

## Committee Model Working Group – Minutes

Friday 24<sup>th</sup> February 2023

Attendees: Councillor Jenny Bartle, Councillor Geoff Gollop, Councillor Nicole Beech, Councillor Marley Bennett, Councillor Mark Bradshaw (substituting for Councillor Holland), Councillor Richard Eddy, Councillor Tim Kent, Councillor Lorraine Francis, Councillor Steve Pearce, and Councillor Guy Poultney.

### 1. Welcome, Introductions, and Safety Information

The Chair welcomed those present and introductions were made.

### 2. Apologies for absence

Apologies were received from Councillor Helen Holland and Councillor Mohamed Makawi. Councillor Bradshaw substituted for Councillor Holland.

### 3. Declarations of interest

There were no declarations of interest.

### 4. Minutes from the previous meeting – 27<sup>th</sup> January 2023

Approval of the minutes was deferred until the next meeting so that the following amendments could be made to part 7:

- The following paragraph to be amended from ‘The Group discussed the principle about democratic decision making and all agreed that the current levels of political oversight must be retained’ to ‘the Group discussed the principle about democratic decision making and all agreed that the current levels of political oversight must be retained, which included that all decisions currently made by Members must continue to be so.’
- That the following sentence be added to the resolution ‘That the CMWG will take regular reports of recommendations for decision to Full Council, commencing in March 23.’

**RESOLVED: That approval of the minutes from the meeting on 27<sup>th</sup> January 23 be deferred until the meeting on 31<sup>st</sup> March 23.**

### 5. Public Forum

The following public forum business was received for the meeting.

#### Questions (and answers)

No.	Name	Question
PQ01	Clive Stevens	<p>PQ01. Firstly, can the Working Group recommend the Council sets up an “Overview or Coordination” Committee (possibly consisting of the committee chairs, leader and others) to coordinate policy development and decision making of the committees? If so under what act or regulation would this operate under (if needed)?</p> <p>A1. The legislation that sets out the requirements in relation to the operation of a committee model of governance is the Localism Act 2011 and 2012 regulations, but they are not prescriptive about the structure of Committees so this would be</p>

		permitted. However, the CMWG are yet to reach a decision on how policy development and decisions will be co-ordinated in the new model and will consider this as part of their ongoing discussions.
PQ02	Clive Stevens	<p>PQ02. Secondly, in addition to 1 above, can the Working Group also recommend the setting up of a separate Scrutiny Committee operating, as the Monitoring Officer points out, according to The Local Authorities (Committee System) (England) Regulations 2012. This Scrutiny Committee would use the powers listed in regulations 4 to 10 and thus concentrate on ensuring that democracy and due process are followed: scrutiny, openness and transparency.</p> <p>A2. The Committee Model Working Group will be considering their recommendations about the arrangements for Scrutiny at their meeting on Friday 24th February, which will include whether to include the function in the new model.</p>
PQ03	Clive Stevens	<p>PQ03. Thirdly, can the Working Group recommend the setting up of an “appeal process” triggered by a minority membership of a committee (e.g. housing) to bring an issue to the Scrutiny Committee for further investigation? (Like Regulation 6 of Part 3 of the 2012 Regulations but open to councillors who are not members of the Scrutiny Committee)? This could be, for example, due to needing more information, deliberation, consultation?</p> <p>A3. The process that you describe sounds similar to the existing 'Call In' function where Members can request reconsideration of decisions on one or more of the grounds set out in Article 14 of the Council's Constitution. Call In is one of the matters included in the report for the meeting on 24th February, which Members will be considering.</p>
PQ04	Joanna Booth	<p>PQ04. In the community engagement appendix report, you wrote: "The Community Engagement team prepared lists of recommended attendees for the events with the intention of ensuring diverse and representative groups." Who makes up the community engagement team? In what way were the attendees 'diverse and representative'? Please list their characteristics on which the conclusion: " Each of the sessions were diverse and inclusive."</p> <p>A4. The Community Engagement Team is based in the Council's Communities and Public Health Directorate. The team have expertise in arranging diverse and inclusive community events and recommended attendees accordingly. Individual Councillors may wish to comment on the specific events they attended.</p>
PQ05	Joanna Booth	<p>PQ05. The area 'the centre' is described as being covered by the location at Trinity Community Arts Centre. That is two miles away from the actual centre. I am curious as to how areas and postcodes such as BS1, Hotwells and Harbourside and south Bristol were covered? Stockwood overwhelmingly voted to get rid of the mayoral system but no one there was paid £20 to tell you, their views. How were the views captured for these areas?</p> <p>A5. The Council held four events in different parts of the city, to which representatives from various neighbourhoods were invited. The areas were selected based on the Community Engagement Team's advice that these take place in the Central, East, North and South areas of the city.</p>

PQ06	Joanna Booth	<p>PQ06. As a research professional, I worry that paying people an incentive to engage in this type of information gathering might skew the responses and provide such unattributed comments as: "Bristol had a reputation as a 'global city' and it was important that this not be diminished in the Committee system." How many people were paid to provide an opinion for community engagement and how did you make sure that incentive, and the presence of cabinet members, didn't bias the engagement?</p> <p>A6. all attendees had the option to receive a voucher to compensate them for their time following advice from the Community Engagement Team. A range of Councillors were present at the events, not just Cabinet Members.</p>
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### Statements

Number	Name
PS 01	Joanna Booth
PS 02	Suzanne Audrey
PS03	Clive Stevens
PS04	Anthony Negus
PS05	Martin Fodor

In response to supplementary questions, it was confirmed that:

- The Council was looking into ways to increase the number of formal meetings that were webcast.
- The community engagement events that took place in late 2022 had taken the form of focus groups. A comprehensive range of additional engagement activities would be arranged in due course, details of which would be agreed by the Committee Model Working Group in March 23.

**RESOLVED: That the public forum be noted.**

### 6. Scrutiny

The Director of Legal and Democratic Services provided a brief introduction to the report, following which four illustrative options of potential [scrutiny structures](#) were shown to Members. The Committee went on to consider the information provided and ask for additional details in a number of areas. The key points made were as follows:

- The various options for Scrutiny that had been put forward provided a useful starting point for discussion, but all had limitations. Members generally agreed that it wasn't necessary to include a standalone Scrutiny function in the new model as all functions could be undertaken in the Policy Committees, including the statutory aspects (i.e., crime and disorder, flood risk and health). It was noted that Health Scrutiny could entail significant workloads.

- Current governance arrangements included options for ‘call in’ either through the scrutiny function where the Mayor could be asked to reconsider a Cabinet decision, or when planning applications were referred to Committee. There was consensus that the option to challenge decisions made by Policy Committees via an ‘escalation panel’ established by Full Council should be included in the committee model, although with broader grounds for referral than the current Scrutiny call in function. The mechanism to refer decisions to the ‘escalation panel’ would be considered at a later date.
- If the scrutiny function was significantly reduced in the committee model, there needed to be clear arrangements for how policy development would be conducted, particularly at an early stage. Task and finish groups (including Inquiry Days) reporting to the Policy Committees would be one way to achieve this.
- Consideration should be given to the remit of the Audit Committee, including responsibility for monitoring risks and how it would operate in conjunction with the Policy Committees.
- Regarding access to information, the current entitlements for Members based on the principle of ‘need to know’ would be retained, whether there was a separate scrutiny function or not.
- Members sitting on Policy Committees must be properly briefed to enable them to make fully informed decisions. The process for this would be considered in due course.
- It was important to ensure there was clear accountability for decisions made within the Policy Committees.
- As previously discussed, the Group confirmed that Officer Executive Decisions should be published in advance with the option for Members to request them to be passed to a Policy Committee if required.
- In the new model the Policy Committees must be politically balanced as this was a statutory requirement.

**RESOLVED:**

**Following the debate, Councillor Bartle moved the following resolution and was seconded by Councillor Beech. On being put to the vote, 10 Members were in favour and there was one abstention:**

- That Full Council establish an Escalation Panel, which would consider matters escalated to it, in line with the principles of decision making set out in [Article 14.02](#) of the Council’s Constitution details as follows: proportionality; due consultation; taking of professional advice from others; respect for human rights; a presumption in favour of openness; clarity of aims and desired outcomes; due regard to public sector quality duty aims and; the highest standards of ethical conduct.
- That Full Council agrees that the scrutiny of decisions will take place in Policy Committees and/or sub-committees, including the statutory scrutiny functions of flood risk management, community safety partnerships and health.
- That the Policy Committees will be able to establish their own task and finish groups, working groups and inquiry days for matters that fall within their area of responsibility.

**7. Community Engagement Feedback**

The report was approved. Members noted that they would be considering further engagement activities at their meeting in April 23.

**RESOLVED: That the report be approved.**