

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE
ETHICAL GOVERNANCE COMMITTEE

held in The Council Chamber,
The Symington Building, Adam & Eve Street, Market Harborough

10th March 2020

commencing at 6.30p.m.

Present:

Cllr Bannister (Chairman)

Councillors: Bateman, Bilbie, Dunton, James, Whelband and Mrs Wood

Councillor (guest): Knowles

Parish Members: Mrs Butcher and Mrs McDonagh

Officers: S. Hamilton and V.Wenham

The Chairman commenced the meeting by welcoming Mrs McDonagh to the meeting as the new Parish representative.

APOLOGIES FOR ABSENCE

Apologies were received from Mr Gair.

MINUTES OF THE MEETING HELD ON 29th OCTOBER 2019

RESOLVED that the Minutes of the meeting of the Ethical Governance Committee, held on the 29th October 2019 be approved and signed by the Chairman as a true record.

UPDATE ON COMPLAINTS

The Committee considered the report titled "Update on Complaints" and the current position regarding complaints, as set out at Appendix A to the report.

RESOLVED that the current position regarding complaints be noted.

ROLE OF SCRUTINY COMMISSIONER

The Chief Officer Governance and Monitoring Officer presented the Committee with a report on the position of the Scrutiny Commissioner and specifically whether the Scrutiny Commissioner should be a Councillor from the main opposition group of the Council, which had been requested by the Committee at the previous meeting.

To aid consideration by the Committee, an extract from the statutory guidance issued by The Ministry of Housing, Communities and Local Government, relating to the selection of Committee Members was provided as detailed in Appendix A to the report. In addition, details of the Scrutiny Commissioners and Scrutiny Chairman appointed for the year 2019/20 across Leicestershire, Derbyshire and Nottinghamshire were detailed in Appendix B to the report.

The Committee invited Councillor Knowles, Leader of the opposition group to address the Committee. Councillor Knowles supported the recommendation and made a number of comments including the necessity of having an opposition which is engaged with the role of scrutiny; the importance of having the Scrutiny Commissioner's role embedded in the opposition in order that the work and budget is not scrutinised by the controlling party, thereby providing a position of 'critical friend'; and the high level of responsibility which will be beholden on the opposition group to carry out the scrutiny role.

The Chairman remarked that the request for the work to be undertaken was not a criticism in any way of any past or present Scrutiny Commissioner and also highlighted the importance of the work of the Scrutiny Commissioner with regards to the democracy of the Council.

The Chairman commented that the Statutory Guidance highlights and emphasises a number of points including the need for the Scrutiny Commissioner to be an experienced leader within the Council; to be independent in order to ask challenging questions; to ask for the work to be undertaken to scrutinise the policies of the controlling group, and be a 'critical friend'. Also as emphasised within the Statutory Guidance, the Scrutiny Commissioner is not to be seen as another leader of the opposition. The guidance leaves the decision up to each local authority.

At Harborough District Council, the leader of the Council suggests a nomination for the Scrutiny Commissioner which goes forward to full Council. The importance of the role is reflected in the provision of the Special Responsibility Allowance which is at the same level of that of a Cabinet Member.

The Chairman asked the Committee to consider whether the current arrangements are appropriate in that the Leader of the controlling group nominates an individual to scrutinise the work of that controlling group, balanced against the need for an individual who is independent, balanced and strong, and who has the courage and the leadership to be a good Scrutiny Commissioner and be a good critical friend to the controlling group, and not allow that individual to act as if they were a leader of the opposition group.

The Chairman stated that if any recommendations were proposed, these would be considered by full Council and if the recommendations were agreed upon, they would be subsequently considered by Constitutional Committee.

Mrs Butcher commented on the persuasiveness of Councillor Knowles's argument. In relation to the Guidance she highlighted the importance of maintaining the skill set, and particularly if the priority becomes the political party, any risk would need to be managed without losing the skill set.

The Chairman commented that it would be the intention for any nominee going forward to Council would be approved on the basis that the Council is satisfied that that individual has the required skill set. As currently every member of Harborough District Council is a member of a political party, any appointment would bring with it a degree of politics to the position.

Councillor James informed the Committee of a report which had been produced by the House of Commons Communities and Local Government Committee titled 'Effectiveness of Local Authorities and overview of Scrutiny Committees'.

He highlighted a number of points made by the report including :- details of case studies where scrutiny is working well and not working well; details of good scrutiny where there is a constructive challenge and democratic accountability is improved; effective scrutiny requires good Officer support; the importance of appropriate skills and member training; scrutiny provides Members with an opportunity to be actively involved in the management and challenge of the Council.

Councillor James also commented that if the Scrutiny Commissioner was from a different political party e.g. from the opposition, his view is that both parties could work closely together and that this would demonstrate a significant degree of challenge from the public point of view.

Councillors Bilbie, Whelband, Mrs Wood and Bateman were all in agreement that scrutiny works well within the Council, that decisions have been challenged by both past and the present Scrutiny Commissioner, and that public engagement is very good.

Councillor Dunton reported that he had been involved with scrutiny at the Council for a number of years and is unhappy at the way that it operates and also feels that there is not enough member involvement.

RESOLVED that the current system regarding the Role of Scrutiny Commissioner should be unchanged.

URGENT BUSINESS

There was none.

The Meeting ended at 7.14 p.m.