

Title of meeting:	Governance & Audit & Standards Committee
Date of meeting:	27 February 2015
Subject:	Shadow Committee system proposal
Report by:	City Solicitor
Wards affected:	All
Key decision:	Yes/No
Full Council decision:	Yes/No

1 Purpose of report

- 1.1 To update Members of the Committee as to proposals for a shadow committee system arising subsequent to the resolution passed at Full Council on 20 January 2015 that the Council moves to a system of shadow committees for the municipal year 2015-2016.

2 Recommendations

- 2.1 Members of the Committee are asked to note the report and make recommendations to Council on how to implement a cost neutral shadow committee system to be implemented for the municipal year 2015-2016.

3 Background

- 3.1 The City Council wishes to consider moving towards a committee system of decision making. Governance and Audit and Standards have been asked to work up a cost neutral way of bringing in a committee system for 2015-2016, learning from the experience both in Portsmouth and other authorities who have made the transition.
- 3.2 In the event that the Council in due course decides to move to a new committee system and to enable this to be done in a timely fashion and to be able to learn from experience, the Council has resolved to move to a system of shadow committees for the municipal year 2015-2016. It is also requested that the shadow system should be cost neutral.
- 3.3 Council resolved that:
- 3.3.1 The shadow committees would shadow each cabinet member and decision making meetings would take place with the same agenda as for cabinet members' individual portfolio meetings but before that meeting.

- 3.3.2 Cabinet members would be invited to attend and can be part of the shadow committees.
- 3.3.3 The formal decision making would take place after the shadow committee has met.
- 3.3.4 Shadow committees would be cross party and proportionate, but the cabinet member would retain the formal decision making power during the transitional year.
- 3.3.5 There will also be a shadow committee for full cabinet, which it was proposed would, in a full committee system, become a policy and resources committee.
- 3.3.6 Governance and Audit to report back on a shadow system for 2015-16 at the March 2015 Council Meeting.

4 Proposal for Shadow Committee System

The following arrangements are proposed for Members to consider. These proposals, if adopted, would produce a shadow committee system which could be implemented in May 2015 on a cost neutral basis.

4.1 Composition

The Shadow Committee System ("the System") will comprise of 10 shadow committees. This will be one shadow for each portfolio and one for full cabinet. It is proposed that each committee is made up of 10 members and they will be politically balanced.

4.2 Cost

To ensure that the System is cost neutral the following proposal is recommended to members for consideration:

- 4.2.1 All shadow committee meetings which are to take place immediately before either the Cabinet Meeting ("CM") or Cabinet Members' Decision Making Meeting ("CMDMM") to be time limited with a defined start and finish time. This will ensure that there is certainty for the public as to the time when the formal CMDMM will take place. This is necessary as the public that may not wish to attend the shadow meeting will have certainty as to when the formal CMDMM will take place. This will be particularly important for those who wish to make deputations.
- 4.2.2 It is proposed that the shadow committee meeting is chaired by the cabinet member. This will help with the consistency in the decision making as it will be the cabinet member who the shadow are attempting to influence and it will avoid the potential confusion which could arise if there were to be a different chair of the shadow committee to that of the decision maker.

4.3 Agenda of shadow meetings

4.3.1 The agenda for the shadow meeting will be the same as for the CMDMM. This will ensure not only that the appropriate items are discussed in advance of the CMDMM, but that no additional items are discussed. This will avoid additional costs being incurred in the production of such reports for which there is no budget provision. There will be no provision at shadow committee meetings for members to request items to be placed on the agenda, to avoid additional costs being incurred. The shadow committee meeting will not be published beyond notification to the Cabinet Member's agenda that the meeting is taking place.

4.4 Standing orders for the regulation of business

4.4.1 Subject to the exceptions above, Council's standing orders will apply.

4.5 Attendance by officers

4.5.1 Only those officers who are not entitled to time off in lieu or flexi time will be required to attend shadow committee meetings. This will avoid any additional salary costs being incurred as these officers (Chief Executive, Monitoring Officer, S.151 Officer, Strategic Directors and Heads of Service) are not entitled to be compensated for working beyond normal core time. It should, however, ensure that the shadow committee is able to obtain the advice it will require from officers to reach its decisions.

4.6 Distribution of papers

4.6.1 No additional papers will be produced for the shadow committee meetings beyond those presently printed. Any additional copies will be provided electronically to members by means of a link sent in the email notifying them of the CMDMM.

4.7 Membership

4.7.1 The ten shadow committees will be politically proportionate.

4.8 Access to meetings

4.8.1 The proposed start time of the shadow committee meetings will be published and the meetings will be open to the public. No additional copies of the agenda will be provided beyond those provided for the CMDMM although links to the agenda will be provided on the Council website.

4.9 Minuting of meetings and recording of decisions

4.9.1 The production of minutes would incur cost and none will therefore be provided. The meetings will not be making any formal decisions and the outcome of the debate will not therefore be recorded.

4.10 Advice

4.10.1 Legal, finance and procedural advice will be provided by the officers present (Chief Executive, Monitoring Officer, and S.151 Officer).

4.11 Public deputations

4.11.1 It is not proposed that the public will be able to make deputations at the shadow meetings as this would result in costs being incurred in supporting those making their deputations. It may also cause confusion in the minds of the public as the meetings are not "decision making" meetings.

4.12 Cabinet portfolio briefings

4.12.1 Whether such briefing meetings are still required will be a matter for the individual cabinet member to decide and these may be held in addition to the shadow committee meetings.

5 Reasons for recommendations

5.1 The proposals set out above would produce a Shadow Committee System for 2015-2016. The System would be limited in operation to ensure that it is cost neutral. It would however give those members who are unfamiliar with the committee system an opportunity to experience what such a system might be like if it were to be introduced in 2016-17. Members may wish to consider if a review of the shadow system should be undertaken part way through the year to see if there are any lessons learned which may influence members views as to whether the Council should proceed to a formal committee system for making decisions in 2016-2017.

6 Equality Impact Assessment (EIA)

6.1 None is required

7 Legal implications

7.1 The City Solicitor's comments are included in this report. The System will provide information to the decision maker but it will not necessarily directly affect the Cabinet member's decision and under the Executive Arrangements which the Council presently operates, all formal decision making will remain with the Cabinet and Council.

8 Finance comments:

8.1 There are no financial implications arising from the recommendations set out in this report.

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City Solicitor

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location