BUSINESS MANAGEMENT GROUP (BMG) STRUCTURAL OPTIONS

Section 1:   Current Position

The role of BMG is outlined below and taken from the Council's Constitution:

I.   The Business Management Group will manage the flow of business between the Cabinet, the Overview Committees and the Council.

II.   It will publish a regular information sheet to keep all Members of the Council informed of the progress of business before all Council bodies.

III.   It will resolve any difficulties in relation to the Terms of Reference of Overview Committees, including the allocation of 'cross-cutting' issues.

IV.   It will from time to time appoint "task and finish" review groups to investigate specific matters as appropriate, after consideration of a request from the Council, the Cabinet or an Overview Committee.

V.   It will regularly receive details of the Cabinet's forward plan.

VI.   It will regularly review the details and operation of the Constitution and make recommendations for change to the Council.

VII.   It will deal with all matters related to elections, electoral registration, boundary reviews and Members' Services (excluding Members' Allowances).

Section 2:   Research Findings

Analysis of the research undertaken as part of this review is attached as an **Appendix**.

• BMG has not undertaken all aspects of its role this year. In particular BMG has not been able to co-ordinate the work of Overview and Scrutiny.

• Analysis of items appearing on the BMG agenda indicates that over the last year the group has most frequently considered items referring to elections including local, national, European and parish elections as well as items referring to electoral registration, returning officers etc.

• The group has also dealt with a large number of items referring to appointments to outside bodies. Considered in addition to dealing with appointments to other committees and panels (not including Overview and Scrutiny groups) the group has taken 11 items directly related to appointing members to various bodies and panels.

- Research undertaken as part of this report indicates that non-executive members do not feel fully involved in the democratic process. – It is worth noting that members not sitting on any committee and/or new members are not automatically represented on BMG.

- Many other local authorities do not have a committee that performs the same role as BMG. Examples of alternative arrangements include a General Purposes Committee (e.g. Westminster Council- Excellent CPA rating), other authorities give BMG responsibilities to ad hoc committees or allocate them other standing committees.

- The table below summarises the role of BMG and the extent to which that role has been successfully implemented over the last council year.

Table 1: Analysis of the BMG role 2002/03

Current Role	Implementation over the last year
i) The Business Management Group will manage the flow of business between the Cabinet, the Overview Committees and the Council.	BMG has had a relatively small input into the work of the various committees of the council. In addition the other committees have referred relatively few matters to BMG.
ii) It will publish a regular information sheet to keep all Members of the Council informed of the progress of business before all Council bodies.	Achieved and review undertaken this year.
iii) It will resolve any difficulties in relation to the Terms of Reference of Overview Committees, including the allocation of 'cross-cutting' issues.	One occurrence. On request from the ETL Overview Committee BMG designated an issue as cross cutting and requested a review group be set up, drawn from across the Overview Committees.
iv) It will from time to time appoint "task and finish" review groups to investigate specific matters as appropriate, after consideration of a request from the Council, the Cabinet or an Overview Committee.	BMG has had a relatively small role appointing task and finish groups as the Overview Committees have largely undertaken this role. On two occasions BMG has had input into setting up the groups otherwise it has noted the decisions of the Overview Committees.
v) It will regularly receive details of the Cabinet's forward plan.	Forward Plan considered at every BMG meeting- referrals rarely made.
vi) It will regularly review the details and operation of the Constitution and make recommendations for change to the Council.	BMG has considered the effectiveness of new democratic arrangements and the constitution on a number of occasions and requested reports.
vii) It will deal with all matters related to elections, electoral registration, boundary reviews and Members' Services (excluding Members' Allowances).	BMG has spent a large proportion of its time dealing with electoral matters.

Section 3:   Options

- **OPTION 1:** Do nothing- leave BMG as it is

- **OPTION 2:** Abolish BMG
    - Overview and Scrutiny role given to an overview and scrutiny board
    - Other BMG roles undertaken by either council, the executive or alternatives arrangements e.g. nominated members, ad hoc committees etc.

- **OPTION 3:** Revise the role of BMG
    - Managing the process of preparing for Council meetings, including possible themed meetings.
    - To deal with elections.
    - To deal with member services including development and training.
    - To manage the dissemination of information to members.
    - To review and monitor democratic arrangements.

Section 4:   Conclusions

- BMG needs to adapt in line with any changes that may be made to the new democratic structures in order to ensure that its role remains relevant.

- BMG needs to be concerned with developing and supporting a political culture that ensures that MKC democratic structures provide the best possible basis for decision making under the rules in which the council has to operate.

- BMG's strengths are in its ability to take a considered and reflective approach to its roles, as such the discursive and overviewing approach that it has taken over the last year should be retained.

- BMG has struggled to get to grips with its role co-ordinating the overview and scrutiny function. This is due to a number of reasons already discussed in this report. As such it would seem beneficial for BMG to hand over its overview and scrutiny co-ordination role to a board that can specialise in co-ordinating the overview and scrutiny work programme and resources.

Section 5:   Recommendations

1)   Option 3 appears to be the best choice for the following reasons:

    i   BMG has been performing a key role over the last year with regards to matters related to elections, electoral registration, boundary reviews and Members' Services (excluding Members' Allowances). This role will need to be maintained regardless of democratic structures.

    ii   BMG has successfully implemented, reviewed and maintained ownership of an information sheet that is circulated widely. This role will need to be maintained regardless of democratic structures.

iii BMG has kept a watching brief on new democratic structures and the constitution. It has reviewed implementation and considered effectiveness on a number of occasions including this report. This role will need to be maintained regardless of democratic structures.

iv This option is flexible, BMG can add to its remit as appropriate, perhaps including responsibility for potential themes for council meetings.

In addition it is recommended that:

2) BMG includes a representative of the councillors who do not sit on either Cabinet or Overview and Scrutiny Committees, or a new councillor (that is a councillor in their first term of office at MKC).

3) BMG receive a report reviewing democratic structures on an annual basis.

4) The success of new arrangements is reviewed by BMG after one year in operation.

Section 6: Constitutional Implications

It is noted that some constitutional changes will be needed to facilitate these recommendations.

Section 7: Appendices

Appendix - The role of BMG – an analysis of the work undertaken by BMG 2002/03.

The role of BMG – an analysis of the work undertaken by BMG 2002/03.

1. Introduction:

This paper is a brief overview of the activity undertaken by the Business Management Group (BMG) over the last council year (2002/03). It is based on an analysis of 12 meetings running from 10th April 2002 until the 22nd March 2003, (a meeting to finish up outstanding business from the meeting of 19th March 2003). The grid below gives an overview of all agenda items considered by BMG during this period.

Analysis of agenda items, BMG, council year 2002/03

MEETING	COMMENTS
22/03/03 Parliamentary Boundary Review	Item deferred from 19/03/03
19/03/03 Appointments to outside bodies Boundary Review Review of Council Structures Forward Plan	 Noted
27/02/03 Regional Assembly Appointments to outside bodies Parish Electoral arrangements Local Election returning officer fees and disbursements Member IT connections Matters referred by Cabinet Matters referred by Overview and Scrutiny Forward Plan Recruitment of independent members to the Standards Committee	 (referred by Treasury Committee) Noted
29/01/03 Appointments to outside bodies Elected regional assembly Members training Pensions for Members Forward Plan	 Noted
18/12/02 Members Newsletter Local Elections/European Parliamentary Elections Appointments to outside bodies Councils Monthly Magazine Forward Plan Returning Officers and Electoral Registration Officer	 Noted
27/11/02 2004 Election Modernising the Council Meeting Appointment of Sub-committees and working groups Community Strategy Appointments to outside bodies Forward Plan	 Noted with an item (Council Newsletter) to bring forward to a later meeting of BMG

MEETING	COMMENTS
30/10/02 Mayoral succession **Role of BMG** Pilot Electoral Experiments Appointment of Sub-Committees and Working Groups Calendar of Meetings 2003/04 Forward Plan	 Items allocated to overview committees
02/10/02 Staff terms and conditions Members training Role of BMG Appeals Commission – appointment of additional members Audit Commission Update Forward Plan	 District Audit report on New Democratic Structures Noted
23/07/02 Mayoral Succession Review of the Constitution – Area Consultative Forums Cabinet advisory bodies and overview committees School organisation committee – membership of schools group Matter referred by ETL Forward Plan	 Allocation of work to LCED Community Hub- cross cutting issues – resolved to set up a cross cutting review group made up of members from all committees Noted
19/06/02 Council Meetings Appointments to outside bodies Forward Plan	 Noted
22/05/02 Forward Plan Appointments to outside bodies Matters referred by Cabinet Review of the constitution Future of council's support and access services Appointments Panel	Noted Area forums
10/04/02 Review of the constitution Matters referred from the Education Joint Advisory Group Matters referred by Cabinet	

2. Activity Analysis:

The Forward Plan: Analysis of BMG agendas shows that the Forward Plan is considered at every full BMG meeting. Over the course of the last council year, 2002-03, the Forward Plan has been considered on ten occasions, on eight of these occasions the Forward Plan has been noted with out additional comments or referrals being made. On one occasion *(BMG meeting 30/10/02)* six referrals were made to Overview Committees (Environment, Transport and Localities had five referrals and Learning, Community and Economic Development had one referral). At

the BMG meeting of the 27th November 2002 the group requested a report on the basis of a Forward Plan item to be drafted for the next meeting of BMG.

In summary BMG considers the Forward Plan at each of its meetings although it is rare that a referral is made as a result of these deliberations. During the course of the council year referrals to groups other than BMG itself were made on one occasion (six referrals), to two of the four Overview Committees.

Table One: The Forward Plan:		
Number of times Forward Plan is noted with no referrals made *(* out of 10 meetings where the Forward Plan appeared on the agenda)*	8 *	
Numbers of referrals to O&S as a result of the Forward Plan item: *(NB these all arise from one meeting 30th October 2002, = 1 referral 6 items)*	Treasury	0
	ETL	5
	SCHH	0
	LCED	1
Number of other referrals from the Forward Plan *(referred back to BMG for consideration at a later date).*	1	
Total number of items referred as a result of the Forward Plan	**7**	

BMG Agenda Items: Analysis of items appearing on the BMG agenda indicates that over the last year the group has most frequently considered items referring to elections including local, national, European and parish elections as well as items referring to electoral registration, returning officers etc.

The group has also dealt with a large number of items referring to appointments to outside bodies. Considered in addition to dealing with appointments to other committees and panels (not including Overview and Scrutiny groups) the group has taken 11 items directly related to appointing members to various bodies and panels.

On two occasions BMG have considered appointing Overview and Scrutiny groups on the 27th November 2002 the group approved five working groups and requested that more information was supplied regarding he resources that these groups required. Again on October 30th BMG approved the request for two Treasury review groups and requested a report regarding the future use of review groups to come to a later meeting of BMG noting that the constitution currently allowed three working groups to be ongoing at any one time.

Other items considered by BMG tended to be 'one-offs' with the exception of items regarding the review of the constitution. Nine agenda items appeared related to various aspects of democratic structures and the council constitution including issues around new requirements and reviewing the success of current arrangements.

In summary BMG has had the largest number of agenda items dedicated to issues around elections and appointments or various sorts. There has been a large number of single agenda items that have appeared only once (*a total of 13 items)*. BMG has also considered the implementation of new democratic arrangements and it is clear that part of the remit of this group is keeping a 'watching eye' on democratic structures and their effectiveness.

Table Two: Agenda items by type:	
Elections items (Local/European/Parishes/Others/etc)	7
Appointments to outside bodies	7
Boundary Review	2
Regional Assembly	2
Mayoral succession	2
Members training	2

Appointment of sub-committees & working groups (O&S)		2
Appointments	Appointments panel	1
Appointments	Appeals Commission- appointment of additional members	1
Appointments	School organisation committee membership of schools group	1
Appointments	Recruitment of independent members to standards committee	1
Cabinet advisory bodies and overview committees		1
Staff terms and conditions		1
Community Strategy		1
Members pension		1
Members IT Connections		1
Future of council support and access services		1
Members newsletter		1
Calendar of meetings		1
Councils monthly magazine		1

Council structure/constitution review items	General	4
	Role of BMG	2
Including an Audit Commission update on 02/10/02	Council meetings	2
	Area forums	1

Matters referred to BMG: Analysis of BMG agendas shows that of the groups referring matters to BMG Cabinet makes the most referrals. However in general referrals to BMG are not frequent agenda items with a total of six referrals over the course of a council year. Of these six referrals three were from Cabinet, all requesting decisions regarding the appointment of Members to various groups. The Education Joint Advisory Group requested BMG note its concerns regarding the advertisement of Teacher representatives to the LCED Committee.

During the course of the council year BMG has made two decisions regarding Overview and Scrutiny review groups, these were referred to the group by the Overview Committees. The first referral was a request from the ETL Overview Committee for BMG to agree that an issue was cross cutting and that a cross party review group should be drawn from across the membership of the Overview Committees. BMG agreed this and set the terms for the membership of the review group.

The second referral was made by the Treasury Overview Committee requesting a review group be set up to consider Best Value Performance Indicators and the CPA. BMG referred this matter back to the Treasury Committee noting that the Committee had already set up a statistics review group that could consider this issue.

In summary BMG agendas do not regularly contain items that have been referred from other groups or committees.

Table Three: Matters Referred to BMG:		
Number of matters referred by Cabinet		3
Numbers of matters referred by Overview and Scrutiny committees	Treasury	1
	ETL	1
(Treasury matter referred back to Treasury OV Committee re review groups)	SCHH	0
	LCED	0
(ETL matter agreed – a cross cutting issue BMG agreed to set up a review group comprising members from across all the OV committees)		
Numbers of referrals from other sources	Education Joint Advisory Group	1

Total number of agenda items based on matters referred	6

3. The current role of BMG, evaluation of activities undertaken:

Table four below outlines the current role of BMG as identified in the Milton Keynes Council Constitution. An evaluation of the work undertaken in each of its areas of responsibility has been added in the second column.

The table shows that BMG have had a more success in some areas of their remit than others. In terms of considering electoral matters, reviewing the democratic arrangements and constitution, and establishing a members' information sheet the group has been active. In terms of considering the Forward Plan and managing the flow of council business BMG has had less of a role. With regards to establishing task and finish groups and allocating work to Overview Committees this role has largely been undertaken by the Overview Committees themselves.

Table Four: Current Role of BMG and Work undertaken this council year.	
Current Role	**Implementation over the last year**
i) The Business Management Group will manage the flow of business between the Cabinet, the Overview Committees and the Council.	BMG has had a relatively small input into the work of the various committees of the council. In addition the other committees have referred relatively few matters to BMG.
ii) It will publish a regular information sheet to keep all Members of the Council informed of the progress of business before all Council bodies.	Achieved and review undertaken this year.
iii) It will resolve any difficulties in relation to the Terms of Reference of Overview Committees, including the allocation of 'cross-cutting' issues.	One occurrence. On request from the ETL Overview Committee BMG designated an issue as cross cutting and requested a review group be set up, drawn from across the Overview Committees.
iv) It will from time to time appoint "task and finish" review groups to investigate specific matters as appropriate, after consideration of a request from the Council, the Cabinet or an Overview Committee.	BMG has had a relatively small role appointing task and finish groups as the Overview Committees have largely undertaken this role. On two occasions BMG has had input into setting up the groups otherwise it has noted the decisions of the Overview Committees.
v) It will regularly receive details of the Cabinet's forward plan.	Forward Plan considered at every BMG meeting- referrals rarely made.
vi) It will regularly review the details and operation of the Constitution and make recommendations for change to the Council.	BMG has considered the effectiveness of new democratic arrangements and the constitution on a number of occasions and requested reports.
vii) It will deal with all matters related to elections, electoral registration, boundary reviews and Members' Services (excluding Members' Allowances).	BMG has spent a large proportion of its time dealing with electoral matters.

4. Conclusions:

- BMG considers the Forward Plan at every full meeting although comments or referral are rarely made.

- BMG agendas are made up of a mixture of items that occur regularly, for example elections and appointments to outside bodies, and items that are 'one-offs' for example Members IT connections. Items that occur frequently tend to be related to elections, boundary reviews and appointing members to outside bodies.

- BMG is most frequently asked to consider items around appointments of Members to various groups and bodies, these include outside bodies, council groups such as the ALMO board and issues around the size and membership of overview and scrutiny review groups.

- Co-ordination of the workload of the Overview and Scrutiny Committees and working groups is inconsistent and BMG is not always supplied with enough information to determine or prioritise the work of review groups.

- BMG makes decisions regarding setting up Overview Committee review groups without adequate information regarding the terms of reference, scope or workload of existing groups, for example the statistics review group could not be reasonably expected to consider the CPA and performance indicators in addition to its existing scope but BMG did not have access to the terms of reference when making its decision.

- An Overview and Scrutiny co-ordination board made up of representatives from the Overview Committees may be better able to allocate review group size, scope and membership.

- BMG has a clear role with regards to the 'quality' of the council's democratic arrangements. This role includes reviewing structures and the constitution as well as receiving reports regarding the operation of democratic services from both external sources (e.g. the Audit commission) and internal sources (e.g. an officer report regarding area forums).

- BMG could also suggest, order and prioritise the themes of debate for council meetings.

- There is potential for BMG to enhance this role and keep a watching brief on the performance and effectiveness of the council democratic arrangements, perhaps by receiving an annual report evaluating the strengths and weakness of the councils democratic arrangements at the end of each Council year, including:

  - An evaluation of Council meetings.
  - A review of Overview and Scrutiny activity including both committee meetings and the work of task and finish groups.
  - A consideration of the resources that the council uses and requires to support its democratic framework.

- Performance indicators could also be developed and reported to BMG as part of the quality management brief.

- The appointments role of BMG could be improved by giving the group access to the skills and interests audit of members to facilitate effective allocation of tasks and appointments to the various groups.