

EAST AYRSHIRE COUNCIL

COUNCIL MEETING: 3 DECEMBER 2009

REVIEW OF DECISION-MAKING STRUCTURE

Report by Chief Executive

1. PURPOSE OF REPORT

- 1.1** To present for Council's consideration (i) proposals to align Cabinet portfolio arrangements and associated external partnerships with the Council's strategic planning arrangements as set out under the new Community Planning themes; (ii) a process to provide for greater Elected Member involvement in the development of major Council policies and strategies; and (iii) a minor amendment to the Council's Scheme of Delegation in terms of operational requirements for processing planning applications.

2. BACKGROUND

- 2.1** The Council, at its last meeting on 8 October 2009 in agreeing to the continuation of the existing decision-making structure, also agreed a number of actions to support Elected Members' participation in the decision-making structure.
- 2.2** Two specific areas were remitted to Officers to return to Council for consideration as outlined under paragraph 1.1 (i) and (ii) above. In respect of external partnerships, discussions with partner organisations have confirmed that present arrangements are working well and accordingly no changes are proposed at this point in time.

3. PROPOSED ALTERATIONS TO PORTFOLIOS

- 3.1** The Community Plan, with effect from 1 April 2009 has four thematic action plans:
- Improving Health and Wellbeing;
 - Promoting Lifelong Learning;
 - Delivering Community Regeneration; and
 - Improving Community Safety
- 3.2** Supporting the four themes is the overarching Strategic Management role over Council resources.

3.3 Community Planning and the Strategic Management of Council Resources

3.3.1 The Community Plan is the sovereign planning document for East Ayrshire and provides the overarching policy and strategic framework for the delivery of services. East Ayrshire Council has a robust and systematic Strategic Planning Framework, ensuring integrated planning that links the Community Plan with financial planning, service planning and budget setting. The framework links now require to be adjusted to accord with the new Community Plan, four-themed structure and the portfolio overview adjustments needed to accord with this.

3.3.2 A revised portfolio overview structure is presented to Council under Appendix 1. The adjustments proposed:-

- aligns portfolios to the new four Community Planning themes;
- enhances the integration of the Community Plan, the equalities agenda, and the management and resources portfolios, all of which will enhance the Council's strategic planning framework arrangements;
- gives increased focus on Community Safety;
- gives increased attention to health under the Improving Health and Wellbeing Portfolio; and
- recognises that supporting the provision of suitable housing, now rests within the Delivering Community Regeneration portfolio and that tackling homelessness and fuel poverty priorities, rest within the Improving Health and Wellbeing portfolio.

4. ELECTED MEMBER INVOLVEMENT IN THE DEVELOPMENT OF MAJOR COUNCIL POLICIES AND STRATEGIES

4.1 Elected Members are responsible for determining policy, with Cabinet Executive Members (i.e. portfolio holders) having the major role in determining policy and setting the strategic direction of the Council. Importantly, other Elected Members of the Council have a part to play in policy development, as evidenced by the policy review work carried out under the Council's Governance and Scrutiny arrangements.

4.2 Building on the outcomes of the review of the Council's decision-making structure, agreed by Council on 8 October 2009 and in particular to provide for greater Elected Member involvement in the development of major Council policies and strategies (report para 11.1 (vi)), the undernoted adjustments are proposed:-

4.2.1 Policy Development Consultation Process

- (i) As part of the annual budget preparation stage and before final determination of the budget, the Corporate Management Team will

develop a draft annual programme identifying a small but challenging range of key policy/strategic issues to be addressed in the forthcoming financial year. Such issues identified and agreed by Members will focus on major areas of work that will contribute to high level outputs and outcomes set out in the Community Plan/Single Outcome Agreement.

- (ii) Policy development consultation will centre on the present political group structure within East Ayrshire Council - building upon existing consultation carried out under the budget setting process and the recent Elected Member Learning and Development Programme.
- (iii) Recognising and supporting the role of Cabinet as the Council's policy decision forum, the introduction of a policy development consultation process for pre-identified major policy/strategic issues will:
 - provide for greater opportunity for all Elected Members to input into policy at the development stage;
 - increase opportunities for challenge; and
 - provide for greater interaction and informal discussion between Members and officers in policy development.
- (iv) Lead Service Officers will prepare a consultative report that will outline the provisional proposals of the new policy/strategy and any issues requiring consideration. This report will be presented to Cabinet for consideration and approval in principle. Thereafter Cabinet will instigate the policy development consultation process, setting out a timescale for reporting back to Cabinet.
- (v) Lead Officers would then co-ordinate the policy development consultation process through the Council's political groups. This would include an initial presentation of the policy proposals and a question and answer session to all Councillors at a single event.
- (vi) Thereafter, Elected Members within their own group environments would give consideration to the issues, providing feedback within the determined timescales direct to the relevant Lead Officer. Feedback could either be individual comments from Elected Members or on a group basis - it would be for groups to determine. Lead Officers would then collate responses and prepare a final Cabinet report identifying outcomes from the consultation process and identifying any issues for consideration together with final recommendations for Cabinet to determine.

5. MINOR AMENDMENT TO SCHEME OF DELEGATION: PLANNING APPLICATIONS

- 5.1** Further consideration of the Officer arrangements to deal with planning applications as outlined within the Scheme of Delegation and Administration approved by Council at its meeting on 25 June 2009, has highlighted that there is an operational requirement to include the Development Management Manager as one of the "Appointment Officers" along with Principal Planning

Officers (who have already been identified and approved by Council) to deal with delegated applications under the Planning etc (Scotland) Act 2006 as detailed within the Scheme of Delegation and Administration. Accordingly, Council is asked to approve the respective recommendation to implement this minor amendment.

6. FINANCIAL/LEGAL/COMMUNITY PLANNING AND RISK MANAGEMENT IMPLICATIONS

6.1 There are no implications as the report's recommendations are entirely administrative in content.

7. RECOMMENDATIONS

7.1 It is recommended that Council:-

- (i) approves or otherwise, the proposed Portfolio Alignment as outlined under Appendix 1;
- (ii) approves the Policy Development Consultation Process for pre-identified major policy/strategic issues as outlined in Paragraph 4.2.1. of the report;
- (iii) include the Development Management Manager as one of the "Appointment Officers" along with Principal Planning Officers (who have already been identified and approved by Council) to deal with delegated applications under the Planning etc (Scotland) Act 2006 as detailed within the Scheme of Delegation and Administration and that the Scheme of Delegation and Administration be amended accordingly;
- (iv) note that the Depute Chief Executive/Executive Director of Corporate Support will inform Scottish Ministers of the amendment under (iii), above, and
- (iv) agrees to otherwise note the report.

Fiona Lees
Chief Executive

24 November 2009
BW/SC

LIST OF BACKGROUND PAPERS

NIL

Any person wishing further information on this report, should contact Bill Walkinshaw, Head of Democratic Services on Tel No (01563) 576135.

Implementation Officer: Bill Walkinshaw, Head of Democratic Services.

APPENDIX 1

PROPOSED PORTFOLIO ALIGNMENT

The proposed portfolio alignment detailed below secures alignment with the new four themed East Ayrshire Community Plan and provides greater alignment between strategic planning and Council resources as follows:-

1. Strategic Planning, Management and Resources, and Equalities - Leader, Depute Leader plus 1 Portfolio Holder

This will bring together two portfolios under the oversight of the Leader, with associated Senior Member support focussing on the overall management of the Council's activities involving:-

Strategic Planning - Leader and Depute Leader

- an overview of the Community Plan, its four related thematic action plans and the related Single Outcome Agreement;
- cross-cutting policy overview; and
- an overview of equalities.

Management and Resources - Leader and one Portfolio Holder

- management of the Council's resources and assets, people, finance systems, information technology and property;
- performance management; and
- overseeing all corporate non-themed service functions.

N.B. Covers the Following Core Council Services:-

Finance and Asset Management, Best Value, Community Planning, Information Technology, Human Resources, Legal and Procurement Services and Democratic Services.

2. Promoting Lifelong Learning - 2 Portfolio Holders

Strategic Priority of the Council: Improving Educational Attainment

Key Priorities for the Council and its Community Planning Partners comprising:

- Improving educational and skills attainment in schools;
- Improving literacy and numeracy skills;
- Developing the capacity of our children and young people to participate effectively in the wider society;
- Supporting our children and young people achieve their full potential; and

- Building community capacity and increasing participation.

N.B. Covers the following Council functions:

Educational Services, Pre-five, Community Learning and Development, Teaching, Community Art, Libraries (including Registration and Local Offices), Museums and Art Galleries.

3. Delivering Community Regeneration - 2 Portfolio Holders

Strategic Priorities of the Council:

- Regenerating our Town Centres; and
- Building new Local Authority housing.

Key Priorities for the Council and its Community Planning Partners comprise:

- Increasing the capacity of the local workforce and ensuring our young people are properly prepared for the world of work;
- Promoting economic regeneration;
- Regenerating our town centres;
- Developing sustainable housing needs; and
- Protecting and sustaining our environment and promoting transport solutions.

N.B. Covers the following Council functions:

Economic Development, Employment Initiatives, Housing, Planning and Building Standards, Structure Planning, Roads and Transportation, Tourism, Cleansing and Waste Disposal, Outdoor Amenity Services (covering Grounds Maintenance, Golf Courses, Street Cleaning, Playparks and Cemeteries) and Country Parks and Countryside Services.

4. Improving Community Health and Wellbeing - 2 Portfolio Holders

Key Priorities for the Council and its Community Planning Partners comprise:

- Improving health and reducing health inequalities;
- Shifting the balance of care for older people and community care groups;
- Tackling alcohol and drugs misuse;
- Tackling inequality through financial exclusion and homelessness; and
- Increasing partnership working with NHS, particularly around the Integrated Resource Framework and Budget Alignment.

Covers the following Council Functions:

Social Work Services, including Addiction and Child Protection; Homelessness, Energy Advice, Leisure Development, Community Recreation and Community Health.

5. Improving Community Safety - 1 Portfolio Holder

Key Priorities for the Council and its Community Planning Partners comprise:

- Reducing crime and anti-social behaviour;
- Reducing the fear of crime;
- Working with young people to reduce the likelihood of them becoming involved in crime and anti-social behaviour;
- Reducing fatalities and casualties as a result of road traffic collisions;
- Improving community safety in neighbourhoods and homes;
- Protecting our most vulnerable children and adults.

Covers the following Council Functions:

Road Safety and Community Safety, Trading Standards (Consumer Protection), Street Lighting, Emergency Planning, diversionary activities within Leisure Services, Environmental Health functions (e.g. Food Safety, Health and Safety and Pollution Control), Anti-Social Behaviour, and Risk Management Centre .