meetings will be held in public. Principally they will be an opportunity for sharing information and for debate and discussion. Issues for scrutiny might arise from these meetings and they will offer advice to Cabinet members individually and Cabinet itself. In this way they will also act as a bridge between Cabinet and Scrutiny.

Departmental Briefings will be organised by all 5 departments. Whilst not wanting to be prescriptive on frequency, I can see them being held on quarterly basis. These will be public briefings and will be chaired by the relevant Cabinet member and supported (when applicable) by the Deputy Portfolio member.

4. THE NON-EXECUTIVE

I am proposing a new way of undertaking the Scrutiny role. There will be a co-ordinating Overview Select Committee. It will be politically balanced and will meet more often than the current select committees. The Overview Select Committee will set the agenda for Scrutiny. Meeting regularly, the Committee will commission 3 politically-balanced Scrutiny Committees to work on a programme of scrutiny. These committees will not have subject or service-specific identities as at present. They will be available to scrutinise topics across the range of council, partnership and external services.

In addition to its chair, the Overview Select Committee will have 3 vice-chairs, each of whom will chair one of the Scrutiny Committees. The effective leadership for scrutiny to be provided by the Overview Select Committee will then be carried through to the work of the scrutiny committees. To observe the political balance rules and to enable the appointment of 3 vice-chairs, I am suggesting that the committee should have 4 Labour members, 2 Conservatives and a Liberal Democrat. I am suggesting also that the minority group representatives on the committee should be appointed as the vice-chairs of the Scrutiny Select Committees I referred to earlier in this paragraph. A formal decision on these aspects is included in the Chief Executive's report next on the agenda.

In addition to the work involved in running meetings of the Overview Select Committee, making recommendations to cabinet and chairing Scrutiny Committees, these 4 members will be responsible for preparing and planning a full scrutiny programme. This aspect of their role will include consulting with and involving all non-executive members of the Council in accordance with arrangements which the Committee itself will determine. I have discussed this aspect with those who I will be recommending for these appointments and can confirm the commitment to the involvement of as many members as possible in scrutinising the business and performance of the Council. Again, appropriate recommendations are included in the Chief Executive's report.

Finally, I am suggesting that the Joint Health Scrutiny Committee should continue and that its establishment should remain a matter for the full Council.

5. CONCLUSION

My proposals are designed to invigorate and bring renewed impetus to the business of the council, by establishing mechanisms which enable executive decision-making and scrutiny to be even more responsive to individual councillors' views and the needs of communities, whilst preserving the distinctions between the types of business conducted.

If they are approved, there will need to be changes to the Constitution and the Members' Allowances Scheme. These matters are dealt with in the separate reports which follow. It will also be necessary for there to be work on the actual work patterns and processes needed to bring to fruition the proposals I have made. This work has already started and will continue.

6. RECOMMENDATION

That the proposals outlined in this report be approved

COUNCILLOR DAVID KIRKHAM
Leader of the County Council

LEGAL SERVICES' COMMENTS (PDH 090506)

Amendments to the Constitution to give effect to the proposals contained in this report are a matter for full Council to approve and are contained in a separate report of the Monitoring Officer.

BACKGROUND PAPERS AVAILABLE FOR PUBLIC INSPECTION

None