

Runnymede Borough Council

New Member Induction – Council Structure

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11th May 2024

Legal Background

- Main legislation that governs way local authority works is Local Government Act 1972
- All powers of local authority exercisable by Full Council
- Full Council can delegate powers to committees, sub-committees, officers or another local authority

Legal Background

- Runnymede has a Committee Structure
- This system was universal until Local Government Act 2000
- Alternative system is called Executive arrangement (aka cabinet system).

Committee System

- In Committee System: decisions taken in Committees through votes
- Simple majority required
- If vote tied chairman has casting vote.

Committee Cycle

- Municipal Year runs May – April
- Year starts with Annual Council meeting in May when appointments to committees are made
- Council has 11 committees divided into categories of policy, service and function/regulatory

Committee Cycle (Cont.)

- Corporate Management Committee (CMC) – policy and financial committee meets 12 times a year
- Community Services, Environment & Sustainability, Housing, Licensing, Overview & Scrutiny Select, Regulatory, Standards & Audit Committees – service committees meet 5 times a year
- Planning Committee – function committee meets 12 times a year
- Each committee has discrete functions and powers
- Strict timetable for preparation of reports for meetings

Overview and Scrutiny

The Council is required to have what is termed an Overview and Scrutiny Committee:

- to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions of the local authority
- to make reports or recommendations to with respect to the discharge of any functions of the local authority
- to make reports or recommendations on matters which affect the authority's area or the inhabitants of that area

Overview and Scrutiny (Cont.)

- to review or scrutinise a decision made but not yet implemented includes power to recommend that the decision be reconsidered by the person who made it
- Provides a check and balance
- Ability to “call-in”, not change a decision; but get it to be given further consideration
- Overview function gives chance for fresh pair of eyes to look at issues and challenges facing the Council
- Useful way of reporting to main committees on changes that could be made

Working Parties

The Council also has a number of Working Parties which will meet to:

- Allow Members and officers to exchange ideas and consider policy issues before public scrutiny takes place
- Allow ideas and new strategies to be explored
- Allow complex matters to be understood and explored
- Allow evidence on public opinion to be discussed and considered

Working Parties (Cont)

- All Members will be encouraged to participate in the Working Parties
- Each Member is expected to sit on one Working Party
- They don't make decisions like Committees, they make recommendations to Committees.

Scheme of Delegation and Decision Making

- Not practicable for Full Council to meet frequently enough to transact all the business of the Council
- Local Government Act 1972 section 101 power to arrange for the discharge of functions by a committee, sub-committee or an officer of the authority or to any other local authority

Scheme of Delegation and Decision Making (Cont.)

- Part 3 of Council Constitution contains series of sections dealing with delegation of functions:
 - Committee Responsibilities
 - Scheme of Delegation
- Scheme of Delegation contains schedules and annexes setting out details of what must be done by Full Council, Committees and officers

Scheme of Delegation and Decision Making (Cont.)

- Local authorities are described as ‘creatures of statute’
- When exercising powers they must comply with statutory provisions and their own internal schemes of delegation
- Failure to adhere to these requirements can lead to their decisions being quashed by courts

Judicial Oversight

- Courts regulate activities of public bodies through mechanism of Judicial Review
- Judicial Review is a type of court proceeding in which a court reviews the lawfulness of a decision or action made by a public body.
- Judicial Reviews are a challenge to the way in which a decision has been made, rather than the rights and wrongs of the conclusion reached.

Judicial Oversight (Cont.)

- It is not really concerned with the conclusions of that process and whether those were 'right', as long as the right procedures have been followed. The court will not substitute what it thinks is the 'correct' decision.
- This may mean that the public body will be able to make the same decision again, so long as it does so in a lawful way.

Officer Structure

The Council has a senior officer team made up of two layers.

The first layer is the Corporate Leadership Team (CLT), which is made up of the Chief Executive, two Assistant Chief Executives and the Corporate Head of Law and Governance

Officer Structure (Cont.)

The second layer is the Senior Leadership Team (SLT) made up of service heads who are in charge of the business units of the Council which deliver various services.

Both groups meet on a regular basis to discuss operational matters.

Council Operational Structure

Council divided into business units:

- Community Services
- Planning, Economy and Built Environment
- Environmental Services
- Finance
- Housing
- Human Resources & Organisational Development
- Customer, Digital and Collection Services
- Law and Governance
- Assets and Regeneration

Council Operation (Cont.)

If Members have questions about matters they are dealing with they should direct those questions to the service heads (SLT) or the CLT members rather than junior officers in business units.

Junior officers may not appreciate the wider picture whilst a senior officer will.

Secret of Success

- Success of any local authority is dependent on Members and officers establishing a good working relationship and working co-operatively
- Good communication is the foundation of any relationship.
- Never be afraid to ask a question

Any Questions?