

**MINUTES OF THE VIRTUAL MEETING OF THE MEMBER & DEMOCRATIC
SERVICES GROUP
HELD ON TUESDAY, 30 JUNE 2020**

COUNCILLORS

PRESENT Nesil Caliskan (Leader of the Council and Chair), Susan Erbil,
Tim Leaver, Ahmet Oykener and Joanne Laban

OFFICERS: Jeremy Chambers (Director of Law & Governance),
Claire Johnson (Head of Governance & Scrutiny &
Superintendent Registrars),
Jayne Middleton-Albooye (Head of Legal Services),
Clare Bryant (Senior Governance Officer),
Stacey Gilmour (Governance & Scrutiny Team)

**1
WELCOME & APOLOGIES**

The Chair, Councillor Caliskan welcomed everyone to the meeting and introductions were made.

Councillor Laban advised that she needed to leave the meeting by 7:20pm in order to attend the Conservative Group AGM.

**2
DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3
COUNCILS COMMITTEE STRUCTURE & REVIEW OF SCRUTINY**

RECEIVED the report from Jeremy Chambers, Director of Law and Governance.

Following a review of the Council's Constitution, the report provides proposals for a revised streamlined committee structure and enhancement of the council scrutiny function.

Proposals

1. To agree the revised streamlined Council's committee structure to take immediate effect.
2. To note the review of the Council's scrutiny function carried out by the Centre for Public Scrutiny (CfPS) and agree proposed Scrutiny Panels.
3. To agree an additional Associate Cabinet Members focusing on children and young people in the borough.

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4. To instruct the Monitoring Officer to make any necessary amendments to the Constitution as a result of these decisions.

Noted

- i) A complete review of the Constitution was undertaken to ensure that it was fit for purpose and any inconsistencies within the Constitution were amended.
- ii) The review was split into two phases to make it more manageable. At its meeting on 8 May 2019, the Council agreed to implement phase 1 of the constitution review and phase 2 was agreed at Council on 26th February 2020 and the changes have been implemented.
- iii) The final stage of the review of the Constitution was to provide proposals for a revised structure seeking to streamline the current committees and enhance the scrutiny function.
- iv) With this objective in mind, the Council commissioned the Centre for Public Scrutiny (CfPS) to undertake a review of the effectiveness of the Council's scrutiny function. The proposals for the new committee structure are based on the response from members and officers and have been endorsed by the CfPS.
- v) A copy of the CfPS' findings are set out in the report attached as Appendix 3 to the agenda for this meeting.
- vi) The proposals for change to the scrutiny structure entails a move to seven standing Scrutiny Panels, with the Overview & Scrutiny Committee remaining and overseeing the Scrutiny Panels. The proposed Scrutiny Panels are:
 - Crime;
 - Health & Adult Social Care;
 - Children & young People;
 - Regeneration & Economic Development;
 - Finance & Performance;
 - Environment & Climate Action; and
 - Housing
- vii) Membership of both Overview & Scrutiny Committee and the Scrutiny Panels will be approved by full Council. Both OSC and the Scrutiny Panels will have work planning sessions at the start of the municipal year to set their work programmes. These will go to OSC for consideration prior to being approved by Council.
- viii) All existing workstreams will be concluded with immediate effect. However, this does not mean that the work they were doing will disappear, it will now be picked up elsewhere.
- ix) The Overview & Scrutiny Committee will maintain management of the Scrutiny function co-ordinating the Panels' work programmes and dealing with call-ins, pre-decision scrutiny and overseeing scrutiny of major cross-cutting and corporate issues.
- x) This would be the first time the Council has a dedicated Scrutiny Panel for Finance & Performance.
- xi) The proposals are based on feedback from members who felt that standing panels would provide better accountability, transparency and improve their involvement.

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- xii) OSC and Scrutiny Panels will be scheduled to meet a minimum of 4 times per year, however it is likely that OSC will meet more often to deal with call-ins and pre-decision scrutiny.
- xiii) The revised structure for Scrutiny means there is a need to look at the wider committee structure to avoid areas of duplication ensuring that council resources and councillors' time are used effectively.
- xiv) The Terms of Reference for the proposed new committees are set out as Appendix 1 of the agenda.
- xv) The proposals for the revised Committees/Boards/Forums are as follows:
 - Environment Forum;
 - General Purposes Committee;
 - Appeals, Appointments & Remuneration Committee;
 - Equalities Board
- xvi) Details were provided in the report on the remit and function of each of the above.
- xvii) It is also proposed to introduce a fourth Associated Cabinet Member (ACM) with the focus of Children & Young People. This post will be linked into the Children & Young People's Scrutiny Panel.

Further to Jeremy's update, comments and questions were raised and responded to as follows:

- i) The Chair questioned whether the remit of the proposed new ACM had to be identified at full Council as she did not feel that the remit should be linked specifically to the Children & Young People's Panel as it was proposed that the role would be broader than this and would incorporate issues such as youth unemployment and education development skills. Jeremy advised that the remit of the ACM had to be set by Council. He therefore suggested that when this item is 'moved' at tomorrow's Council AGM it should be proposed that the ACM will be linked to the appropriate Scrutiny Panel.
- ii) Councillor Oyken said that he did not feel comfortable agreeing to the recommendations in the report as he was concerned that the whole process had been rushed and sufficient consultation had not taken place. He questioned whether the Overview & Scrutiny Committee had been properly consulted and given the opportunity to feed into the revised structure. He also referred to a previous Scrutiny structure several years ago when again there had been various Scrutiny Panels. These had however been discarded as due to council cuts it had proved too costly to continue with Officer support for the panels. As the proposed new structure would result in an additional cost, he was worried how the public would perceive this especially given the current climate and for these reasons he was not happy to agree to the recommendations.
- iii) The Chair said she was disappointed to hear Cllr Oyken's concerns as the content of the report had been presented to the Labour Group in great detail on the 9th March 2020 and discussions and much engagement with Councillors had taken place. This report had been

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- known about for some considerable time, so she felt it was unfair to suggest that the process had been rushed.
- iv) Councillor Erbil, Chair of the Overview & Scrutiny Committee advised that herself and other Members of OSC had been fully consulted as part of the CfPS review and had also been briefed by Jeremy Chambers, Director of Law & Governance. The Overview & Scrutiny Committee had therefore been fully engaged in the consultation process and their comments and feedback were clearly reflected in the findings of the report from the CfPS.
 - v) Jeremy acknowledged that due to the COVID19 situation the CfPS report had taken longer than anticipated to finalise. However, he emphasised that there were no surprises in the report, and everything discussed at tonight's meeting had previously been presented to the Labour Group in great detail on the 9th March 2020.
 - vi) He also added that MDSG is the correct place for constitutional changes to be discussed before going to full council and the report was therefore prepared in a timely manner for tonight's meeting.
 - vii) Councillor Laban, Leader of the Opposition was felt that the CfPS report had taken a long time to finalise. She said that there were parts of the revised structure that she welcomed and others that she had some real concerns with. She was pleased to see improvements in certain areas so was not dismissing the report in its entirety. However, she did have concerns regarding the proposed merger of the Audit & Risk Management Committee with MDSG and the Electoral Review Panel as she did not feel that the function of each committee could be sufficiently carried out if merged. She also questioned how the proposed Environment Forum would work as again, she was concerned how each original group (e.g. Conservation Advisory Group, Green Belt) would get their fair share of time and representation at each meeting.
 - viii) With regards to the proposal for a fourth ACM, Cllr Laban said that, given the current climate she did not feel the time was right to introduce this additional role. She suggested instead that the roles of the existing three ACM's be re-jigged to include and focus on any additional remit.
 - ix) The Chair acknowledged Cllr Laban's comments regarding the Environment Forum but advised that the aim of this Forum was to provide an additional focus in the relevant areas, and it was really just a 'bolstering' up of what was already in place. She asked however that Jeremy Chambers, Director of Law & Governance ensure that the Terms of Reference for the Environment Forum reflect Cllr Laban's comments and allow adequate time and representation from the existing committees.

Action: Jeremy Chambers, Director of Law & Governance

- x) With regards to Officer support for the additional panels Jeremy advised that he was in discussions with the Chief Exec, Executive Management Team and Claire Johnson, Head of Governance & Scrutiny to look at how this could best be managed across the departments to ensure that the panels are sufficiently supported. He said that the idea of the revised structure was to streamline various

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functions and therefore this proposal would result in a reduction in meetings.

- xi) Councillor Leaver said that MDSG was the correct place for Constitutional changes to be discussed. He felt that the process had been responsive and fed back into the revised structure very well. He welcomed the realignment of the committees and the strengthening of the scrutiny function as this had always been a challenge in the past.
- xii) Members were asked if they were happy to recommend the proposals set out in the report to Council for approval.
 - Councillors Caliskan, Erbil and Leaver voted in favour of the recommendation. Councillors Oykenner and Laban voted against the recommendation.

AGREED that the Member & Democratic Services Group recommends the Council's Committee Structure and Review of Scrutiny to Council for approval.

4 MEMBERS ALLOWANCES

RECEIVED the report from the Director of Law and Governance.

Noted:

- i) The report outlined changes to the members special responsibility allowance (SRA) as well as details on the annual increase in allowances if applied.

Proposals:

- i) That the current Members Allowances Scheme is re-approved as set out in Part 6 of the Constitution, with amendments as detailed in the report.
- ii) That the automatic increase in allowances by the average earnings as at March 2020:
 - Not be implemented for the 2019/20 financial year; or
 - Is implemented for the 2019/20 financial year.
- iii) If the annual increase in allowances is applied, the annual increase would be 1.5% equalling to £159. This would raise the basic allowance to £10,729 from £10,570. The overall increase in cost for 63 councillors would be £10,017 in total.
- iv) The proposals take into account the proposed new committee structure for the Council and the additional Associate Cabinet Member post. The approach put forward in the report allows for more transparent Member roles and delivery of more focused work.
- v) Members will only be entitled to one SRA which means £36,474 would be the maximum additional cost.
- vi) The revisions consider the proposed changes to the scrutiny function, the Council's committee structure and the introduction of a fourth

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Associate Cabinet Member. Should the proposals not be approved the SRA level for these positions would have to be reconsidered.

Noted the following comments from Members:

1. The Chair recommended that the committee agreed to keep the basic annual allowance at the same rate for 2019/20 as she felt that it would be inappropriate at this time to agree to an annual increase.
2. Cllr Joanne Laban, Leader of the Opposition said that although she had not yet shared this report with the Conservative Group, it was also her personal view that it would not be appropriate to increase the basic rate allowance for Councillors at this time.
3. The Chair added that it was important to ensure a wide representation of Councillors across the spectrum of society. However, it was often sadly dependent on whether people could afford to give their time when considering become a Councillor. Therefore, it was important to recognise that these allowances often contributed to equal opportunities in Councillor representation. Enfield Council believes that the level of responsibility, work and scrutiny of these new key priorities are as important as the existing roles that have a Special Responsibility Allowance attached. Not doing so would be discriminatory.

AGREED that the Member & Democratic Services Group recommends the following to Council for approval:

- i) That the automated increase in allowances not be implemented for the 2019/20 financial year;
- ii) The changes to the Members Special Responsibility Allowance (SRA) as set out in the report.

5

MEMBER DEVELOPMENT PROGRAMME

Claire Johnson, Head of Governance & Scrutiny discussed the proposed Member Training for 2020/21

Noted:

1. Future training dates had been added to the Council calendar and these would take place pretty much on a monthly basis.
2. Due to the COVID19 situation the Member Development Programme 2019/20 had unfortunately not been finalised. Therefore, the following training items had been carried forward and would take place as follows:
 - Modern Slavery – Virtual Training – 14 July 2020
 - County Lines – Virtual Training – 12 August 2020
3. Members were asked to contact Claire Johnson with any further training suggestions and these would be included in the Development Programme 2020/21.

Action: MDSG/Claire Johnson, Head of Governance & Scrutiny

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4. Councillor Leaver encouraged virtual training going forward as it was felt that people were more comfortable with this way of training as well as the fact that it was likely to encourage better participation as it was often easier and more convenient to access online training/meetings. This suggestion was endorsed by members of MDSG as well as officers. The Chair also said that if the council could ensure high-quality, online training this could be kept and re-visited in years to come.
5. Claire advised that there were several online training courses available on i-Learn and she would again circulate details of these to the committee.

Action: Claire Johnson, Head of Governance & Scrutiny

AGREED:

1. To circulate the Member Development Programme 2020/21 to members once any further training suggestions had been included and the programme finalised.

Action: Claire Johnson, Head of Governance & Scrutiny

6

MINUTES OF THE MEETING HELD ON 4 FEBRUARY 2020

AGREED the minutes of the last meeting held on 4 February 2020 subject to the following amendment:

- i) Councillor Bedekova was substituting for Councillor Leaver at the meeting and as such should be included under Councillors Present in the attendance list.

7

DATES OF FUTURE MEETINGS

NOTED that the dates of future meetings will be agreed at Annual Council on 1 July 2020.