

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to: CABINET
Date of Decision: 12th DECEMBER 2017
Report of: LEADER OF THE CITY COUNCIL
SUBJECT: CABINET COMMITTEE LOCAL LEADERSHIP (“CCLL”)

Key Decision: No
If not in the Forward Plan: Relevant Forward Plan Ref: N/A
(please "X" box) Chief Executive approved N/A
Relevant Cabinet Member(s) O&S Chairman approved N/A
ALL
ALL
Relevant O&S Chair: Cllr Mohammed Aikhlaq, Chair of the Corporate
Resources and Governance O&S Committee
Wards affected: ALL

1. Purpose of report:

- 1.1. To ask Cabinet to remove Cabinet Committee Local Leadership Committee from the Council's Executive governance arrangements on the basis that in future ongoing development of devolved community governance (“Evolution of Devolution”) will be determined by Cabinet.

2. Decisions recommended:

That :

- 2.1 Cabinet agrees to remove Cabinet Committee Local Leadership from the Council's Executive governance arrangements with effect from 21st December 2017;
- 2.2 That the City Solicitor and Monitoring Officer sets out all relevant changes to the Council's Constitution at the next meeting of Council Business Management Committee and Full Council thereafter in order to enact the decision at 2.1
- 2.3 Cabinet notes that ongoing development of devolved community governance (“Evolution of Devolution”) will be determined by Cabinet and/or a Cabinet Member.

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3. Consultation

3.1 Internal

The Leader of the Council, Assistant Leaders and the Leaders of the opposition parties have been consulted on the proposals in this report. When CCLL was established in June 2016 it was done so on the basis of two areas of work i) the ongoing functions of the Committee and ii) a policy review of local leadership and community governance designed to take forward the next stages of the evolution of devolution – both in terms of testing concepts during 2016-18 and implementing new Ward arrangements from 2018.

The ongoing functions of CCLL have substantially been focussed on approving Local Innovation Fund (“LIF”) applications and CCLL resolved on 28 June 2017 that all approvals will be made by the December 2017 meeting.

The policy work has developed and the transition to a Ward based approach has been the subject of extensive debate amongst Councillors on a cross-party basis, as part of the Local Leadership work of the Assistant Leaders. This has included meetings with Wards involving 70 Councillors, discussions at Conservative and Labour Group meetings and briefings with the leaders of the opposition parties. The proposals for taking forward local leadership were presented to the cross-party Cabinet Committee Local Leadership in April and July 2017 and to the Corporate Resources and Governance Overview and Scrutiny Committee in September 2017.

3.2 External

The plans to remove CCLL from the Council’s Executive arrangements have not been subject to external consultation. However, any Constitutional powers held by the CCLL will be redirected through Cabinet and/or a Cabinet Member.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council’s policies, plans and strategies?

The recommendations are fully consistent with the Council’s policies as outlined in section 5 below. The work of the Assistant Leaders in conjunction with Cabinet will continue to take forward the next stage of an evolutionary process which began in 2015/16 when the Council approved initial changes to the role of districts and the creation of Sutton Coldfield Town Council. This stage will conclude in 2018 with the switch to all out elections and new ward boundaries.

4.2 Financial Implications

There are no financial implications associated with dissolving Cabinet Committee Local Leadership and redirecting the activity associated with this Cabinet Committee through to Cabinet. Officers will review any efficiency gains derived from a reduction of formal meetings, room booking, etc.

4.3 Legal Implications

Only Cabinet has the legal authority to remove a Committee from the Council's Executive governance arrangements, and devolve these functions elsewhere under Section 9KA/9KB Local Government Act 2000.

A subsequent report would be needed to Council Business Management Committee in order for Full Council to ratify any amendments to the Council's Constitution removing the CCLL from its Executive governance arrangements, and determining how these functions set out with the Terms of Reference would be discharged through Cabinet/and or a Cabinet Member.

The responsibilities of the Assistant Leaders remain the same however any executive decisions will be discharged through Cabinet and the appropriate Cabinet Member.

4.4 Public Sector Equality Duty

Policies developed by the Cabinet regarding Local Leadership are subject to the public sector Equality Duty and impact assessments will be carried out as appropriate.

5. Relevant background/chronology of key events:

- 5.1 On 28th June 2016 Cabinet approved a report entitled 'Establishment of the Cabinet Committee Local Leadership. This decision created a Cabinet Committee to drive forward Local Leadership and the 'evolution of devolution', supported by the four Assistant Leader role.
- 5.2 The Cabinet Committee Local Leadership was set up to oversee the transition to a new approach during the interim phase to boundary changes in May 2018 and beyond.
- 5.3 The terms of reference for Cabinet Committee Local Leadership included matters summarised below and set out in Appendix 4 of the Constitution (Appendix 1 of this report).
 - i) These terms of reference are subject to change by Cabinet as and when necessary to reflect the changing shape of the devolution and Future Council Agenda
 - ii) Conduct a review of the existing devolved arrangements consulting and engaging the community, other stakeholders and members.....overseeing and evaluating new ways of working for potential wider use within the City
 - iii) Cabinet will set out the detailed coverage of this review but it will include....preparations for the new ward arrangements to be introduced in 2018 and new ways of working such as parish councils
 - iv) Play a lead role in taking forward strategic policies such as local leadership, every place matters, a better deal for neighbourhoods.

- 5.4 The Assistant Leaders have been working with councillors from all parts of the city and across all three parties to develop proposals for the way ahead. This has included meetings with wards involving 70 councillors, discussions at Conservative and Labour Group meetings and briefings with the leaders of the opposition parties. The proposals for taking forward local leadership were presented to the cross-party Cabinet Committee Local Leadership in April and July and to the Corporate Resources and Governance Overview and Scrutiny Committee in September. The review has been undertaken and policy decisions on this will ultimately fall to Cabinet.
- 5.5 Alongside this work on reviewing existing devolved arrangements Cabinet Committee, the Assistant Leaders and Corporate Resources & Governance Overview and Scrutiny have also progressed two other key matters. Firstly recommendations have come forward through scrutiny supporting the concepts also endorsed by the Assistant Leaders on new ways of working such as community governance and parish councils. Secondly December 2017 will see the conclusion of decision making of granting resources through the Local Innovation Fund. As a result of the progress made it is now considered appropriate for Cabinet to oversee the policy development supporting the Council's Vision and Forward Plan of 16 May 2017, which included:

'recognising the importance neighbourhoods and place have in shaping the lives of citizens and the city we share:

- *Better, more efficient services – shaped to address local need and requirements*
- *Councillors, council officers, partners and communities having a shared endeavour to influence services and policy*
- *The assets and talents of local communities and neighbourhoods are recognised and valued'*

- 5.6 The Cabinet Committee Local Leadership was established by Cabinet and only Cabinet has the power to dissolve it. A decision to dissolve the Cabinet Committee Local Leadership would be followed by a subsequent report to Council Business Management and then Full Council in order to deliver the Constitutional changes required.

6. Evaluation of alternative option(s):

- 6.1 The alternative option would be to retain Cabinet Committee Local Leadership. However now that the majority of work has either substantially progressed or as with Local Innovation Fund will be completed in December, it would seem that a more appropriate use of member and officer time would be to channel this work back though to Cabinet.

7. Reasons for Decision(s):

- 7.1 To return future decisions on the Local Leadership agenda and the evolution of devolution to Cabinet.

Signature

Date

Leader of the Council

List of Background Documents used to compile this Report:

Report of the Leader of the Council to Cabinet , 28 June 2016: Establishment of the Cabinet Committee Local Leadership

Report of the Corporate Director Place to Cabinet Committee Local Leadership, 19 July 2017: Taking Forward Local Leadership

Report of Corporate Director Of Place And Leader , June 28 2017 Local Innovation Fund – Ward Innovation Proposals

Report of the Leader of the Council to Cabinet, 28 June 2016: Establishment of the Cabinet Committee Local Leadership

Reports to City Council, 24 May 2016: Review of the City Council’s Constitution and Supplementary Report of the Independent Remuneration Panel

The Way Forward: an independent review of the governance and organisational capabilities of Birmingham City Council (the Kerslake report), December 2014.

List of Appendices accompanying this Report (if any):

1. Terms of Reference for Cabinet Committee Local Leadership

Report Version

Dated 7/12/17

Terms of Reference and Membership of Cabinet Committee Local Leadership

Terms of Reference and Role Description for Assistant Leaders (extract from City Council constitution approved on 24 May 2016)

Cabinet Committee Local Leadership

This Cabinet Committee will be established by the Cabinet with the following membership:

- The Leader
- Another Cabinet Member as deemed appropriate by the Leader
- The Leaders of the official opposition party and the next largest opposition party
- The Chairs of the District Committees
- Four Assistant Leaders (see below)
- Assistant Leaders will be able to attend meetings of Cabinet but will not have a right to vote on any item of Cabinet business.

The quorum for the Committee shall be six and this number must include one of the Cabinet Members and one of the Leaders of the opposition groups as well as one of the Assistant Leaders.

The Committee will include four Councillors designated as Assistant Leaders. These councillors will be charged with taking forward the agenda of the Cabinet Committee Local Leadership between meetings, under the management of the Leader of the Council. They will not have decision making powers independently of the Committee. They will each be responsible for an area of the city, to be specified by the Cabinet.

7.1

1. These terms of reference are subject to change by Cabinet as and when necessary to reflect the changing shape of the devolution and Future Council, agenda. The City Council is committed to the ongoing development of devolved community governance through a process of reviewing devolved

ways of working and considering new innovations; it is recognised that further devolution is necessary given the scale size and diversity of challenges, opportunities and varied needs across the city.

2. The Cabinet Committee will conduct a review of the existing devolved arrangements consulting and engaging with the community, other stakeholders and Members. During the period of review local areas will be supported in bringing forward and piloting new ways of working in relation to devolved arrangements; the Cabinet Committee with the Assistant Leaders will support, oversee and evaluate the new ways of working for potential wider use within the City.
3. The Cabinet will set out the detailed coverage of this review, but it will include assessing the effectiveness of all existing arrangements for local engagement and partnership working, preparations for the new ward arrangements to be introduced in 2018 and new ways of working such as parish councils.
4. The Assistant Leaders with the Cabinet Committee will play a leading role in taking forward the following council strategic priorities:
 - Local Leadership - conducting the review set out above at paragraphs 2 and 3 and reporting to Full Council and Cabinet as appropriate
 - Every Place Matters – overseeing the development of area focused policies and programmes to address inequalities between areas of the city
 - A Better deal for Neighbourhoods – the committee will work to improve services in neighbourhoods and responsiveness to local communities and individual service users and to support local initiatives to improve the environment and street scene
 - Supporting local councillors – through the devolution process
 - Fostering and applying new approaches to local leadership.