

Committee: OVERVIEW AND SCRUTINY	Date: 6 March 2012	Classification: Unrestricted	Report No.	Agenda Item No.
Report of: Service Head, Democratic Services		Title:		
Originating Officer(s): Antonella Burgio, Democratic Services		Cabinet Decision Called-in: New Partnership Structures		
		Wards: All		

1. SUMMARY

- 1.1 The attached report of the Corporate Director (Communities Localities & Culture) was considered by the Cabinet on 8th February 2012 and has been “Called-In” by Councillors Bill Turner, Anwar Khan, Joshua Peck, Rajib Ahmed, Shiria Khatun, Denise Jones and David Edgar, in accordance with the provisions of Part Four Sections 16 and 17 of the Council’s Constitution.

2. RECOMMENDATION

- 2.1 That the Committee consider the contents of the Cabinet attached report, review the provisional decisions arising and
- 2.2 decide whether to accept them or refer the matter back to Cabinet with proposals, together with reasons.

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

Brief description of “background paper”

**Cabinet Report CAB 075/112 –
8 February 2012**

Name and telephone number of holder and address
where open to inspection

Antonella Burgio

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3. BACKGROUND

- 3.1** The request to call-in the Cabinet's decision dated 17th February 2012 was submitted under Overview and Scrutiny (O and S) Procedure Rules Sections 16 and 17. It was considered by the Assistant Chief Executive, Legal Services who has responsibility under the constitution for calling in Cabinet decisions in accordance with agreed criteria. The call-in request fulfilled the required criteria and the decision is referred to Overview and Scrutiny Committee in order to consider whether or not to refer the item back to the Cabinet, at its meeting on 7th March 2012, for further consideration. Implementation of the Cabinet decision is suspended whilst the call-in is considered.

4. THE CABINET'S PROVISIONAL DECISION

- 4.1** The Cabinet after considering the report attached, at Appendix 1, provisionally decided:-

- "1. That the proposed approach to the Partnership Structure set out in section 6 of the report (CAB 075/112) be agreed and the following also be agreed: –*
- (a) The Partnership Executive and Partnership Board functions be rationalised as set out in paragraph 6.1 of the report.*
 - (b) Community Plan Delivery Groups (CPDGs) be updated as set out in paragraph 6.2 of the report, with directorate responsibilities as specified in paragraph 6.3.*
 - (c) Agree the arrangements for Mayor's assemblies and local forums.*
- 2. That the terms of reference detailed in Appendix 1 to the report (CAB 075/112) be agreed; and*
- 3. That the costs and timetable for the implementation of the new partnership arrangements, as set out in paragraph 6.31 of the report (CAB 075/112) be agreed."*

4.2 Reasons for Decisions

These were detailed in paragraph 3.1 of the report (CAB 075/112) and stated that "The Mayor is committed to ensuring greater levels of community engagement, empowerment and accountability across the Partnership. The Council must also ensure that the Partnership continues to align service delivery infrastructure with new government policy seen in a number of landmark pieces of legislation introduced by the coalition government including the Localism Act 2011, the Police Reform and

Social Responsibility Act 2011 and the Health and Social Care Bill 2011.”

4.3 Alternative Options Considered

These were detailed fully in paragraph 4 of the report (CAB 075/112); in summary the options were:

- “1 *Take No Action - The current structure is no longer entirely fit for purpose in a number of areas. Doing nothing would hinder ability to engage with residents and reduce ability to provide appropriate services. It would also risk reputational damage and adversely impact our ability to work with partners effectively and in a joined up way.*

- 2 *Partial Restructure - It would be possible to implement a Partnership structure refresh but with fewer local forums. Disadvantages would be*
 - *reduced accountability and*
 - *might create disproportionate representation in different parts of the borough*
 - *a less responsive partnership offer and*
 - *less sensitive to the needs of the borough from an equalities perspective*
 - *unable to create efficiencies from aligning Local Forums with current SNT ward forums to create a dual structure*

- 3 *Organise Mayors assemblies on a solely geographic rather than themed basis - Such an approach would militate against the development of the cross cutting themes and joint working to address the issues faced by our community.”*

5. REASONS / ALTERNATIVE COURSE OF ACTION PROPOSED FOR THE ‘CALL IN’

5.1 The Call-in requisition signed by the five named Councillors gives the following reason for the Call-in:

- “1. *We are concerned at the arrangements at the New Partnership Structures, especially the extent to which they ensure accountability of the Mayor, genuinely empowers local residents and involves other local elected representatives. We also have concerns over the costs and effectiveness of such spending on these new structures.*

2. **PRINCIPLES OF NEW PARTNERSHIP STRUCTURES**

- 2.1 *The cabinet report notes a briefing paper published by IDEA, which highlights a new focus around partnership working; accountability, localism and devolution and helping people and communities do more for themselves.*

- 2.2 *We support these principles, but do not believe that the new structures reflect these or will ensure that they are achieved – especially in relation to accountability and localism and devolution.*

Accountability

- 2.3 *There appears to be little accountability of the Mayor or the council built into these structures, but rather events which promote the achievement of politicians, in particular those of the Executive Mayor.*
- 2.4 *The Partnership Executive and Community Plan Delivery Groups (CPDGs) have drawn heavily on senior officers of the council and other partner (e.g. Police, NHS) for their membership. These are not often directly accountable to local residents.*
- 2.5 *In contrast, membership composition of elected members is very narrow and light, despite them being more directly accountable for local services to residents. Formal participation of non-Cabinet members is a cause for concern and undermines notions of accountability in these new structures.*

Localism and Devolution

- 2.6 *Replacing the LAP system which provided local governance for paired wards (and in one case three wards) with a system which combines four wards (and in one case five wards) as paired LAPs provides a less localised focus for partnership structures.*

3. CITIZEN ENGAGEMENT STRATEGY

- 3.1 *The report refers to a 'Citizen Engagement Strategy' which cabinet members have been consulted upon.*
- 3.2 *The report does not explain why only advisory cabinet members have been consulted and not councillors more widely. This is particularly ironic, and especially concerning, given this cabinet report and decision is regarding partnership working.*
- 3.3 *More opportunity for OSC and non-cabinet councillors should have been made available for input, feedback of both the Citizen Engagement Strategy and this paper on*

4. MAYOR'S BUDGET CONGRESS AND MAYOR'S PRIORITY/PARTNERSHIP ASSEMBLY

Mayor's Budget Congress

- 4.1 *Decision making responsibility for the budget is a matter reserved to full council. Therefore such an event, if it goes ahead, should include*

all councillors or as a minimum ensure cross party representation, relative to the political composition of the council.

Mayor's Priority Assembly

- 4.2 *The Mayor's Priority Assembly is described as being 'focussed on the Mayor's priorities and pledges and will provide an opportunity for the Mayor to communicate achievements'*
- 4.3 *It does not appear that this event will provide much opportunity for local residents to robust hold the Mayor to account over delivery. Nor does it appear to provide sufficient opportunity for local residents to feed into and influence the development and monitoring of these so called priorities.*
- 4.4 *The report says that the morning sessions will 'include activities for key target groups' but does not define these target groups.*

Mayor's Partnership Assembly

- 4.5 *The Mayor's Partnership Assembly appears to be a public relations event, rather than an involvement of local residents in genuine decision making. It includes a question and answer session with Cabinet members, but these members are only advisory so do not enhance accountability for local residents to be able to questions executive councillors which have no more decision making powers and responsibility than non executive councillors.*
- 4.6 *The assemblies as a whole, the report states will 'determine local priorities' and 'reflect the local demographic profile of the community'. The report does not explain how either of these will be achieved or have further explanation.*

5. PARTNERSHIP EXECUTIVE

- 5.1 *Diversity*
- 5.2 *Officer led*

6. LOCAL FORUMS

- 6.1 *There is little reference to the role of local councillors. Despite these structures which are purportedly designed to encourage a partnership approach, the report suggests local councillors, who should participate in local decision making and be accountable, will have minimal input and participation.*
- 6.2 *By contrast with reference to Neighbourhood Agreements there appears to be a contradiction. It suggests that the council will offer 'greater levels of accountability from ward councillors' but not the*

Mayor and not increasing the councillors participation in terms of increasing accountability through these structures.

6.3 *There is a lack of explanation on the role, appointment and powers of 'Community Champions'.*

7. COST

7.1 *There is a lack of detail on the finances. The report suggests 'it may be necessary to allocate additional resources in 2012/13', but provides no indication of what these costs might involve, nor of what the anticipated amount of additional funding required might be."*

5.2 The requisition also proposed the following alternative course of action:

"That the Mayor gives further consideration to this matter and brings forward new proposals that address the reasons given for the call-in."

6. CONSIDERATION OF THE "CALL IN"

6.1 Having fulfilled the call-in request criteria, the matter is referred to the Overview and Scrutiny Committee in order to determine the call-in and decide whether or not to refer the item back to the Cabinet at its next meeting. The implementation of the Cabinet decision regarding "Olympic Games Parking and Traffic Management Issues" is suspended pending the Committee's decision in accordance with call-in procedures.

6.2 The following procedure is to be followed for consideration of the "Call In":

- (a) Presentation of the "Call In" by one of the "Call In" Members followed by questions.
- (b) Response from the Lead Member/officers followed by questions.
- (c) General debate followed by decision.

N.B. – In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 5 June, 2007, any Member(s) who presents the "Call In" is not eligible to participate in the general debate.

6.3 It is open to the Committee to either

- resolve to take no action which would have the effect of endorsing the original Cabinet decision(s), or
- the Committee could refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.