

The committee system: structures and operations in district councils

This short comparative paper provides a snapshot and highlights key considerations on how business is managed and overseen in district councils operating a committee system of governance. The table below displays the case study authorities chosen for this comparative exercise, these were selected according to one, or more, of the following criteria:

- Similar population size served by the local authority;
- Located within the same top-tier area of governance;

Local authority	Region & county	Population 2019 ONS est. (Cllr-electorate ratio)	Council size: cycle	Date of change	No. of committees
Folkestone & Hythe	South East, Kent	112,996 (3,767)	30: all out	N/A	N/A
Maidstone	South East, Kent	171,826 (3,124)	55: in thirds	2015	4 service, 3 regulatory
Canterbury	South East, Kent	165,394 (4,241)	39: all out	2015	3 service, 4 regulatory
Three Rivers	East of England, Hertfordshire	93,323 (2,393)	39: in thirds	2014	3 service, 4 regulatory
Newark & Sherwood	East Midlands, Nottinghamshire	122,421 (3,139)	39: all out	2013	4 service, 4 regulatory
Worcester	West Midlands, Worcestershire	101,222 (2,892)	35: all out	2017	3 service, 4 regulatory
Stroud	South West, Gloucestershire	119,964 (2,352)	51: all out	2013	3 service, 1 service/regulatory, 2 regulatory

How are decisions made through their committee systems?

Key considerations

Under a committee system, regulatory committees (e.g. planning, licensing, standards, audit) are still required and are largely unaffected by governance change. However, decisions previously taken by executive members, either collectively or individually, are taken in committee systems by politically balanced service committees.

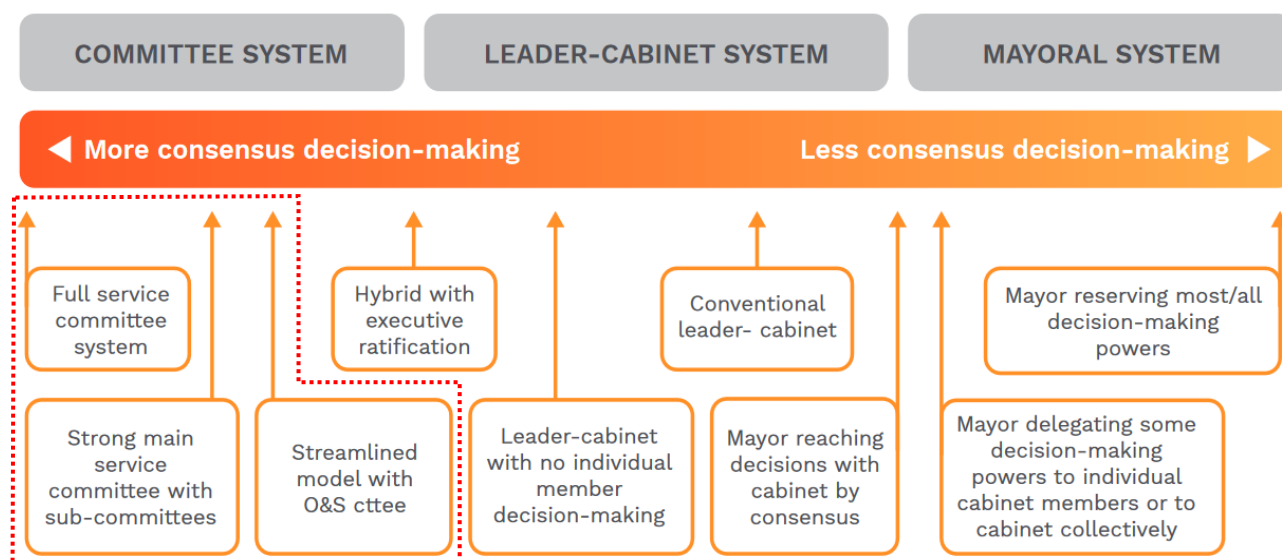
Various governance arrangements exist under the committee system, and it is often best understood as a spectrum of choices (as displayed in dotted box in the diagram).

Councils under the committee system have several options:

- **A full-service committee system:** in which individual service committees have the freedom to make decisions in their remit, and cross-cutting decisions go to multiple committees for signoff. All the committees would be responsible for implementation in their relevant service area, working within the overall policy and budget framework as determined by full Council. Committees will also consider and develop policy for recommendation to Council for approval.

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- **Strong main service committee with service committees:** in which a co-ordinating committee has an overarching role in setting corporate policy. This committee usually deals with major cross-cutting issues itself and may have the chairs of other committees sitting on it, and it may also set the agendas for those other committees.
- **Streamlined “fourth option” style approach:** in which councils operate what was termed a “streamlined” model – with only a couple of service committees, a strategy and resources committee and a separate scrutiny committee.



In the district council arrangements examined below there are three or four service committees, and often some form of central coordinating committee (usually termed as the Policy and Resources committee), which has a role in providing strategic oversight and coordination to the service committees. In most cases, this committee is comprised of Group Leaders and/or the Chairs of the service committees.

Whether the council operates a flat committee structure or hierarchal committee structure often depends upon the strength of the coordinating committee and its terms of reference, e.g., in examples with strong coordinating committees cross cutting issues go to the Policy and Resources Committee as well as any large commissioning decisions, budget and grant bids, and ‘general functions’ issues. Another aspect is whether the Policy and Resources committee has the ability to refer items to full council.

Terms of reference are sometimes loosely phrased, so careful consideration of terms of reference can often improve clarity, avoid mission creep and minimise overlap. Depending on the strength of the role allotted to a strategic coordinating committee, there is generally a need for service committees’ terms of reference to be explicit about what is and is not included in their remit than would typically be the case for portfolio holders, in order to avoid conflict in overlapping matters between committees.

There is also a choice to be made over the formation of sub-committees, and an appreciation of the resource required to support this. There can be a danger, over time, of drift with additional unaffordable costs of operating a larger governance structure. In the experience of some councils, the formation of task and finish groups when necessary are favoured over sub-committees to avoid additional bureaucracy. There is also merit in sunsetting sub-committees so that their continuation can be reconsidered at a set date.

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Thought therefore needs to be given as to the optimal number of committees and meetings cycle and, wherever possible, the avoidance of duplication of efforts. Arguably a bigger committee size provides for a larger number of councillors to be involved in the decision-making process, gives some flexibility to each party group as to who they put forward for membership of the committee and gives greater flexibility if the proportionality of the membership of the council changes. However, bigger committees also consume more time and resources to support and can impact timely decision-making, a focus on quality of debate over quantity involved in debate can be useful in this regard.

Clear demarcation as to which committee is responsible for what, how frequently they meet and a limit to their number of members helps ensure committees do not become unwieldy and ineffective. There must be effective separation in delegations between decisions that are regulatory, operational, or policy setting. Hence, the remit of each committee should be defined without overlap with effective delegation to officers.

Portfolios and individual members making decisions are a feature of executive arrangements, however under the committee system there is the option to introduce more informal and less authoritative 'Lead Members'. Lead members are allocated a particular function (e.g. transport) to work closely with the Chair of the relevant committee, coordinating work on their function, guiding officers and acting as the council's spokesperson on their function. However, this is intended to complement and not replace the role of committee Chairs. Lead Members tend to be the majority group's members of the Policy and Resource committee.

In committee systems, as with executive arrangements, there are some statutory functions which must be delivered by the Full Council including but not limited to:

- approval or adoption of key strategies, including development plans
- approval or adoption of council budgets
- approval of a scheme of allowances for elected councillors
- applications for changes in arrangements for elections, such as smaller numbers of councillors or a move from multi-member to single-member wards.

In the committee system, all functions are vested in the Full Council who may delegate to a Committee, sub-committee, or officer. In moving to a committee system of governance there may be little change to business of Full Council, in that it is reserved for overall strategy decisions and largely statutory responsibilities, or the responsibilities of Full Council are sometimes significantly expanded.

In considering the function of Full council care should be given to ensure that Full Council's role is broadly strategic and should not be used as a body to refer committee decisions and responsibilities to unless absolutely necessary (for example as reserved powers) under the Council's scheme of delegation.

Cases

In **Maidstone** there are four service committees:

- Policy and Resources Committee (15 members, Leader of the Council chairs)
 - Appointment sub-committee
 - Performance sub-committee
- Strategic Planning and Infrastructure Committee (9 members)
- Communities, Housing and Environment Committee (9 members)

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- Economic Regeneration and Leisure Committee (9 members)

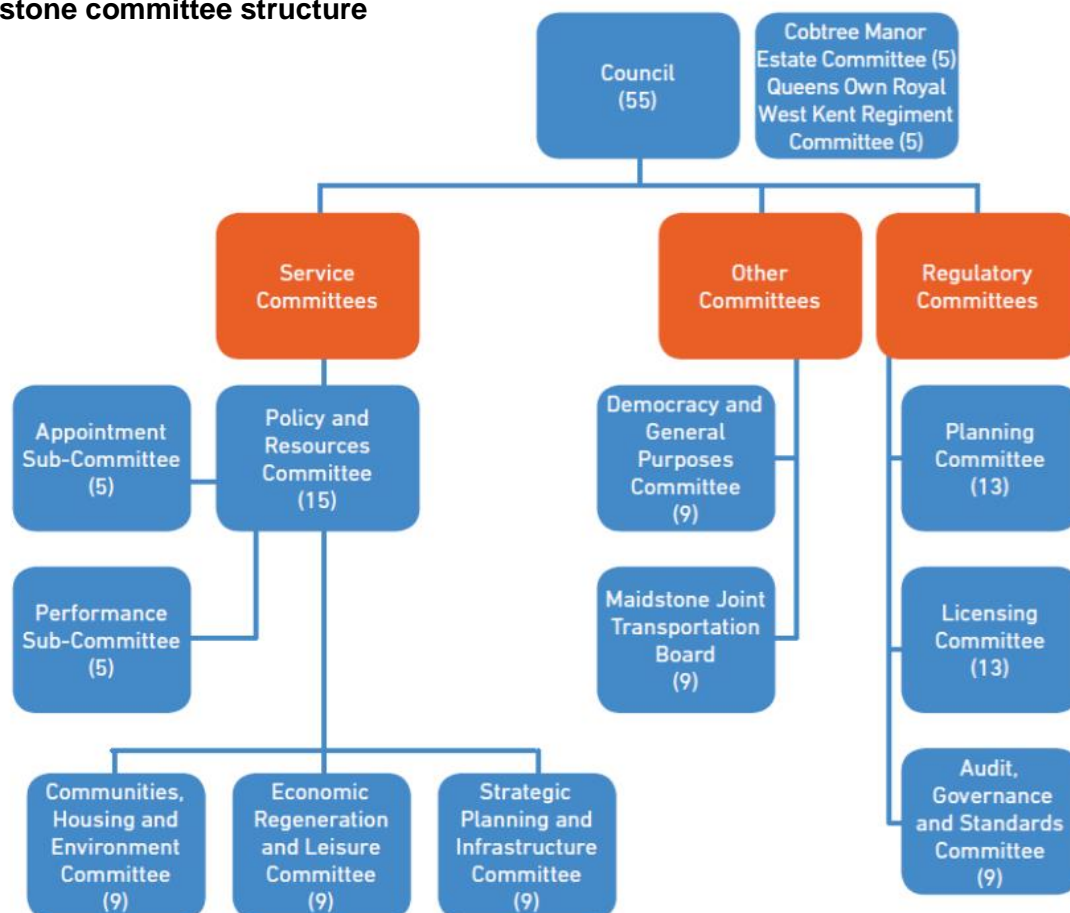
All significant policy decisions (other than those reserved to Council) are taken by four these service committees. The Policy and Resources Committee makes recommendations to full council on budget and policy matters, and provides strategic direction to the operation of the Council, determining policies in its remit and any cross-cutting policies that impact on other Committee areas.

Each of these service committees has a responsibility for strategic planning and performance management across the range of their functions and reviews whether policies and approaches should be changed or if desired outcomes are achieved within the remit of the Committee. Aside from the Policy and Resources Committee, each of the other service committees have a purpose specifically tied to Strategic Plan Objectives.

Group Leaders nominate members to sit on committees at the Council's AGM, each newly appointed committee at its first meeting elects a Chair and Vice-Chair.

A recent review of Maidstone's committee structure was carried out 2019. The review generally concluded that their principles of change had been met. Costs to the council had decreased over the four years the committee system had been in place by approximately 6%, although the review report was clear that some, and possibly all, of these savings would have been made under the old system as they had significantly reduced printing and had some changes in staffing.

Maidstone committee structure



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In **Canterbury** there are three main service committees:

- Policy Committee (13 members, Leader of the Council chairs)
- Community Committee (12 members)
- Regeneration Committee (13 members)

The Policy and Resources Committee provides strategic oversight and has greater financial and policy-making powers than the other service committees – “a first amongst equals.” The Policy Committee co-ordinates the development and recommendation to full Council of the budget and policy framework, including in-year adjustments, performance and budget monitoring of all the council’s activities and a range of other specific functions.

The other two service committees have the delegated authority to exercise the council’s functions relating to the delivery, by or on behalf of the city council that fall within their respective remits. Performance and budget monitoring also falls within the remit of each relevant service committee.

Each of the council’s political groups might appoint one or more of their group to be a Lead Councillor for particular functions. These Lead Councillors have oversight in their area and, in the case of majority group members, provide informal political direction to officers. At the AGM the council appoints the Chair and Vice-Chair of the committees, as well as appointing the rest of the committee membership.

Canterbury carried out a review of the committee system in April 2019, part of which looked at whether the system had met the objectives set out five years earlier. For example, the number of meetings was reported to have decreased by 8%, so one of their objectives around managing resourcing has been met.

In **Three Rivers** the Policy and Resources Committee sets and co-ordinates all policy for itself and the service and decision-making committees, it concentrates at a strategic level on how the council allocates resources between its key objectives, the level of council tax to be set, and the financial reserves to be held. All the Lead Members designated by full Council are de facto members of the Policy and Resources Committee.

- Policy and Resources Committee (13 members, Leader of the Council chairs)

The following two service committees formulate recommendations to the Policy and Resources Committee on the provision and level of services within their remit:

- Leisure, Environment and Community Committee (11 members)
- Infrastructure, Housing and Economic Development Committee (11 members)

There are three Presiding Members of each service committee appointed from the Lead Members designated by full Council. The Chairs of the service committees are split between the three Presiding Members in accordance with their areas of Special Responsibility with the other acting as the Vice-Chair when they are not in the Chair.

In Three Rivers there has been an emphasis on committee meetings being for decisions only, so the presumption is that there are no reports for noting. Instead, there has been a drive for greater use of member briefings, email alerts and improved access for councillors to the intranet for updates.

In **Newark and Sherwood** there are the following four service committees:

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- Policy and Finance Committee (7 members, Leader of the Council chairs)
- Economic Development Committee (12 members)
- Leisure and Environment Committee (12 members)
- Homes and Communities Committee (12 members)

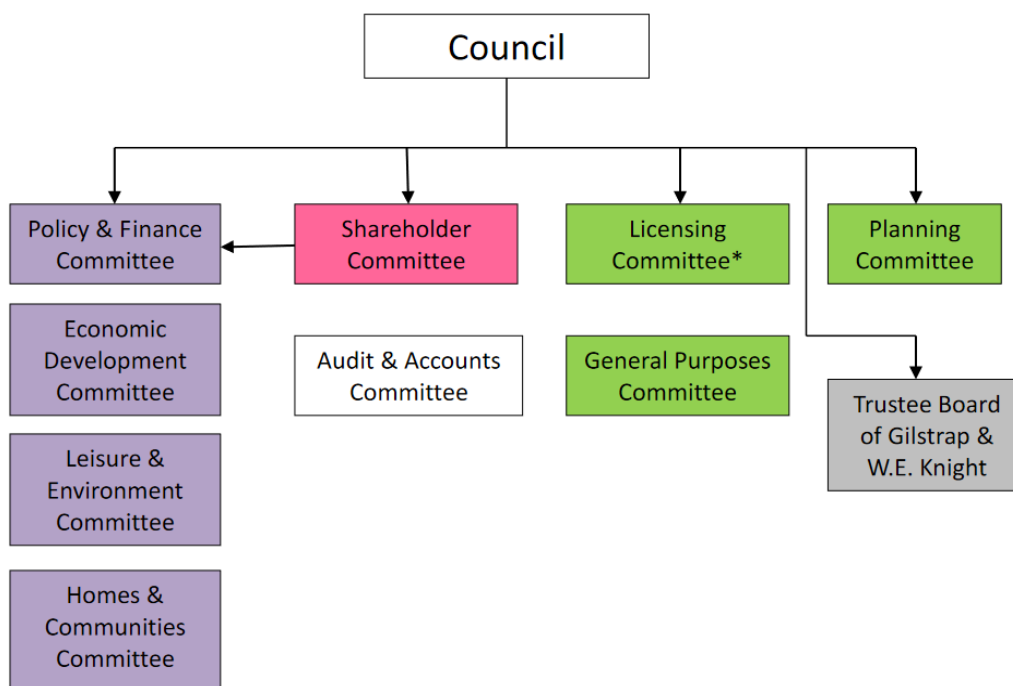
In Newark and Sherwood, the decision was made in 2013 to move to a 'hybrid' committee system that separated strategic from operational decision making, with Policy and Finance Committee and three service committees. Policy and Finance Committee was intended to take all the key strategic decisions, largely mirroring the work of the Cabinet. Over subsequent years, the remits of the committees have been amended and adapted to meet the changing circumstances and strategic objectives of the Council, to an extent that the original split between strategic and operational decision making has become blurred.

The Policy and Finance Committee has responsibility for formulating all key strategic decisions and policies (other than those which must be determined by full Council). The terms of reference for the Policy and Finance Committee also sets out overall responsibility for managing and monitoring council performance against approved estimates of revenue expenditure and income and locally set performance indicators.

The other service committees have responsibility for policy development, implementation and review in respect of all areas falling within the remit of the committee. They also have responsibility to develop and adopt policies in accordance with the Council's wider strategies that fall within their remit.

At AGM committee Chairs and Vice-Chairs are appointed and Group Leaders are responsible for nominating members from their groups to the committee seats allocated. The Chairs are also, in practice, a Lead Member in the area of the Council's work which falls within the remit of his or her committee and acts as spokesperson of the committee.

Newark and Sherwood committee structure



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In **Worcester** the constitution refers to policy committees (rather than service committees), these are the three main policy committees:

- Policy and Resources Committee (13 members, Leader of the Council chairs)
- Environment Committee (11 members)
- Communities Committee (11 members)

The Policy and Resources Committee has the responsibility of strategic level policy making and resource allocation as well preparing the budget, monitoring performance oversight of the City Plan and Transformation Programme. The Policy and Resources has three sub-committees: the Place and Economic Development sub-committee would have six members and looks at issues including economic development and tourism; the Income Generation sub-committee has six members and is responsible for projects for generating income for the council, fees and charges and reviewing use of the council's property and other assets; the Personnel and General Purposes sub-committee has a membership of seven and looks at issues related to council staffing.

The other two policy committees have responsibility for services and functions within their remit and oversight of relevant shared services/outsourced contracts. At the AGM members are appointed to committees and Chairs and Vice-Chairs are appointed unless delegated by full Council.

In **Stroud** there are four main service committees:

- Strategy and Resources Committee (13 members, Leader of the Council chairs)
- Community Services Committee (12 members)
- Environment Committee (12 members)
- Housing Committee (12 members + 2 co-opted Council tenant representatives)

The Strategy and Resources Committee is responsible for the development of budget recommendations to full council, as well as asset management and economic development. All of these four service committees have the responsibility of undertaking all functions associated with their broad purpose and terms of reference, this includes dealing with strategies, policies and performance monitoring. The Community Service Committee also has the statutory responsibility for the council's licencing function.

At the AGM the membership of committees, alongside the Chairs and Vice-Chairs are appointed. The Chairs of the Communities, Environment and Housing Committees are also selected to sit on the Strategy and Resources Committee, as are political Group Leaders.

Reports to committees are for decisions, and there is an emphasis on no information only items. The appointment of sub-committees has been discouraged, instead there are a number of review panels, task and finish and working groups to look at policy formulation, influence decision making and monitor performance.

How does scrutiny operate through their committee systems?

Key considerations

Under executive arrangements at least one scrutiny committee is legally required, under the committee system this is optional. However, there is a statutory duty for local authorities to

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scrutinise health, community safety, and flood prevention where relevant. Councils who choose not to have scrutiny committees must specify how these areas will be scrutinised, either by the full council or by one of its committees. Overview and scrutiny can be the responsibility of a specific committee, or it may be embedded into the work of all service committees.

The change to a committee system means the number of members serving on committees will reduce the pool of members available to do scrutiny work. In addition, given the cross-party nature of the committees (depending on the overall political composition of the Council of course), there will most likely be an “in-committee” challenge to decision making.

The focus of scrutiny is likely to be different under a committee system given that the committees are themselves committees of the whole council, and it could be that scrutiny of the council’s financial and non-financial performance would sit better either with individual committees and/or with a Policy and Resources type committee.

It is important therefore to look at how decision-making power is distributed, where the balance lies between policy and service committees and the effective use of Full Council and how to make best use of any continuing role for scrutiny.

Under a committee system, decisions of a strong central co-ordinating committee (e.g. the Policy and Resources Committee) can be reconsidered, and this is the case even if the Council has delegated full decision making. In a committee system there is no requirement to have the ability to ‘call-in’ or ‘refer’ a decision, however putting call-in arrangements in place can give more assurance for those concerned that decisions may have been made erroneously. Arrangements can be put in place to refer a decision to a specific committee, or to full Council.

Cases

In **Maidstone** there is no formal scrutiny or decision review committee, but provisions allow for three councillors to request a review of service committee decisions to be referred to the Policy and Resources Committee, or five councillors necessary to request a review to full Council if it is a decision made by that committee. The Chair of the Policy and Resources Committee then may reject a referral under certain grounds, or the Mayor in the case of full Council, if accepted the committee, or full Council, considers the matter and either endorses the original decision or substitutes a different decision.

In **Canterbury** there is a Decision Review Committee, this committee has the ability to review the decisions that have been made by the three main service committees (Policy and Resources Committee, Community, and Regeneration). The Chair of the Decision Review Committee must be a member of the opposition group(s).

A decision can only be reviewed if 14 councillors request a review in writing within three working days of the decision being published. The review must also be based on evidence that the decision has not been properly taken. The Decision Review Committee can refer a decision back and make recommendations to the relevant committee, or to full council if a decision involves significant budgetary or policy issues or is speedily required.

In **Three Rivers** any decision taken by the Policy and Resources Committee, or any other decision-making committee can only be overturned by full Council. As part of its terms of reference the Policy and Resources Committee reviews and scrutinises the policies made or proposed to be made by the Council and can recommend appropriately to full Council. Five

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councillors must request a review in full Council within five working days of the decision having been taken, in writing to the Monitoring Officer or Chief Executive.

In **Newark and Sherwood** there are no dedicated scrutiny arrangements, however the council applies overview and scrutiny principles in the work of the Economic Development, Leisure and Environment and Homes & Communities Committees. Each of these service committees (not including the Policy and Finance Committee) has the responsibility of policy review and development, performance management as well as external review.

These committees may hold enquiries and investigate the available options for future direction in policy development and may appoint advisors and or invite external stakeholders to assist them in this process. The committee may scrutinise and review decisions made or actions taken by the Policy and Finance Committee in so far as they have a direct impact on the role or functions of the committee.

In **Worcester** each of the Policy Committees has a role in monitoring the financial and performance of specific areas of Council business. In addition, the Policy Committees are able to undertake the scrutiny of matters of local concern outside of the functions of the Council. The Policy and Resources Committee can undertake externally focussed scrutiny on matters relevant to the functions of the committee, provided that the areas of scrutiny shall be City Plan priorities and the committee shall not undertake more than two scrutiny reviews per year. It also has the ability to establish member-led task and finish groups on matters relevant to the functions of the committee.

In **Stroud** all service committees have the responsibility of overseeing and scrutinising the outcomes of projects with reference to the effective delivery of the Council's Corporate Delivery Plan or other key corporate policies and strategies. All service committees can also establish ad hoc task and finish groups to look into a particular topic for scrutiny and report back to committee. Each service committee is also required to produce a work plan report at the start of each municipal year to help promote the committee's scrutiny work.

Two 'performance monitoring champion' members from each committee meet on quarterly basis with senior management teams in informal meetings to report back to their committees on any significant concerns or successes.