

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE CABINET**

**13TH SEPTEMBER 2023, AT 6.00 P.M.**

PRESENT: Councillors K.J. May (Leader), S. J. Baxter, S. R. Colella,  
C. B. Taylor, S. A. Webb and P. J. Whittaker

Also in attendance: Councillor P. M. McDonald (via Microsoft  
Teams) and Councillor R. J. Hunter

Observers: Councillor S. T. Nock

Officers: Mrs. S. Hanley, Mrs. C. Felton, Mr. P. Carpenter,  
Mrs. J. Bayley-Hill (via Microsoft Teams), Mrs. H. Mole,  
Mr. M. Austin and Mrs. P. Ross

27/23

**GOVERNANCE SYSTEMS TASK GROUP REPORT**

At the invitation of the Leader, Councillor P. M. McDonald, Chairman of the Overview and Scrutiny Board, addressed the Cabinet with regard to the Governance Systems Task Group Report and the Recommendation from the meeting of the Overview and Scrutiny Board held on Monday 11<sup>th</sup> September 2023; as detailed on Supplementary Documentation 3 agenda pack.

Councillor McDonald informed the Cabinet that the Governance Systems Task Group had kept to their allotted timescale and had delivered their report.

The Task Group had received presentations from Councillor Craig Browne, Deputy Leader, Cheshire East Council, who's authority had changed over to the Committee System from the Leader Cabinet; and Mr. Ian Parry, Centre for Governance and Scrutiny (CfGS).

Councillor McDonald stated that following on from a Comparative Analysis being carried out between the Committee System and a Hybrid System based on the present governance system in operation at the Council; the Task Group had concluded that we were very lucky to have achieved the current Hybrid System. The best bespoke system which enabled everyone, including opposition Members to be involved.

It was estimated that the cost to the Council, including the design principles, to move to a Committee System would be circa £200k, and it was felt that it would be ridiculous to spend this amount of money. Hence the Recommendation from the Overview and Scrutiny Board meeting held on 11<sup>th</sup> September 2023.

The Leader took the opportunity to express her thanks to Councillor McDonald and Task Group Members for their thorough investigation and the time they had invested over the summer months.

In response to questions from Cabinet Members, Councillor McDonald explained that with regard to the Cabinet Advisory Panels being introduced, this would provide all Members, including Back Benchers, with an opportunity to get involved and to put recommendations forward to the Cabinet and Portfolio Holders.

The Head of Legal, Democratic and Property Services explained that any Sub-Committee could be created in an advisory capacity and would be able to look at the Forward Plan and any other items. Including items that existed on the Cabinet Working Group Work Programme or items they considered should be included on the Cabinet Working Group Work Programme. An advisory panel would help shape the Cabinet Working Group Work Programme and would be able to put forward any recommendations to the Cabinet.

Councillor S. J. Baxter suggested that a review of Cabinet Advisory Panels should be included in the Recommendation from the Overview and Scrutiny Board meeting held on 11<sup>th</sup> September 2023.

In response Councillor McDonald stated that the Task Group had considered this and had suggested that it would be reviewed by the Overview and Scrutiny Board after a six month period.

Councillor McDonald responded to further questions and clarified that Cabinet Advisory Panels would not be talking strategically. It would be up to Portfolio Holders to look at topics and then circulate those topics to all Council Members, who could then decide if they were specifically interested in a particular topic and would like to sit on a Cabinet Advisory Panel.

The Head of Legal, Democratic and Property Services commented that it was important that the work undertaken by the Task Group and the model they saw, would need Members to be involved.

At the invitation of the Leader, Councillor R. J. Hunter addressed the Cabinet.

Councillor Hunter gave his thanks to the Leader for inviting him to attend the meeting, in order to make a last appeal to the Cabinet before Full Council on 20<sup>th</sup> September 2023.

Councillor Hunter continued and in doing so stated that both he and his Group were sympathetic to the Committee System being adopted. He was unable to agree with the Recommendations of the Task Group as they did not represent a significant improvement.

Councillor Hunter questioned Recommendations a) and b) and highlighted that this did not represent a step forward it was just the status quo. He had been disappointed where decisions have been made with his Group not being consulted with.

In response the Leader stated that whilst it was good practice to have an Opposition Group Leader as Chairman of the Overview and Scrutiny Board; there was nothing currently in the Constitution that required this.

The Head of Legal, Democratic and Property Services explained that the Constitution was pained to 'fetter' to determine the administrative arrangements, but the Council could introduce a 'Memorandum of Understanding' where working practices were clearly defined for Council to agree. Changes had been necessary to date due to the results of the recent Elections and there was Cross Party dissatisfaction with the working arrangements in place previously.

Councillor Hunter then referred to Recommendation c) and stated that there were already specific groups – Strategic Planning and Climate Change, therefore he did not understand the point of introducing Cabinet Advisory Panels and could not see how this moved us forward.

The Leader took the opportunity to respond and highlighted that Cabinet Advisory Panels provided an opportunity for all Members to commit. The culture at Council meetings had changed and it was about Members all working together, to take things on board and to listen with interest. Breaking down barriers and instigating involvement and change.

Councillor Hunter further stated that there was no binding vote, nothing that shared power and it was a 'Gentleman's Agreement'. It was a missed opportunity as it was fundamentally a Cabinet Model and to reinforce a model that was not fit for purpose and did not move us on.

Hiding behinds costs of £200k, yet the Task Group report showed costs of £80k and £40k if we stayed with the status quo. Cheshire East Council talked about the improvements that the Committee System had brought to the authority and that it had been cost neutral, so he did not accept the cost implications of £200k. No-one had asked about reducing the number of meetings and there was an assumption that Members would ask for higher allowances to attend additional meetings under a Committee System. Members were being pushed into making a decision with the September deadline given. He was very disappointed with the process and outcome, as there was evidence from only one authority. He had put forward two other Local Authorities but they were never considered, so he considered that it was not a thorough review as not enough evidence was heard from other authorities who had gone through this process. Therefore, his Group would not back down, they may be a small Group, but there was also a significant number of Members that were not happy, so he would suggest looking again. The Recommendations would not fundamentally change things at this Council.

In response the Leader stated that we had had significant change at the Council. Councillor McDonald informed the Cabinet that at the Overview and Scrutiny Board meeting on 11<sup>th</sup> September, Board Members had discussed Councillor Hunter's motion and reasons and tonight the Task Group did not accept what he was saying. The ballot box had decided who had the largest control of the Council. The bespoke Hybrid system would be included and embedded in the Constitution, to the benefit of opposition groups, and would not just be a 'Gentleman's Agreement'.

Councillor McDonald continued and explained that where the Constitution could not be changed, working practices were looked at; and we would have had to delegate more power to officers. Given the potential increase in meetings under a Committee System, all Members would need to be prepared to attend meetings during the day and not everyone could attend or lose income having to attend daytime meetings. He did not think that Members were being railroaded into making a decision. The Task Group had ensured that meetings were positive, rational and well attended by Task Group Members; hence keeping to the timelines, as all Task Group Members turned up for meetings. The Hybrid System was a bespoke system that suited Bromsgrove District Council and Chairman would be supported by it being embedded into the Council's Constitution.

Councillor Baxter commented that previously if she wanted to achieve anything she would talk to the Cabinet and Portfolio Holders. We were

now embedding a process enabling all Members to influence decisions. At the first Full Council meeting we were all finding our feet with the new administration and some Members knew the failings of the previous system.

Members further commented that the £200k costs had been explained and were the set up costs. Members agreed that decisions should be made to the benefit of residents which the Task Group report stipulated 'Putting the Residents at the Centre of all Decisions'. The Task Group report highlighted the best model and pragmatic model for the Council; and was not considered in a 'mad rush', but in a considered timeframe. The results of the Task Group would be considered at Full Council, and the Overview and Scrutiny Board had done exactly what Council had asked.

For clarity the Leader read out the Overview and Scrutiny Board Recommendations on the subject of the Governance Systems Task Group's report, as agreed at the Overview and Scrutiny Board meeting on 11<sup>th</sup> September 2023.

**RECOMMENDED** that Bromsgrove District Council should have a hybrid Leader and Cabinet governance model from May 2024 onwards, and as detailed in the preamble above, to be monitored by the Overview and Scrutiny Board after 6 months. To achieve this model, the Council should do the following:

- a) Agree changes to the Council's constitution during the 2023/24 municipal year, as detailed in the Task Group report;
- b) Introduce working protocols designed to embed more collegiate working in the Council's governance culture;
- c) Introduce Cabinet Advisory Panels;
- d) Take action to improve communication with Members;
- e) Introduce a Memorandum of Understanding between all political group leaders to maintain these working arrangements for at least the next four years; and
- f) A review to take place after 6 months by the Overview and Scrutiny Board.

Prior to the next agenda item being introduced, Councillor McDonald asked for it to be noted that at the Overview and Scrutiny Board meeting held on 11<sup>th</sup> September 2023 it was agreed that all Senior Officers would attend the Overview and Scrutiny Board meeting on 16<sup>th</sup> October 2023. All Council Members would also be invited to attend for the Agile Working Policy to be explained.

The meeting closed at 7.59 p.m.

Chairman