

# The City of Edinburgh Council

10.00am, Thursday, 22 June 2017

## Political Management Arrangements 2017

Item number	4.1
Report number	
Executive/routine	
Wards	

### Executive Summary

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The City of Edinburgh Council at its adjourned meeting on 25 May 2017 requested that the Chief Executive bring forward proposals for revised political management arrangements to the June Council meeting. The Council agreed that the model should be a streamlined executive committee model and should be based on the political balance of the Council. This report sets out two proposed models for consideration.

## Political Management Arrangements 2017

### 1. Recommendations

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- 1.1 To agree model one outlined in paragraphs 3.4-3.7 of this report or model two outlined in paragraphs 3.8-3.11 of this report with associated membership and indicative remits.
- 1.2 To agree the changes to the membership of Education, Children and Families or Quality of Life Committee as detailed in paragraph 3.18 of this report.
- 1.3 To agree to dissolve the Petitions Committee and the Police and Fire Scrutiny Committee and redistribute the remits as detailed in paragraph 3.23 and 3.24 of this report.
- 1.4 To agree the changes to the membership of Planning Committee, Development Management Sub-Committee, Planning Local Review Bodies, Regulatory Committee and Licensing Sub-Committee as detailed in paragraph 3.22 of this report.
- 1.5 To agree option A, B or C as detailed in paragraph 3.25 of this report regarding the Personnel Appeal Committee.
- 1.6 To note that the Chief Executive would review committee processes in the summer of 2017 in consultation with the membership of the relevant committees.
- 1.7 To agree that working groups, their membership and remit should continue to be approved by executive committees.
- 1.8 To note that a draft Council diary and governance documentation, including a revised Procedural Standing Orders, Contract Standing Orders, Terms of Reference and Delegated Functions, Scheme of Delegation to Officers and Financial Regulations will be presented to Council on 29 June 2017.
- 1.9 To agree the creation of four cross-party working groups and their membership and remit included at appendix 1 to lead consultation on Locality Improvement Plans and the remits and membership of locality committees and how they fit in with the wider political and community planning structures.

### 2. Background

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- 2.1 Between 2007 and 2017 the City of Edinburgh Council operated under an executive committee system. This included seven executive committees and a Corporate Policy and Strategy Committee.

- 2.2 In 2012 the Political Management Review introduced the Petitions Committee and the Governance, Risk and Best Value Committee. These additions were to address recognised shortcomings in the system around public participation and scrutiny. The amended model in 2012 had fewer meetings than the 2003-2007 cabinet model but it was still resource heavy and led to fragmented decision making.
- 2.3 The Council has evolved since the model was introduced, reducing its staff and how it delivers services. Partnership working is to the fore, with major decisions previously taken by the Council now being taken by the Integration Joint Board or options are being explored such as the Road Services Joint Committee. The Police and Fire Boards have been disbanded and the operation of these services now managed at a national level. The Council has changed its local services, with now more services than ever being managed and delivered at a local level. Localisation has been an important tenet for politicians throughout the different committee systems in recent years with Local Development Committees, Neighbourhood Partnerships and Community Councils featuring in various models. This also accords with the national policy direction and specifically community empowerment and engagement. The political management structure should further underpin genuine and meaningful decision-making and budget powers at a local level. This would support the Council in delivering its services in a transparent, flexible, accountable manner that is efficient, responsive, accessible and improve the Council's overall democratic role.

### **Current Reporting**

- 2.4 As stated above, the executive committee system operating between 2012-17 was resource intensive and this is shown by the numbers of reports from each service area and each committee in the calendar year 2016. This can also be used to identify where there are imbalances in remits.

### **2.5 Reports in 2016 by committee**

City of Edinburgh Council	61
Communities and Neighbourhoods Committee	26
Corporate Policy and Strategy Committee	71
Culture and Sport Committee	40
Economy Committee	47
Education, Children and Families Committee	69
Finance and Resources Committee	256
Governance, Risk and Best Value Committee	83

Health, Social Care and Housing Committee	58
Planning Committee	36
Regulatory Committee	29
Transport and Environment Committee	96
Total	872

- 2.6 The figures above show clear imbalances in the numbers of reports per committee. Finance and Resources for instance has a number of reports far in excess of all other committees. There are also committees which did not consider many reports in a calendar year. It must be taken into account, when creating a new committee system whether there was sufficient business to justify a committee.
- 2.7 However, quantitative statistics do not identify the significance of reports and clearly some will be of more value and significance than others. It should also be noted that the importance of the subject and the need for political leadership and scrutiny is not always reflected in business at committee.
- 2.8 The sheer number of reports suggests that just re-structuring the committee system will not create an efficient system. A smaller, streamlined committee system will reduce the number of reports but if there is not a change to the scheme of delegation to officers, increasing the powers that are taken by officers, then a significant reduction will be less achievable.

### 3. Main report

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- 3.1 The City of Edinburgh Council at its adjourned meeting on 25 May 2017 requested that the Chief Executive bring forward proposals for revised political management arrangements to the June Council meeting. The Council agreed that the model should be a streamlined executive committee model and should be based on the political balance of the Council. The decision also stated that consultation should take place on the establishment of locality committees during summer 2017.
- 3.2 Two executive committee models are outlined in this report. They seek to ensure a more balanced set of committees that recognise and take account of the changed structure of the Council and changes in working such as the Integration Joint Board.
- 3.3 The Governance, Risk and Best Value Committee should retain its current cross-cutting scrutiny remit in both models.

### 3.4 Model 1 – 6 Executive Committees

<b>Corporate, Policy and Strategy</b>	<b>Finance and Resources</b>	<b>Education, Children and Families</b>	<b>Transport and Environment</b>	<b>Communities, Culture and Wellbeing</b>	<b>Housing and Economy</b>
Cross Cutting Policies and Strategy	Finance	Education	Transport	Scrutiny of health and social care	Housing
Partnership and Reform	Procurement	Children Social Care	Environment	Communities and Localities	Homelessness and housing support
Equalities	HR	Lifelong Learning	Public realm	Culture, arts and museums	Economic development
City Deal	Property	Libraries		The festivals	Strategic Development (LDP)
				Community Justice	
				Sport	

- 3.5 This is a reduction of eight committees to six executive committees but also changes many of the remits to ensure a more balanced structure. These committees ensure that there is significant business at all committees to ensure a joined-up approach to Council services but that allows sufficient focus and time to the business of the committee. A significant addition to the remit of the executive committees is strategic development. This would allow the Local Development Plan and the corporate infrastructure investment programme that comes out of it, to be aligned with housing and economic policies. There is also additional scrutiny of health and social care issues, recognising the Integration Joint Board's role but also the duties and responsibilities of the Council.
- 3.6 It is recommended that the membership of the executive committees comprise of 11 members (3 SNP, 3 Conservative, 2 Labour, 2 Green and 1 Liberal Democrat).
- 3.7 It is recommended that these committees meet on an eight-week cycle. This would result in 30 meetings per annum, providing a reduction of 20 meetings from the 2012-17 model.

### 3.8 Model 2 – 5 Executive Committees

<b>Corporate, Policy and Strategy</b>	<b>Finance and Resources</b>	<b>Quality of Life</b>	<b>Place</b>	<b>Culture and Economy</b>
Cross Cutting Policies and Strategy	Finance	Education	Transport	Culture, arts and museums
Partnership and Reform	Procurement	Children Social Care	Environment	The festivals
Community Justice	HR	Lifelong Learning	Public realm	Economic development
Scrutiny of health and social care		Libraries	Housing	City Deal
		Sport	Homelessness and housing support	
			Strategic Development (LDP)	

- 3.9 This model reduces the current eight committees into five executive committees. It attempts to create five cross-cutting committees with synergies in the business to assist in taking a joined-up approach to Council services. As with model 1 a significant addition to the remit of the executive committees is strategic development. This would allow the Local Development Plan and the corporate infrastructure investment programme that comes out of it, to be aligned with housing and economic policies. There is also additional scrutiny of health and social care issues, recognising the Integration Joint Board's role but also the duties and responsibilities of the Council.
- 3.10 It is recommended that the membership of the executive committees comprises of 13 members (4 SNP, 4 Conservative, 2 Labour, 2 Green and 1 Liberal Democrat).
- 3.11 It is recommended that these committees meet on an eight-week cycle and this would result in 25 meetings per annum, a reduction of 25 from the 2012-17 model.

## **Finance and Resources Committee**

- 3.12 The two models are predicated on all the committees being moved to an 8-week cycle. The only one this could cause issues with under the current remit is Finance.
- 3.13 The Finance and Resources Committee combines an overall monitoring role of the City's finances with more operational decisions regarding leases, contracts and property sales. These reports can be relatively minor in nature, take a lot of resources to produce and are often very routine. The volume of work also means the committee can not always scrutinise all reports to the necessary degree.
- 3.14 It is proposed that the levels of delegation are increased to allow routine decisions to be taken by officers. Contracts, leases and sales of a significant amount would still be approved by committee but they would be reduced to allow committee to focus on the major items. The monitoring role of committee would need to expand though to cover those items now under the Scheme of Delegation to ensure elected members had confidence in the process and that officers were following this process and the legal framework.
- 3.15 One of the main issues with contracts is that elected members under the current process are not able to exert sufficient influence over the direction of procurement. There is a need to engage elected members at an earlier stage so that any concerns can be built into the procurement process rather than at the end, when procurement law means the options for elected members are restricted. It is proposed that the thresholds are altered which would reduce the number of reports going to committee but allow a greater focus on higher value projects. However any change to the level of delegation would require an increase in monitoring and scrutiny. Accordingly, a report would be produced every six months that details proposed contracts, waivers and contracts awarded. This would allow elected members to ask for verbal updates on any of the proposed contracts and an opportunity to ask for a contract to be reported separately for approval at committee. This system should enable elected members to influence Council contracts more but to do so within the rules governing procurement. Similarly, there is an intention to propose an increase in the levels of delegation for property items including leases and property disposals.
- 3.16 Consultation on possible areas for further delegation has taken place with directorates and the detail of these changes will be proposed for approval at the Council meeting on 29 June 2017.

## **Education Committee**

- 3.17 The committee that includes education is required under s124 of the Local Government (Scotland) Act 1973 to include three statutory religious representatives when considering education business. The current Education, Children and Families Committee also has two teacher representatives and one parent representative.

3.18 The parent representative has been very successful, continuing and extending the close links with the Consultative Committee with Parents. However, there are potential issues over the teacher representatives with an obvious conflict of interest. There is also a concern that they could easily breach their employee code of conduct when engaging in debate (for instance they are not allowed to publicly criticise the Council). Moreover, when considering the appointment across all Council committees they are also the only representatives of employees serving as members of formal Council committees. For these reasons, it is proposed that the teacher representatives are not re-appointed to the education committee but that the parent representative is retained as a non-voting member.

### **Committee Processes**

3.19 It is essential that committee processes are streamlined to improve the effectiveness of each committee and the efficiency of the work that supports each committee. It is proposed that the Chief Executive reviews committee processes in the summer, in consultation with the newly appointed members of those committees with a view to improving scrutiny and reporting, and the efficiency of the committee process.

### **Other Committees**

3.20 The City of Edinburgh Council operates a number of committees outside the executive committee system which range in size and profile. There are efficiencies here which could streamline the structure but ensure there is no decline in decision making or scrutiny.

### **Other Committees – Number of Meetings**

<b>Committee</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Total</b>
Pupil Student Support	0	0	0	1	1	2
Jean F Watson Bequest	0	1	2	0	1	4
Pensions Audit	0	3	3	3	3	12
Pensions	4	4	4	5	4	21
Pentland Hills Joint Committee	2	3	2	3	2	12
Petitions	1	4	3	5	4	17
Police and Fire Scrutiny	0	5	5	4	4	18



<b>Planning and Regulatory</b>						
Regulatory	6	6	6	5	6	29
Planning	6	7	8	6	6	35
Development Management	21	23	24	25	25	128
Local Review Bodies	17	18	16	18	16	85
Licensing Sub-Committee	21	22	26	24	20	103

3.21 As can be seen by the committee numbers some committees rarely meet but do perform a necessary function. Either merging these meetings or allowing their work to be subsumed into another would offer no discernible benefit. Others such as the Pensions Committee have a distinct membership, that although run as a City of Edinburgh Council committee have a different focus and require to be separate from normal committees. For these reasons, it is not proposed to change the arrangements for the Pupil Student Support Committee, Committee on the Jean F Watson Bequest, Pensions and Pensions Audit Sub-Committee and the Pentland Hills Regional Park Joint Committee.

### **Planning and Regulatory**

3.22 The City of Edinburgh Council on 25 May 2017 agreed the membership, amongst others, for the Planning Committee, Development Management Sub-Committee, Planning Local Review Bodies, Regulatory Committee and Licensing Sub-Committee. It is proposed that the membership of these committees is amended to better align with the membership of executive committees. Thus, it is proposed that the membership of the Planning Committee, Development Management Sub-Committee, Regulatory Committee and Licensing Sub-Committee is amended to 11 elected members. The Planning Local Review Body currently has three panels of five members, this would be reduced to two panels of five members, with the Convener of Planning Committee not being a member.

### **Police and Fire**

3.23 The Police and Fire Scrutiny Committee was created to scrutinise police and fire services in Edinburgh following the dissolution of the Joint Boards and the creation of national services. It holds no decision-making power but does form the meeting which liaises and scrutinises the two services on the local plans. The basis of scrutiny is local services and whether they meet the needs of the local communities. For this reason, it seems logical that the Police and Fire Scrutiny Committee's remit should be passed to locality committees with any final decision on Council's acceptance of city-wide local plans going to the Corporate, Policy and Strategy Committee.

## **Petitions Committee**

3.24 The Petitions Committee currently meets to discuss petitions which it can then refer onto an executive committee for a decision. Since its establishment in 2012 it has met 18 times and has considered 31 petitions involving over 17,000 signatures. The process has been a success, engaging and involving citizens in the democratic process. However, there has been criticism of the committee itself, stating that it is an unnecessary component of the process and delays decision making. As a result, it is proposed that the Petitions Committee is discontinued but that the petitions process remains but with the petition going to executive committees or in future locality committees.

## **Personnel Appeals Committee**

3.25 The Personnel Appeals Committee is not part of a statutory process, unlike many other appeal committees and thus it is discretionary whether the Council appoints the committee or not. The Committee considers appeals against dismissal, action short of dismissal, final written warnings and grievances. Since January 2014 the City of Edinburgh Council has held 39 personnel appeals committee meetings of which 11 have been upheld or partially upheld and of these 11 hearings, two were grievances. A benchmarking exercise was recently carried out by HR which ascertained that most local authorities operate personnel appeals committees but that their remits vary. As a result, the following options are proposed:

3.25.1 Option A – Retain the status quo

3.25.2 Option B – Reduce the remit of the Committee to only consider appeals against dismissal.

3.25.3 Option C – Dissolve the Committee and all dismissal, disciplinary and grievance cases being considered by senior officers.

## **Working Groups**

3.26 Short-life member/officer working groups have proven successful over many years and became the preferred meeting of choice on issues for the previous administration. The increase in working groups reached its height in December 2013 when there were 43 operating. This has been significantly reduced with controls being brought in which require committees to approve their creation, remit and then appoint the membership. Any change to the political management arrangements would have to take cognisance of the possibility of an increase in meetings through the use of working groups and the consequential resource implications. It is recommended that the appointment of working groups continues to be managed through executive committees.

## **Locality Committees**

3.27 The Council on 25 May 2017 agreed that the Chief Executive would report in June outlining the creation of four locality committees. During the summer, the Chief Executive will be consulting with elected members, the community, partner

organisations and the Council's leadership team to consider the membership and powers of the committees. This would then be reported back to Council for agreement in September 2017.

- 3.28 There is still a need to provide a vehicle for elected members and the community to engage in the Locality Improvement Plans which are currently being developed. It is suggested that the neighbourhood partnerships are re-appointed for one meeting to allow all elected members and the community representation on the partnerships to feed into that process. To supplement this, it is proposed that four working groups are created that can lead the consultation on locality improvement plans and the remit and membership of locality committees including how they will fit into the political and community planning arrangements. The working group would not be a decision-making body but would lead and drive feedback to ensure the Council was sufficiently informed when making a decision on locality committees. A chair would be required for each working group who would build consensus and drive forward the will of the working group.

#### **4. Measures of success**

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- 4.1 To operate an efficient, streamlined executive committee system to effectively support and enable decision making in the Council.

#### **5. Financial impact**

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- 5.1 There are no financial impacts as a result of this report. Although any reduction in the number or workload of meetings would have a positive impact on elected member and officer resources which could be applied elsewhere.

#### **6. Risk, policy, compliance and governance impact**

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- 6.1 An effective political management system as the main decision making apparatus of the Council is a key component of its overall governance.

#### **7. Equalities impact**

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- 7.1 There are no direct equalities impacts as a result of this report.

#### **8. Sustainability impact**

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- 8.1 There is no direct sustainability impact as a result of this report.

## 9. Consultation and engagement

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- 9.1 Consultation has taken place with group leaders and the Council's Leadership Team.

## 10. Background reading/external references

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- 10.1 [Minute of the City of Edinburgh Council 18 and 25 May 2017](#)

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## 11. Links

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**Council Priorities**

**Single Outcome  
Agreement**

**Appendices**

Appendix 1 – remit of locality working groups

### Locality Working Groups

**Chair** – To be chaired by the designated locality convener or in the absence of this role, a member of the working group

**Membership** – 1 member from each political group

#### Remit

- To provide member/officer engagement on locality improvement plans;
- To lead the development and creation of locality committees; and
- To lead the Council's engagement and alignment with communities and partners.