

<b>Committee:</b> Audit and Scrutiny	<b>Date:</b> 13 September 2022
<b>Subject:</b> Member Working Groups	<b>Wards Affected:</b> All
<b>Report of:</b> Steve Summers, Strategic Director	<b>Public</b>
<b>Report Author/s:</b> Name: Steve Summers Telephone: 01277 312500 E-mail: steve.summers@brentwood.gov.uk	<b>For Decision</b>

### Summary

At the Audit and Scrutiny Committee held on 5<sup>th</sup> July 2022, Councillor Cloke put forward for consideration the following:

*“Formation, make up and running of working groups. The membership of these groups does not seem to be assigned consistently or according to Widdecombe principles and I wonder if a standard approach should be applied. The work planned and completed by these groups is also opaque at best. My primary concern is the constitution working group but a review of the overall approach and other working groups would be of benefit”.*

This was **RESOLVED UNANIMOUSLY** and now forms part of the Scrutiny Work Programme and subject to this report.

### Recommendation(s)

**R1. That the Committee agrees that arrangements for Member Working Groups continue as set out in the Council’s Constitution.**

### Main Report

#### **Introduction and Background**

1. The Audit & Scrutiny Committee can identify a Member Working Group (Task and Finish Group) to consider and review a matter if it wishes to do so under Part 4.4, 2.1 and 2.2 of the Council’s Constitution. In addition, the other decision-making committees can request the Audit & Scrutiny Committee to review any matters as necessary. Any findings, outcomes and/or recommendations are then reported to the appropriate committee for consideration. The working groups do not have any decision-making powers.

2. The Audit & Scrutiny Committee determines whether the matter should form part of its Scrutiny Work Programme and if so the scope of the review. In addition, Committee members agree the numbers required to sit on the Members Working Group, dependent on the subject matter, and put forward nominations from each party. An update of the Scrutiny Work Programme is reported to every Audit & Scrutiny Committee meeting.
3. Other decision-making committees can agree to form a Member Working Group and the principles of doing so are based on the above.

## Options

4. Currently, as set out above, the number of members who sit on a Member Working Group are determined by the appropriate committee following discussion and agreement based on the subject matter and the availability of members to attend the working groups. These are based on the overall number of seats each party has however there is not currently a standard approach.
5. For example, the table below sets out the arrangements for current and previous member working groups:

<b>Working Group</b>	<b>Conservatives</b>	<b>Liberal Democrats</b>	<b>Labour</b>	<b>Total</b>
Local Development Plan	3	2	1	6
Brentwood Leisure Trust	3	2	1	6
Performance Indicators & Formal Complaints	3	1	1	5
Housing Repairs & Maintenance Contractor	2	1	0	3

6. This arrangement has been in place since Audit & Scrutiny Committee came into being in 2001 and does allow for flexibility of the group size and make up dependent on the subject matter and member's availability.
7. There is the option for the Council to consider different arrangements for determining the size and make up of a Member Working Group. For example, this could be based on a standard approach, number of members of a working group for each party or as under the Local Government and Housing Act 1989 where seats on committees and sub-committees must be allocated in

accordance with the four principles of proportionality contained in sections 15, 16 and 17 of the Act.

8. Based on the current political arrangements within the Council of 21 Conservative Members, 14 Liberal Democrat Members and 2 Labour Members the most consistent standard arrangement for a Member Working Group, if Widdecombed, would be a total of 5 Members consisting of 3 Conservative and 2 Liberal Democrats based
9. As any standard arrangement would be subject to any political change then the matter would need to be amended at Annual Council each year and the Council's Constitution updated.
10. Whilst such arrangements are possible it could lead to a lack of flexibility in determining the size of the working group and dependent on the arrangement in place could disadvantage smaller political groups.

#### **Reasons for Recommendation**

11. The Constitution requires that the Audit & Scrutiny Committee considers matters agreed on its Scrutiny work programme.

#### **Consultation**

12. None

#### **References to Corporate Plan**

13. The vision of Transformation includes an action to improve the Council's governance arrangements, leading to faster, more effective decision-making. An effective scrutiny function is an essential element of that priority.

#### **Implications**

##### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources) and Section 151 Officer**

**Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk**

14. There are no direct financial implications arising from this report.

**Legal Implications****Name & Title: Steve Summers Strategic Director and Monitoring Officer****Tel & Email: 01277 312500/steve.summers@brentwood.gov.uk**

15. Any changes to the Council's Constitution would have to be reported to and agreed by Ordinary Council.

**Economic Implications****Name/Title: Phil Drane, Director - Place****Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk**

16. There are no direct economic implications from this report.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

17. None

**Background Papers**

18. None