

History and Reasons for Change

- 1.0 The background to this change in legislation and the growth of the Cabinet and Leader arrangements began around the 1990s, as a consequence of a growing tendency to organise along party lines, political polarisation was becoming widespread. It was becoming more common for major decisions to be made at party-group meetings, and therefore there was a growing feeling that the decision making process needed to be modernised.
- 1.1 It was also noted at the time, that committees were spending a significant amount of their time on operational matters, rather than policy and performance issues, and that some authorities had significantly more meetings than others to run services of a similar scale.
- 1.2 The Widdicombe Committee conducted an inquiry into the conduct of Local Authority Business (1985) which found 'that (in common with politics generally) there had been a decline in public confidence in democracy over the preceding twenty years'.
- 1.3 The Government White Paper 'Modern Local Government: In touch with the People' (1998) which was a precursor to the 2000 Act, was very critical of the Committee system and made the following comments about the committee-based system:
- 1.4 *'Councils must have political management structures which are effective and command respect. The current committee system is confusing and inefficient, with significant decisions usually taken elsewhere. Many councillors have little influence over council decisions, yet spend a great deal of their time at council meetings. The result is that people do not know who is running their council.'*
- 1.5 *'Only some of local government in England today matches up to the picture of the modern council. The current framework in which local government operates has not kept pace with the way people live their lives today. Councils' political structures - centred on the committee system - are fundamentally the same as they were before women had the vote, or indeed, before the introduction of universal male suffrage. The overall framework does not provide the opportunities councils need to modernise, or the incentives for them to do so. Rather the framework is one which allows inefficiencies to continue, and can reinforce a culture where councils are inward looking, failing to put the interests of their people first.'*
- 1.6 *'So change is needed to drive up standards overall, make best practice more widespread, and address those occasional failures. The aim is not to strangle diversity or create dull uniformity, but to make success universal throughout English local government. This is what the Government wishes to see - strong and effective councils everywhere playing their part in giving people greater opportunities and building a fairer country.'*
- 1.7 The Local Government Act 2000 then enacted fundamental reform. Status quo was not an option (except for small authorities who were able to continue with a committee system. The explanatory notes which accompanied the 2000 Act explained:
- 1.8 *"27. The objectives of the policy underlying Part II is to deliver greater efficiency, transparency and accountability of local authorities. The new arrangements are intended to ensure that decisions can be taken more quickly and efficiently than the existing committee system, that the individuals or bodies responsible for decision*

making can be more readily identified by the public, and that those decision makers can be held account in public by overview and scrutiny committees”

1.9 Professor Steve Leach in ‘Party Politics and Scrutiny in Local Government Clearing the Hurdles’ states:

1.9.1 *‘The illusion of the ‘golden days of committees’ the reality of the committee system never matched the glowing perception which was accorded to it retrospectively. It did have some advantages, in particular the way in which it allowed a group of councillors to specialise and develop knowledge and expertise in a service of particular interest to them. But comparisons made in the first few years of the new system between committees as genuine decision making bodies and scrutiny committees as powerless irrelevances always reflected an illusion rather than a reality. Committees were dominated by their chair, who enjoyed privileged access to the relevant chief officer(s). Party groups often met before the final committee meeting, to be guided through the agenda by the chair/chief officer. If there had been a prior discussion in a party meeting to agree a line, members would be reminded of this. There was a decision making process, but it was not one in which ordinary committee members played a significant role’*

1.9.2 *Many of the perceived weaknesses in the current system are not new, and in fact are almost identical to the frustrations experienced by elected Members in the 1990s.*

1.10 *The themes of having little influence, not being involved in the decision making etc resonate as much now as they did 20 years ago. However, if we concentrate on the successes of the current system, which relate in the main to task and finish group work, it can be argued that through well researched evidenced based work, Scrutiny can and does shape policy.*

1.11 The ‘Rethinking Governance’ CfPS Guidance states that:

1.11.1 *No one governance system is intrinsically better than another and no system is more or less expensive to operate; however some systems allow more members to be directly involved in voting on decisions. It is important to note that activity at committee level is not the same as member involvement in policy making. Members’ involvement in policymaking is a longer-term more involved process and can happen under any process.*