

**ITEM 10**  
**PARISH AND NEIGHBOURHOOD**  
**CONSULTATIVE ASSEMBLY**  
**9 DECEMBER 1999**

**DEMOCRATIC RENEWAL/LOCAL GOVERNMENT MODERNISATION - AN ENHANCED ROLE FOR PARISH COUNCILS?**

The White Paper, “Modern Local Government: In Touch with the People” was published in July 1998 and set out a programme of change for local government. The Government has subsequently begun to introduce the legislation to take its reform agenda forward.

The draft Local Government (Organisation and Standards) Bill was published in March 1999 and is primarily concerned with new forms of political management for councils and ensuring high standards of conduct. The bill starts from the position that the committee system does not work today.

Key points within the Bill relating to new forms of local governance:

**Consulting local people**

1. Every council to be required to consult its local community - local electors and other interested parties , including business, other public bodies and the voluntary sector – about how they want to be governed. (Must present a range of options).
2. If a directly elected mayor is wanted, this must be put to a binding referendum. (A petition of 5% or more local voters for an elected mayor will also trigger a referendum).
3. A council can only continue with its traditional way of working where local people have rejected all new form of local governance in a referendum.

**New forms of local governance**

4. All the possible new forms are to have:
  - a clearly identified and separate executive to give leadership and clarity to decision-making
  - powerful roles for all councillors to ensure transparency and local accountability
5. Three broad models:
  - a directly elected mayor with a cabinet

- a cabinet with a leader
- a directly elected mayor and council manager

### **Role of full council**

6. All councillors acting as full council:

- agree overall strategies and plans including key plans such as the education development plan, land use development plans, local transport plans and local performance plan
- determine annual revenue and capital budgets
- decide on departures from strategies and budgets the full council had previously agreed
- adopts form of local government under which the council operates
- appointments to committees and to the executive, where the new constitution so provides
- make or confirm appointments of the chief executive and chief officers as the new constitution provides

7. Regulatory responsibilities (licensing, planning permissions) are to be carried out by the full council or delegated to a committee.

### **New role for most councillors**

8. Three key roles:

- review of policy and formulation of future policy
- a duty to question and evaluate the impact of decisions and actions of the executive, even if they are members of the same party
- representation of their community, including in consultations for e.g. community plans and best value

### **Overview and scrutiny committees**

9. In all new forms of local governance a council must set up one or more overview and scrutiny committees (same political balance as the full council and meet in public) which must cover all the matters for which executive responsible

10. Might also be non-voting co-opted members

11. Members of the executive cannot be members of scrutiny committees, but are likely to be asked to attend regularly to support the review of policy and give evidence, as required. Representatives of other organisations might also be invited.

### **Role of scrutiny committees**

## 12.Key elements:

- consider and investigate broad policy issues and make reports and recommendations to the executive or council
- consider budget plans, proposed policy framework and other plans of the executive, and make reports and recommendations, including for amendments, to the executive or council
- advice to the executive on major decisions before final decision are made
- review decisions taken by the executive and how it is implementing council policy and make reports and recommendations, including proposals for changes to policies
- council's constitution might also allow scrutiny committee to request a debate at full council before a particular decision is made or implemented by the executive

## 13.Scrutiny committees could deal with cross-cutting issues

## 14.Example of scrutiny role in action:

*Scrutiny committee dealing with education would expect to be consulted by the executive on the draft education budget and other major policy issues before the executive made proposals on these matters to the full council. The council would consider any recommendations from scrutiny alongside the executive's [proposals before coming to a decision.*

## **Role of the executive**

## 15.Wide ranging leadership roles:

- lead the community planning process
- lead the preparation of plans and strategies
- consult on and draw up annual budget for submission to the full council
- lead the search for best value
- take in-year decisions on resources and priorities to deliver the strategies and budget approved by the full council, consulting with other councillors and stakeholders in the local community as necessary
- be the focus for forming partnerships with other agencies and the business and voluntary sectors

## **Size of the executive**

16.The Government envisages a maximum of 15% of the council (rounded down) or 10 councillors, whichever is the smaller. May be desirable to have an odd number of members

17.Depending on the council's new constitution, the executive:

- would not normally reflect the political balance of the authority but be formed by the majority party or a coalition
- would usually give specific portfolios to individual members of the executive
- would take decisions either as a whole cabinet, in sub-groups, as individuals, or combinations of these

### **Elected mayor and council manager**

18.The mayor and the council manager are formally the entire executive. The executive functions - ie. policy implementation – of the authority are given to the manager.

### **Budget setting**

19.A possible process:

- the executive begins to draft the budget, given the policy framework by the council
- the executive takes account of recommendations made by overview and scrutiny committees and seeks their advice
- the executive proposes a budget to the full council
- the full council may propose amendments to the budget (but not simply to reject it)

### **Role of officers**

20.Officers will be required to serve both the executive and other councillors in their several roles

21.The great majority of officers would spend the bulk of their time supporting the executive, delivering local services. A very small group might be asked to support the executive mayor or leader, if there was one, and there would need to be a small group to support the overview and scrutiny function.

22.All officers would be accountable to the council in its overview and scrutiny role, although senior officers would attend actual meetings.