

REPORT TO:	COUNCIL 23 MAY 2016
AGENDA ITEM NO:	8
SUBJECT:	OPEN AND TRANSPARENT DEMOCRACY – PROPOSED CHANGES TO THE CONSTITUTION
LEAD OFFICER	ACTING COUNCIL SOLICITOR AND ACTING MONITORING OFFICER
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: Article 15 of the Constitution provides that the Council shall monitor and review its operation to ensure the aims and principles are given full effect. In that context the recommendations in this report will further develop delivery of an open, transparent and accountable Council.	
FINANCIAL IMPACT: There are no direct costs arising from the contents of this report. The changes proposed to ICT service provided to Members will deliver initial one-off savings of £31,000; on-going savings of £58,000 per annum and will enable future savings of up to £116,000 per annum.	

1. RECOMMENDATIONS

- 1.1 Council is recommended to consider the proposals detailed in the report to deliver a new model for Council meetings to increase opportunities for public participation and engagement at Council meetings and:
- (i) Approve the adoption of the revised Council Procedure Rules, Part 04.A of the Constitution detailed in appendix A;
 - (ii) Approve the adoption of the revised Planning and Planning Sub-Committee Procedure Rules Part 04.K of the Constitution detailed in appendix C but that those changes referred to in para 11.2 not take effect until 1st September 2016;
 - (iii) Approve the adoption of the revised Tenders and Contracts Regulations Part 04.I of the Constitution detailed in appendix D;
 - (iv) Approve the adoption of the revised Staff Employment Procedure Rules Part 04.J of the Constitution detailed in appendix E;
 - (v) Approve the adoption of the revised terms of reference for Pensions Committee as detailed in appendix F;
 - (vi) Note the revised terms of reference of Scrutiny Sub-Committees as detailed in para 15 of this report;
 - (vii) Approve the adoption of the revised Scheme of Members' Allowances Part 06.A of the Constitution detailed in appendix B;
 - (viii) Agree that the Acting Council Solicitor and Acting Monitoring Officer be given delegated authority to make the changes and any consequential

- amendments to the Constitution needed to effect the recommendations agreed by Full Council within this report including changes to Part 4D – Executive Procedure Rules and elsewhere in the Constitution and to reflect any restructuring of officer roles and changes to job titles; and
- (ix) Note that the Council’s Petitions Protocol referred to in para 3.4 of the Council Procedure Rules will be amended by the Chief Executive, in consultation with the Leader of the Council and the Leader of the Opposition, in accordance with the principles set out in sections 6 and 7 of this report.
- 1.2 Note that once implemented, the new model will be reviewed after twelve months to identify how well its objectives have been achieved and what further steps, if necessary, should be taken to further improve public participation and engagement at Council meetings.

2. EXECUTIVE SUMMARY

- 2.1 The Council’s administration has made a clear commitment to make the business of the Council more open, transparent and accountable to local residents. A number of constitutional and operational changes were made to how the Council conducts its business in July 2014 to deliver this commitment. This report details a second tranche of changes, focussed on meetings of the Council, that will further enhance local residents’ opportunity to participate in Croydon’s local democratic process and place local views and opinions at the heart of decision making and debate.
- 2.2 The report also details proposed changes to the provision of ICT equipment for elected Members through the Members’ Scheme of Allowances. The changes will deliver a more agile and tailored IT service for Members at a dramatically reduced cost to local residents.
- 2.3 As well as the changes to the Council Procedure Rules the report further details changes to the Tender and Contract Regulations, Planning and Planning Sub-committee and Staff Employment procedure rules and updated terms of reference for the Scrutiny Sub-Committee and Pensions Committee.

3. BACKGROUND

- 3.1 Following the Cabinet’s decision on 14 July 2014 (minute number A45/14 - An Open and Transparent Council for the People of Croydon) and Council on 15 July 2014 (minute number 13/15 – Proposed Changes to the Constitution and Related Constitutional Matters) and 25 January 2016 (item 6) – Amendments to the Constitution – Public Petitions and Health and Well-being Board, a number of constitutional and operational changes were enacted to increase the openness, transparency and accountability of the Council.
- 3.2 These changes included:

Full Council Meetings

- Reintroducing webcasting for all meetings of the Council
- Increasing the amount of time available for public questions
- Dramatically reducing the thresholds for public petitions so that debates can be triggered more easily by communities
- Allowing the use of mobile devices for social media reporting from Council meetings

Cabinet Meetings

- Reintroducing webcasting for all meetings of the Cabinet
- Opening the meeting for all Members of the Council to participate in the discussion of Executive business
- Increasing the amount of information, particularly with regard to contractual items, placed in the public domain
- Making detailed briefings available on demand to all Members of the Council on executive decisions
- Worked with partner organisations to highlight significant issues in the borough
- Introducing a performance report with fixed measures that reflect the administration's priorities, allowing both Members and residents to see a fair and accurate picture of the Council's performance in delivering its priorities

Scrutiny Meetings

- Reintroducing webcasting for meetings of the Scrutiny Committee
- Requiring all Cabinet Members to attend the Scrutiny Committees on a cyclical basis
- Introducing public questions at Scrutiny meetings that can be submitted both before and during meetings
- Requiring the forthcoming budget to be considered at Scrutiny before being set to allow both Members and residents to have their say while proposals are still at a formative stage
- Holding Scrutiny meetings in local communities, with agendas relevant to the local area
- Improving cross-working across the different scrutiny committees to look at issues in the round
- Increasing the frequency of Scrutiny Committee meetings and reintroducing the streets and environment scrutiny committee
- Formally co-opting a number of young people onto the Committee and enabling a Young People 'takeover' of Scrutiny
- Introducing Scrutiny 'mini-reviews', allowing any Member of the Council to be supported to undertake a scrutiny review

3.3 The greater commitment to openness and accountability has already begun to deliver cultural change in how the Council conducts its business. In the Town Hall itself, the building has been made more accessible to the public, with barriers at the front desk opened, increased signage for public meetings and video feeds in place for overflow rooms when the Council Chamber cannot accommodate everyone. The Braithwaite Hall has been increasingly used for community events, including hosting the hugely successful Croydon beer festival.

Members' allowances and expenses are more routinely published and, in response to a request from a Croydon resident, Members' attendance records are now routinely published as well. The Council's risk register is now also routinely published and reported to the General Purposes and Audit Committee.

The reduction in the threshold of signatures required for consideration of a public petition at Council has seen petition debates held at Council meetings, compared to no petitions being debated previously due to the very high threshold. Similarly, changes to the running order of the Council meeting have allowed more Cabinet Members to be routinely questioned by Councillors at each meeting.

The more transparent approach at Cabinet Meetings has seen a significant increase in residents and community representatives participating in local decision making. This has included:

- the Crystal Palace Foundation taking forward joint community initiatives with the Council
- MOBO award winning performing artists Krept and Konan launching a joint outreach programme in Croydon schools
- Community Champions highlighting their role in the clean-up of Croydon's streets
- The Borough Fire Commander talking about the fire risk to our most vulnerable residents
- Presentations from a local MP and MEP
- Local residents talking about the importance of digital skills and the Go On Croydon digital skills initiative
- The Bishop of Croydon leading the local Fairness and Opportunity Commission
- The Borough Commander highlighting his plans for policing in Croydon

Similarly, the reinvigorated approach to Scrutiny has also seen a significant increase in accountability and participation. Highlights have included:

- Holding public service partners to account, including Network Rail, London Ambulance Service, Croydon CCG, Croydon Police, Croydon University Hospital and Veolia
- Greater attendance and participation at meetings from residents, community groups and patient forum representatives
- A stronger emphasis on pre-decision scrutiny such as the FM procurement, the Council's Budgets and Budget Performance as well as the Council's preparedness for flooding
- Holding the Cabinet to account by calling-in and scrutinising decisions on College Green, Landlord Licensing as well as a referral of plans for a cycle way on Norbury Avenue, all of which allowed greater opportunity for all Members and residents to participate in local decision making meetings
- Croydon's Scrutiny Committees becoming a strong voice for public accountability across the region, with greater partnership working with Joint Scrutiny Committees and the Centre for Public Scrutiny.

3.4 The commitment to improving the openness and accountability of the Council has permeated across the Council and many routine activities are now being conducted differently. Examples of this include the introduction of mobile apps to make reporting issues to the council easier, the use of social networking to communicate with residents, more focused engagement with local communities on localised issues including 20mph zones.

4. ACHIEVING GREATER OPENNESS AND TRANSPARENCY FOR THE PEOPLE OF CROYDON

4.1 The changes since July 2014 have bedded-in well with regard to the executive decision making process, with both Cabinet and Scrutiny functions performing in a more open and engaged manner with both Members, residents and community groups.

4.2 While changes made to meetings of the Council have been effective, there continues to be criticism regarding the practice of those meetings and this report proposes changes to further improve the openness and public engagement of those meetings.

4.3 The current model for meetings of the Council finds its origins in the Local Government Act 2000. That Act moved local Councils away from the old committee system to either Mayoral or Executive and Cabinet Models of decision making.

4.4 The original guidance to that Act required Council meetings to have 'a greater dialogue between all Councillors and the public' and challenged local authorities 'to find how public participation in the council meeting can be encouraged'.

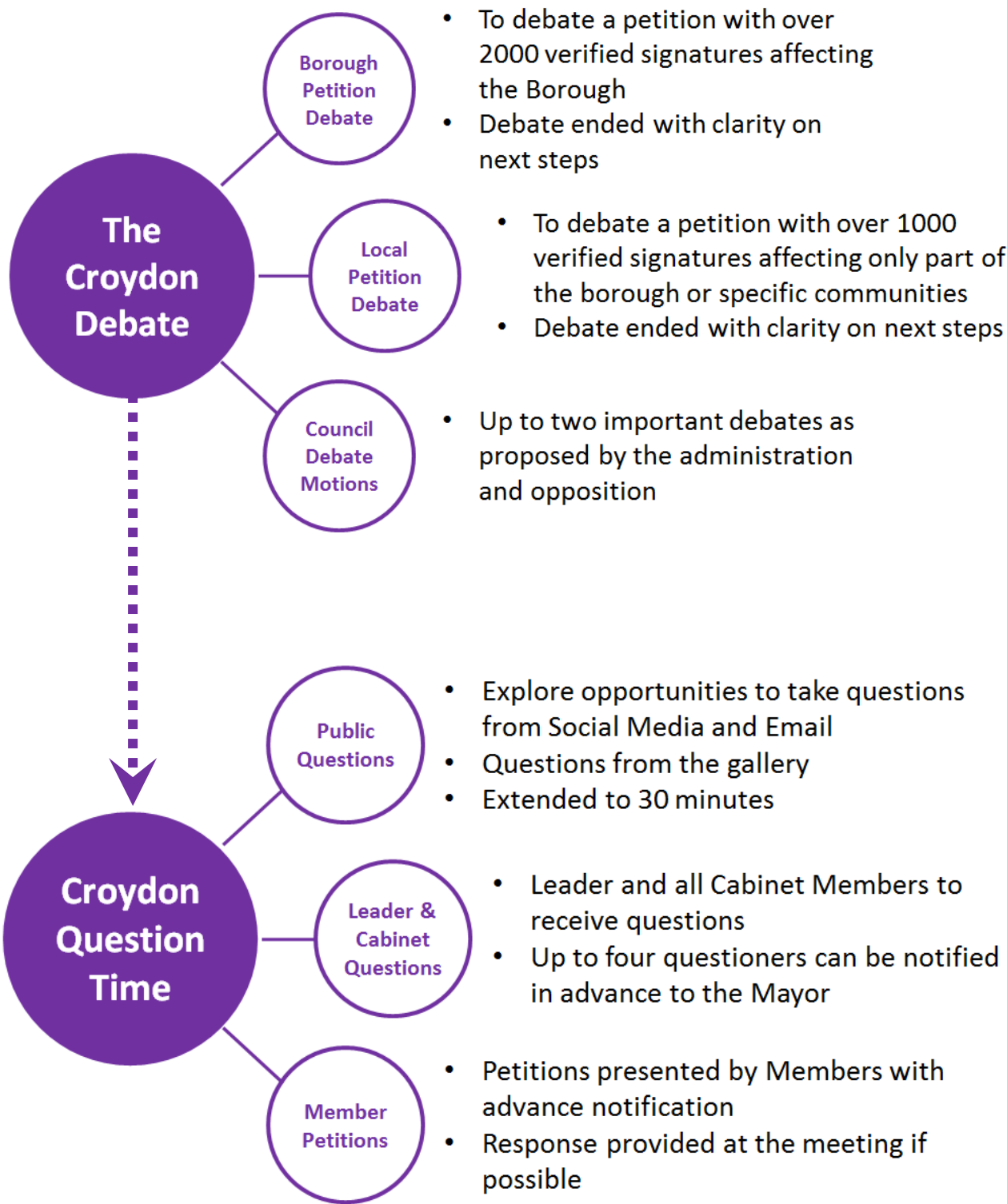
4.5 While the current Council meeting makes provision for residents to ask written questions to Cabinet Members and for lead petitioners to speak in a petition debate, it is accepted that there is more that the Council can do to encourage public participation in the Council meeting and to make participation more accessible to residents.

4.6 In addressing how Council meetings could work better in the future, the following underlying principles for a new model have been followed:

- Greater opportunities for debate on a wider range of issues;
- Increased openness, transparency and accountability;
- Reduction in the bureaucracy stifling participation;
- Greater opportunity for all Members to question the Cabinet;
- Greater opportunity for public participation in Council meetings;
- Cabinet and Scrutiny working well, Council meetings should not be a repetition of these meetings;
- A model that encourages participative rather than combative political debate.

5 A NEW MODEL FOR COUNCIL MEETINGS IN CROYDON

- 5.1 The following new model for Council meetings is designed to dramatically increase the accessibility of meetings to local residents and increase public participation. The proposed model is also designed to give Council meetings greater focus and increase transparency.
- 5.2 In addition to delivering greater participation and accessibility at Council meetings, the new model will be supported by a number of changes to the burdensome processes that govern participation in the meetings.



6 THE CROYDON DEBATE

- 6.1 Following the announcements from the Mayor and any procedural items, the first part of the Council meeting will be dedicated to the Croydon Debate. Moving away from the current model of debates drawn almost exclusively on adversarial political lines, there will be three opportunities for formal debate at ordinary Council meetings.
- i) Borough Petition Debate - One public petition for debate with over 2000 verified signatures of local people affecting the borough will be debated. The debate will have a change of focus from the existing model, with the lead petitioner given two opportunities to speak, both the administration and opposition given two opportunities to speak and the administration given the opportunity to give a final response and summarise the next steps.
 - ii) Local Petition Debate – One public petition for debate with over 1000 verified signatures of local people in the Ward where the matter arises affecting only part of the Borough or a specific community will also be debated. The debate will be shorter than a Borough-wide debate and will also allow contributions from the lead petitioner, administration and opposition. The administration will be given an opportunity to give a final response and summarise next steps.
 - iii) Council Debate Motions – Both the administration and opposition will be able to put forward one debate motion each at each ordinary Council meeting and there will be two speakers from each side. To remove confusion and to make debates easier to follow, amendments to debate motions will no longer be permitted. This item will be taken toward the end of the agenda for ordinary Council meetings to ensure that there is no encroachment on time dedicated to public and Member questions.
- 6.2 The Council's petition scheme will be amended to reflect the new distinctions between local and borough wide petition debates and the respective formats to be followed at Council meetings.

7 CROYDON QUESTION TIME

- 7.1 After the conclusion of the Croydon Debate phase of the meeting, the Council agenda will move into a second phase - Croydon Question Time. This phase will focus on giving both Members and residents greater opportunity to participate in democratic discussion and hold the Leader and Cabinet to account.
- 7.2 The current processes for both residents and Members require advanced submission of their questions with limitations on follow up questions. Residents are also required to attend in person if they wish to ask supplementary questions.

- 7.3 The new model proposes that all ten Cabinet Members will participate in questions at every ordinary meeting of the Council. Each session will start with public questions. It is the Council's intention to explore the feasibility of accepting questions via social media to make public questions more accessible. If this option can be implemented, the Mayor will be supported to take questions submitted via social media, taking them either individually or thematically to maximise opportunities for participation and to allow as many issues and subjects as possible to be addressed. Public questions will also be taken via email or in writing and also from the public gallery. The time allowed for public questions will also be extended to thirty minutes to enable greater opportunity for residents to participate in the meeting and the Mayor will be empowered to reduce supplementary questions to one per person to allow more people to ask supplementary questions covering a broader range of subjects.
- 7.4 Following the conclusion of public questions, the meeting will proceed to a Leader and Cabinet Questions session. The format for this session will change to provide an opportunity for every Member of the Cabinet to be questioned at every ordinary Council meeting. The session will start with fifteen minutes for questioning the Leader of the Council. Cabinet Members will then be taken in three groups of three, with thirty minutes of questioning allowed for each group. This arrangement allows an average of ten minutes of questions for each Cabinet Member, but also allows a degree of flexibility in the amount of time available to question a particular Cabinet Member. The Leader and each group of Cabinet Members will start their respective section of this item with up to two minutes of announcements each. Primacy will then be given in each section of this item to up to four Members, who have notified the Mayor of their intention to ask a question in advance of the meeting, per Cabinet Member. The opportunity will then be given in each section of this item to all Members to ask questions, with the Mayor inviting questions from as many Members as possible. This should ensure that at least forty councillors will be able to question Members of the Cabinet at each ordinary Council meeting.
- 7.5 Both Members' and Public questions will be a much more open process, with the current rules on advanced written submission significantly relaxed or removed altogether. Public questions will be revised to allow questions to be submitted in writing or via email up to noon on the Friday preceding the meeting. Members will be able to ask questions without advanced notice in writing, while the opportunity to submit detailed questions will now be available throughout the year. Detailed written questions from Members will be answered within three weeks and published on the Council's website. This opening up of the process will allow the questions to be more participatory and inclusive.

PETITIONS PRESENTED BY MEMBERS

- 7.6 At the end of Croydon Question Time, petitions presented by Members on behalf of local residents will be presented to Council. For clarity these are petitions seeking a specific action by the Council rather than petitions for debate. Where possible, these will be responded to by the relevant Cabinet Member at the meeting. If it is not possible to respond to a petition at the meeting, the response will be formally given at the next ordinary Council meeting.
- 7.7 Save for any statutory reason or reasons of expediency, any other statutory items, such as the annual scrutiny report, will now be taken at the Annual Council meeting.

8 MAIDEN SPEECHES

- 8.1 New provision will be made to allow newly elected Members to make a short maiden speech to Council following their election. It is proposed that maiden speeches will normally take place at ordinary Council meetings following local elections, however provision will also be made for maiden speeches to be held at ordinary council meetings following by-elections.

9 DELIVERING THE NEW MODEL

- 9.1 Reflecting the changes that are required to deliver the new model for Council meetings, at appendix A to this report, are the revised Council Procedure Rules.
- 9.2 The new model for Council meetings is designed to dramatically increase opportunities for public participation and engagement at Council meetings. Once implemented, the model will be reviewed after twelve months to identify how well this objective has been achieved and what further steps, if necessary, should be taken to further improve public participation and engagement at Council meetings.

10 MEMBERS' ICT PROVISION

- 10.1 Croydon Council traditionally provides ICT equipment, telephony and broadband services and continuous support to all 70 elected Members. ICT equipment is currently prescribed centrally and support services are delivered both directly and through several third party contractors.
- 10.2 As the Council is required to deliver significant budget savings, the opportunity has been taken to identify alternative ICT provision for Members that provides financial savings and greater flexibility and agility for Councillors.
- 10.3 As the Council is making significant strides overall in improving its ICT capabilities, it is anticipated that the ICT service will be able to provide new ICT solutions to Members that had previously unavailable, which alongside the improved provision of home broadband across Croydon and that most

households have a modern home computer facilitates the redesign of a much reduced service that expects Members to utilise their own equipment to fulfil their role.

- 10.4 These changes to Members' ICT provision will also align the approach to the Council's wider programme to be a digital Council. Provision of tailored and agile ICT equipment will assist in enabling a move to paperless meetings and achievement of greater savings by significantly reducing expenditure on printed agenda papers. This has already been supported by the introduction of WiFi to the Town Hall building and investment in electronic agenda production equipment and a Members' Web Portal.
- 10.5 To that end, officers have worked with representatives of both political parties on the Council to agree a proposed new ICT offer for Members. The cessation of home broadband and telephony support has already been progressed alongside the provision of affordable smartphones, which also significantly improves the availability of members to their constituents, and will be completed in the next few weeks. The proposed next stages of the future service provision include:
- The cessation of printing provision
 - The cessation of direct provision of laptops, desktops and support
 - A one-off transition allowance to Members to part fund the direct purchase of ICT equipment and support
- 10.6 The one-off ICT transition allowance will allow individual Members discretion in determining what IT equipment will support them best as Council provision is withdrawn. Officers will provide Members with minimum system requirements for IT hardware to ensure they can access Council email, calendar and electronic agenda paper services that will continue to be provided. From that point members will be responsible for the support, maintenance and upkeep of the equipment, connectivity and any other accessories they may require. The transition allowance is not designed to cover all ICT costs for Members, rather a portion of those costs as Members move to their own direct provision and is being awarded in recognition that Members will incur additional ICT costs through greater use of equipment and services in relation to Council business and to reduce ongoing Council costs.
- 10.7 Benefits of moving Members to their own direct ICT provision include:
- It frees Members to take advantage of new technologies at a pace that suits them;
 - It frees Members from having to carry and maintain multiple devices;
 - It will deliver significant savings to the Council; and
 - As printers will no longer be provided, it will help the Council's transition towards paperless meetings.
- 10.8 The one-off ICT transition allowance will be incorporated into the revised Scheme of Members' Allowances as detailed at para.16 below and, as with all allowances, will be subject to taxation in accordance with national tax rules.
- 10.9 It is recommended that all Members receive one-off transition allowance of

£600 towards their ICT costs for the remainder of this electoral term and is included in the amended Scheme of Members' Allowances at appendix B to this report. As the council is currently in the process of renewing its out of date ICT equipment due to its age and incompatibility with current software solutions, this new approach will provide a one-off saving as well as ongoing annual efficiencies as below

One Off Savings

	£000
Expected purchase costs of technology refresh	73
Less cost of member allowance*	42
Total one-off saving	31

*member allowance costs are based on all members taking allowance and therefore may reduce if some members choose to disclaim this allowance.

Initial Ongoing Annual Savings

	£000 savings per annum
Reduction in ongoing cost of ICT support	50
Reduction in phone and broadband costs	8
Total annual savings from new service arrangement	58

Future Ongoing Annual Savings facilitated by these changes

	£000 savings per annum
Move to substantially paperless approach	116

10.10 In future years, Members will be able take into account the new approach to ICT provision when considering the basic allowance for all Members in the scheme of Members' allowances. However, and for clarity, there is no intent to amend that allowance at this stage.

10.11 Officers will continue to work with representatives of both groups to affect the swift delivery of the new ICT provision and this will continue to be a Member-led process.

10.12 The changes to Members ICT provision will play a key role in enabling Members to move to paperless meetings, which has potential to save a further £116,000 on printing costs.

11 PLANNING PROCEDURE RULES

11.1 Following revision of the Planning Procedure Rules by Council in July 2014 and again in May 2015, the Council has been monitoring the effectiveness of these

changes. In addition, the Council has received comments from administration and opposition Councillors and residents regarding their perceptions of the operation of the revised procedures. In light of the monitoring which has been undertaken, representations made and cross party agreement on potential revisions, changes are proposed to Part 4K to the Constitution which is set out in full at Appendix C marked up in red.

- 11.2 It is usual for changes to the Constitution to take effect from the date of the Council meeting. However, in order to allow an orderly transition relating to the amendments to the Referral process, the new requirement for Ward Members to have undergone training paragraph (2.18) and the removal of the power of Conservation Area Advisory Panel (CAAP) to make referrals to committee (paragraphs 2.24 and 2.25 of appendix C) are to take effect from 1 September 2016.

12 TENDERS AND CONTRACTS REGULATIONS

- 12.1 Croydon's new Commissioning Framework was approved by Cabinet in March 2016 [see minutes number A32/16]. The Framework sets out a clear vision for how the Council will commission services and set standards for commissioning, procurement and contract management excellence. The proposed changes to the tenders and contracts regulations, as set out in appendix D of this report, are intended to reflect the Council's new outcomes based approach; support a greater focus on transparency and; promote a more commercial risk based approach to the end-to-end procurement process. This also supports the recent changes to public procurement precipitated by the Public Contracts Regulations 2015.
- 12.2 The key principles underpinning the proposed changes to the Tenders and Contracts Regulations are:
- a) **Simple** – driving greater consistency in approach by reducing the number of regulations and making clear roles and responsibilities in the decision making process. The language used in the regulations has also been simplified to ensure understanding.
 - b) **Proportionate and risk aware** – the new regulations support a more commercial focus by requiring the Director and responsible officers to consider the appropriate approach to specification and the levels of insurance guarantees and financial experience required of potential providers in order to ensure the required outcomes are delivered.
 - c) **Accessible** – the changes made also support the commissioning framework principles of encouraging a mixed provider market and supporting Small and Medium Sized Enterprises and the Voluntary, Community and Social Enterprise sector to participate in procurement exercises by removing unnecessary barriers and burdensome requirements.
 - d) **Good governance** – ensuring decision making takes place at the appropriate level and requiring early engagement of the relevant senior officers and Members in the commissioning process.

- e) **Transparent** – providing a clear framework for the decision making process that allows for public scrutiny and challenge at the appropriate time.

12.3 Key changes to the regulations are summarised below:

Streamlined and more focused requirements:

- Reduction in number of total regulations to provide greater clarity and focus around the roles and responsibilities in relation to the procurement and contract award
- Greater clarity regarding the roles and responsibilities of those involved in the commissioning and procurement process
- Requiring early engagement of senior officers and Elected Members

Introduction of waivers:

- The waiver provision replaces former provision for exceptions to the Regulations and includes a clearer definition as to when a waiver may be sought
- The regulation also supports a more transparent decision making process by requiring the granting of a waiver to be reported as part of the resultant contract award

Strengthening of decision making for high value contracts:

- Clarity regarding the appropriate governance process for contracts award aligned to total contract value
- Ensuring the Contracts and Commissioning Board focus on high value contract award, or, awards where there have been significant changes from the original procurement strategy

Alignment to public procurement regulations:

- Increased threshold for works related procurement strategies to better align with the public procurement regulations and enable more agile commissioning approaches
- Decision making for extra terms or variation to existing contracts updated to better reflect principles of the public procurement regulations

12.4 The revised regulations also contain other general updates to reflect changes to organisational structure and officer job titles.

13 EMPLOYMENT PROCEDURE RULES

13.1 The Council's employment procedure rules have also been reviewed and an updated set of rules is enclosed at appendix E.

13.2 The revised rules do not make significant changes to current practice however they have been reworded and reordered to make them clearer, provide clarity and to increase transparency. The key updates include:

- Ensuring that current statutory requirements are met;

- Flexibility for the Appointments Committee to delegate to the Head of Paid Service appointments of other Chief Officers but still subject to the usual notification requirements;
- The Head of Paid Service to have the authority to appoint other Chief Officers on a temporary basis for up to 6 months;
- Greater clarity on 'Appointment Notification Requirements';
- Improved clarity in relation to disciplinary action for employees other than the Head of Paid Service, Chief Finance Officer and Monitoring Officer;
- Authority to provisionally suspend the Head of Paid Service for up to ten days to rest with the Director of Human Resources pending an Appointments committee being convened for the purposes of further considering the suspension.

14 PENSIONS COMMITTEE

- 14.1 The Local Pensions Board as part of its new responsibilities commissioned a governance review. One of the outcomes of the governance review was a recommendation that the terms of reference for the Pensions Committee be reviewed and clarified. Appendix F of this report details the revised terms of reference that the Council is recommended to adopt.

15 SCRUTINY COMMITTEE

- 15.1 Council is asked to note that the terms of reference for the Scrutiny Sub-Committees are being changed. In order to give the Health, Social Care and Housing Sub-Committee more time to consider the increasing number of health and social care issues, it is proposed that the housing topic be considered by the Streets and Environment Sub-Committee and that the two sub-committees be respectively named "*Health and Social Care Scrutiny Sub-Committee*" and "*Streets, Environment and Homes Scrutiny Sub-Committee*".

16 SCHEME OF MEMBERS' ALLOWANCES

- 16.1 The Scheme of Members' Allowances forms Part 6 of the Council's Constitution. There is a statutory requirement for the Council to review the scheme every four years as a minimum and to agree the scheme pursuant to which allowances are paid to Members. The scheme is to be reviewed and adopted in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003 (No. 1021) as amended ("The regulations"). The Council undertook a full review of the Scheme of Members' Allowances in 2014.
- 16.2 The Scheme provides that the level of Basic Allowance, Special Responsibility Allowances, Mayor's and Deputy Mayor's Allowances shall not be subject to automatic annual adjustment. As such, unless Members specifically decide to review the scheme and amend it to provide for an annual adjustment for the 2016/17 Council year, there shall be no uplift to the scheme figures for this coming year. Members have however decided to update the scheme to provide that they will consider amendment to this aspect of the scheme no more frequently than annually. Accordingly paragraph 4 of Part 6A of the

Constitution (Appendix 1) was amended in May 2015 to read:

“The level of Basic Allowance, Special Responsibility Allowances, Mayor’s and Deputy Mayor’s Allowances shall not be subject to automatic annual adjustment however Members may review this aspect no more frequently than annually to determine whether there will be an adjustment for the upcoming Council year”.

16.3 It was decided that no increase in Allowances would be taken in 2015/16 and it is not proposed that there is uplift in Allowances in 2016/17. However it is proposed that:

- a one-off IT transition allowance be paid to all Members as detailed in section 10 of this report; and
- the allowance for Members of the Adoption Panel be reduced to £4,425 to recognise the appointment of a second Member to the Panel without increasing the sum of Allowances overall.

16.4 Elsewhere on the Council Agenda, Members will be asked to appoint a second Member to the Adoption Panel in recognition of the significant responsibility and workload required by that role. The current scheme of allowances includes a Special Responsibility Allowance (SRA) for the Member appointed to the Adoption Panel of £8,852.

16.5 As the Administration does not wish to increase the cost of SRAs overall, it is proposed that the SRA is reduced to £4,425 to reflect that this will now be paid to two Members appointed to the Panel while remaining cost neutral. For avoidance of doubt, Panel Administrators will be required to issue invitations to elected Members to every Panel meeting.

16.6 The proposed revisions to the Scheme of Members’ Allowances are detailed at Appendix B.

17 CONSULTATION

17.1 Members of both political groups have been informally consulted on options detailed within the report. The proposed changes to the Constitution in regard to Council meetings, Planning Procedure Rules and the changes to Members’ ICT provision have been developed following cross party meetings on the respective proposed changes. The proposed changes to the Tenders and Contracts regulations flow from the Council’s new commissioning framework that was debated and agreed at Cabinet in March 2016. The proposed changes to the Pensions Committee flow from a governance review.

18 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

18.1 There are no unfunded costs arising from the contents of this report. The changes to ICT provision for Members will deliver one-off savings of £31k and ongoing savings of £58k per annum.

18.2 Potential future savings of £116k per annum will also be enabled as a consequence of the changes to Members' ICT provision.

18.3 Approved by: Richard Simpson, Assistant Chief Executive Corporate Resources and Section 151 Officer.

19. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

19.1 There are no additional legal implications arising from the report not already set out in the body of the report.

Approved by: Gabriel MacGregor, Acting Council Solicitor and Acting Monitoring Officer

20. HUMAN RESOURCES IMPACT

20.1 There are no HR implications arising from matters raised in this paper.

Approved by: Heather Daley, Director of Human Resources

CONTACT OFFICER: Gabriel MacGregor, Acting Council Solicitor and Acting Monitoring Officer x64036

BACKGROUND DOCUMENTS: None