

WYRE FOREST DISTRICT COUNCILCOUNCIL26 NOVEMBER 2008Constitutional Updates

| OPEN | |
|---------------------------------------|--|
| SUSTAINABLE COMMUNITY STRATEGY | Improving Corporacy and Performance |
| COPROATE PLAN AIM | A well run and responsive Council Improving efficiency and value for money |
| CABINET MEMBER: | Councillor John Campion |
| HEAD OF SERVICE | Caroline Newlands Head of Legal and Democratic Services |
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| APPENDICES | Appendix A Public speaking at Scrutiny Committees Appendix B Budget Review Panel Terms of Reference |

1. PURPOSE OF REPORT

- 1.1 To ask Councils agreement to amend to the Constitution regarding the frequency of Council meetings, the amendment of the urgency provisions in special circumstances as detailed in the report, and to adopt Code of Practice for public speaking at Scrutiny Committees and the Budget Review Terms of Reference.

2. RECOMMENDATIONS**2.1 The Council is asked to DECIDE:**

- 2.1.1 That paragraph A3.1 (Section 7) of the Constitution (Council Procedure Rules) be amended to read

'In addition to the Annual Council, the Council will hold at least four other ordinary meetings in the Municipal Year, unless there is insufficient business and the Chairman or in his absence the Vice-Chairman decides that the meeting should be cancelled. The meetings shall be as nearly as possible at regular intervals, the dates which will be agreed at the Annual Meeting.'

- 2.2.2 That paragraph A4. 2 (Section 7) of the Constitution (Business to be Transacted) be amended to read

'The only business that will be dealt with at an Extraordinary Meeting are items for which the meeting has been specifically convened but limited to urgent or emergency items.'

2.2.3 A Code of Practice for speaking at Scrutiny Committees as detailed at Appendix A be adopted.

2.2.4 The Terms of Reference for the Budget Review Panel as detailed at Appendix B be adopted.

3. BACKGROUND

- 3.1 Currently the constitution, paragraph A3.1 (Section 7) prescribes that in addition to the annual Council at least 4 other meetings are held within the municipal year. However, other than a statutory requirement to hold an Annual Council the Council is not obliged to hold any further meetings of the Council. To allow for responsiveness to the workflow of the Council it is suggested that the paragraph be amended to allow for meetings to be cancelled if there is insufficient business. This meets our corporate priorities of being a well run and responsive council whilst improving efficiency and value for money.
- 3.2 Paragraph A4.1 (Section 7) details the requirements for calling an extraordinary meeting. For the avoidance of doubt and uncertainty regarding the business to be transacted at an extraordinary meeting, the wording of the paragraph has been amended to reflect the need for clarity in this area.
- 3.4 The constitution is currently silent with regards to speaking at Scrutiny Committees. In order to encourage public engagement and participation it is suggested that the Council adopts a Code of Practice for speaking at Scrutiny Committees as attached as Appendix A.
- 3.5 The (then) Finance and Corporate Affairs Policy and Scrutiny Panel on 15th March 2005 agreed to establish a Budget Review Group, now called the Budget Review Panel, to scrutinise and prioritise all Council Activities with reference to the Base Budget and future Budget Strategies proposed by the Cabinet. The work of the Budget Review Panel falls within the remit of the Corporate Services Scrutiny Committee. The first meeting was held on 13th April 2005 and a Work Programme was agreed for 2005-2008. The Terms of Reference as attached were agreed at 8th October Budget Review meeting.

For the budget period 2009-10 the emphasis of the review changed to concentrate upon two specific elements:

- Services approach to efficiency
- Public Consultation.

4. KEY ISSUES

- 4.1 The Council should maintain a constitution that supports successful and efficient decision making. The current wording of the above paragraphs allows for ambiguity and challenge, with the amendments allowing for clarity, robustness and responsive decision making.
- 4.2 The Forward Plan is a record of the key decisions that the Council will take over a 4 month period. The constitution allows that in certain circumstances, under the general exception and special urgency rules, items can be considered that are not on

the Forward Plan. It is important that the Council makes every effort to ensure that items are on the Forward Plan to avoid the need for urgency.

5. FINANCIAL IMPLICATIONS

- 5.1 It is not anticipated that any of the proposed constitutional changes proposed will have any significant financial impact.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 None.

7. RISK MANAGEMENT

- 7.1 There are no risk management issues arising from this report.

8. CONCLUSION

- 8.1 The amendments to the Constitution will support effective and decisive decision making in Wyre Forest, whilst ensuring the robustness of Council and Scrutiny.

9. CONSULTEES

- 9.1 The Chairman, Leader of the Council, Chief Executive and Head of Legal and Democratic Services.

10. BACKGROUND PAPERS

- 10.1 The Constitution

PUBLIC SPEAKING AT SCRUTINY COMMITTEES CODE OF PRACTICE

If there is an issue that one of the Scrutiny committees is looking into that you feel particularly strongly about you have the opportunity to make your opinions known to the committee in person.

If you decide that you would like to speak at a meeting there are certain rules in place to ensure that as many people can be heard as fairly as possible:

- If you wish to speak to the Committee about items include on the agenda please contact the Scrutiny Officer whose name and details appear on the agenda by 12 noon the day before the meeting.
- If you would like to circulate documents or photographs to support your discussion point, again please contact the Scrutiny Officer by 12 noon on the day before the meeting. The Chair will have discretion on items to be circulated.
- When it comes to the item you would like to discuss you will have the opportunity to speak for no more than 3 minutes. You will be allowed to ask the committee 1 question and 1 supplementary question. The Chair of the meeting will let you know when you can speak.
- You will be asked to give your name and provide details of any information that may be relevant to the item being discussed, e.g. the name of a group you may be representing.
- Your comments must be relevant, and you must maintain respect for the members of the committee and the meeting.
- The Chair may intervene if they feel your comments are not relevant to the meeting, or inappropriate. If a large number of people wish to speak it may not be possible for everyone to have the opportunity to speak because of the need to complete meetings within the allotted time. The Chair will have discretion over who can and cannot speak under these circumstances.
- Up to five people who wish to speak on an item may address the Committee. If more than five people wish to speak they will be asked to agree amongst themselves nominated speakers.

When an issue is likely to be of interest to a particular group of people, or to a particular area of Wyre Forest, we will try to contact people or groups concerned to make sure their voices are heard by the committee.

The agendas and reports for each scrutiny meeting are available on the Council's website five working days before the meeting itself. If you think one of the issues may be particularly relevant to you, and you would like to know more, please do not hesitate to contact Democratic Services.

Budget Review Panel Terms of Reference

A Introduction and Background

1. The (then) Finance and Corporate Affairs Policy and Scrutiny Panel on 15th March 2005 agreed to establish a Budget Review Group, now called the Budget Review Panel, to scrutinise and prioritise all Council Activities with reference to the Base Budget and future Budget Strategies proposed by the Cabinet. The work of the Budget Review Panel falls within the remit of the Corporate Services Scrutiny Committee.
2. The first meeting was held on 13th April 2005 and a Work Programme was agreed for 2005-2008.
3. For the budget period 2009-10 the emphasis of the review is changing to concentrate upon two specific elements:
 - Services approach to efficiency
 - Public Consultation.
4. The Budget Review Panel meets fortnightly and reports directly to the Corporate Services Scrutiny Committee.

B Composition of Panel

5. The Panel comprises six members. Non-Cabinet members may be appointed as substitutes in exceptional circumstances.
6. The Panel may be chaired by one member, or on a rota basis by any Member expressing a particular interest in a given service area. Where no such expression of interest is given, the Chairmanship shall fall to the Chairman of the Corporate Services Scrutiny Committee.

C Purpose and Objectives:

7. Meetings of the Panel will provide a forum for discussion of key budget issues and consideration of the main components of each Division's budget, as detailed in the Panel's Work Programme.
8. The Panel will also consider Divisions' plans in relation to current efficiency initiatives and plans for future proposals.
9. The objective of the Panel is to examine the principles that underline the Base Budget, Service Business Plans and Budget Strategy to establish that:

- They are measured, clear, focused, achievable and based on sound financial and operational practices.
- The relationship between the Budget, Service Business Plans and the priorities contained within the Sustainable Community Strategy Theme, Corporate Plan Aim and other Plans/Strategies are real and designed to improve services in the Council's priority areas.
- Politically, managerially and operationally the Council is clear about the direction and priorities for action to meet our objectives, standards and priorities.

D Projected Outcomes:

10. The Panel's projected outcomes will be to:

- Support the Cabinet in developing budget proposals
- examine the Budget as a whole and selected Service Plans in relation to efficiency
- hold the appropriate Cabinet Members to account over their Budget and Service Plan proposals
- formulate evidence-based recommendations to the Corporate Service Scrutiny Committee on the effectiveness of the Cabinet's Budget proposals, and
- assist the above Committee in providing an opportunity for public transparency and awareness of the Budget-setting process for the community.

E Approach to Reviews

11. As one of the aims of the exercise is to hold the Cabinet to account for their proposed Budget, the Panel has agreed the following approach to reviews:

- Examine key components of Divisional Budgets at a high level in one year period
- Comment as appropriate on the plans in relation to efficiency;
- As a result of the public consultation exercise comment as appropriate on budget allocations and indicate satisfaction with allocation of resources and capacity to deliver services to required standards, with reference (among other factors) to:
 - Growth pressures (for example through increasing demand,

government targets, new legislation or local priorities)

- Opportunities for efficiencies (“same for less or more for same / less”), including Shared Services
- Opportunities to improve, reduce or withdraw service levels
- Comment as appropriate, on the overall Three-Year Budget Strategy
- Based on the above and any other relevant findings, to make recommendations to the Corporate Services Scrutiny Committee in relation to the allocation of resources for services in future Budgets.

F Scope of Questions

12. The overall scope of the questions will include the following:

(i) Base Budget

- How much does the service cost and how is the cost broken down?
- Is the service mandatory or discretionary and at what level are we providing the service, i.e. minimum, average or above average?
- Is the service operating at full capacity within existing resources?
- What would be the impact of changing service delivery or level of service?
- Can the service be delivered in a different way?
- Is there an opportunity to raise or increase income?
- How can the service be improved within existing resources?
- Does the service provide value for money?
- Are there any known or projected pressures for growth of this service?
- Is the service regarded as a priority, or is there an opportunity to reduce spending?

(ii) Budget Strategy

- Is the Budget based on a sustainable approach?
- What are the criteria for the allocation of capital and revenue resources available?

- Are the Cabinet's Budget-monitoring arrangements robust enough to anticipate and manage Budget pressures?
- How does the proposed Budget fit with the Council's priorities in the Corporate Plan Aim, Sustainable Community Strategy Theme and other Strategies?
- Is the approach taken to identifying 'efficiency savings and the impact that they have on the delivery of services robust?
- Is Budget risk management robust and projected within the Finance Strategy?
- What proposals (if any) have been put forward to manage the implications of any recent legislative requirements?

G Information to be provided to the Panel

13. Each Head of Service will be asked to provide the following using the template in **Appendix 1**:

- a) Brief description of the service or activity
- b) Total net Budget, supported by detailed analysis of Budget allocations
- c) Details of other significant resources used
- d) Key service outcomes including performance indicator targets
- e) Details of plans in relation to efficiency

14. This information will enable the Panel to:

- Test growth / spending pressures
- Understand the implications of not meeting spending pressures.
- Identify policies and targets driving spending
- Identify options for changes to policies, criteria and targets
- Identify any non-priorities
- Examine comparative performance information for the service
- Examine the scope for efficiency savings

WYRE FOREST DISTRICT COUNCIL
BUDGET REVIEW PANEL MEETING ON xxx

APPENDIX 1

Table A: Service Details

| | |
|---|--|
| Division | |
| Service Area | |
| Description of Service and How the Service contributes to the Corporate Plan | |

Table B: Budget Details (Revenue and Capital)

| Activity (Programme Area) | Rev / Cap | Spending £ | Income £ | Net Spend £ | Supporting Information |
|------------------------------|--------------|---------------|-------------|----------------|------------------------|
| | | | | | |
| | | | | | |
| | | | | | |

Table C: Details of Other Resources

| Activity (See Table B) | WFDC Human Resources (Full Time Equivalent s FTE) | External / Partner Human Resources (FTE) | Other Assets (including equipment) | External Resources |
|---------------------------|--|--|---------------------------------------|-----------------------|
| | | | | |
| | | | | |
| | | | | |

Table D: Outcomes and Performance Indicators

| Activity (See Table B) | Performance Indicators | Targets | Outcomes Achieved |
|---------------------------|---------------------------|---------|-------------------|
| | | | |
| | | | |
| | | | |

Table E: Efficiency Plans

Efficiency gains can be achieved in 3 ways

1. Achieving more with the same level of Resources
2. Achieving the same with less resources
3. Achieving much more with some more resources

The Council is expected to make 3% efficiency gains every year to support the overall budget for the authority. The table below identifies this service's plan to increase efficiency.

| | Comments/Details |
|--|-------------------------|
| Detail your service's approach in identifying and delivering efficiency gains. | |
| Explain, how well does your service currently achieve good value for money | |

| | Comments/Details | |
|---|---------------------------|---------------------------|
| What benchmarking information is available for your service (please attach full results if available) If none is available please state the service's plans for benchmarking in the future | Benchmark Activity | Summary of Results |
| | | |
| What opportunities for joint working – Partnerships/ Local Authorities/ Private Organisations to improve efficiency have been investigated, and what is the current position. | | |
| What opportunities for joint working – Partnerships/ Local Authorities/ Private Organisations to improve efficiency are being considered | | |
| Can your service be undertaken by another service provider ? (if yes provide details, if no please state why?) | | |
| Identify the major areas of procurement for your service over the next three years and how this will be procured | Area identified | Procurement Route |
| | | |
| What efficiency gains and process improvements are reliant upon the ICT Strategy | | |

| | Comments/Details | | |
|--|-------------------------|----------------|-----------------------------|
| | 2009/10 | 2010/11 | 2011/12 & Beyond |
| What is the value of efficiency gains that can be used to support the budget from your service | | | |
| Identify the opportunities for wider cross-cutting efficiency gains within the Council (not restricted | | | |

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