

<b>Title of Report:</b>	<b>Arrangements for Considering Future Governance Arrangements</b>
<b>Report to be considered by:</b>	Governance and Audit Committee
<b>Date of Meeting:</b>	15 November 2010
<b>Forward Plan Ref:</b>	GAC2169

**Purpose of Report:** To agree the terms of reference and associated timescales for the working group tasked with considering the merits and demerits and cost analysis of various governance models the Council could introduce following the implementation of revised legislation.

**Recommended Action:** Management Board to consider and where appropriate amend the terms of reference, meeting framework and membership of the working group tasked with looking at options for future governance models for the Council.

**Reason for decision to be taken:** Two motions relating to governance arrangements were tabled at Council on the 23 September 2010. It was resolved at that meeting that the motions would be referred to a working group of the Governance and Audit Committee for consideration.

**Other options considered:** None

**Key background documentation:** Minutes and Agenda of the Council Meeting on the 23 September 2010  
Decentralisation and Localism Bill (due mid to end November 2010)

The proposals will also help achieve the following Council Plan Themes:

- CPT13 - Value for Money**
- CPT14 - Effective People**

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:  
ensuring that the Council considers all options available to the Council in respect of its decision making structures.

Portfolio Member Details	
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<b>Date Portfolio Member agreed report:</b>	12 October 2010

Contact Officer Details	
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## Implications

<b>Policy:</b>	The content of this report would not require any changes to the Council's policies. Any changes to the Council's Governance Structures would however require significant changes to the Council's Constitution.
<b>Financial:</b>	The costs associated with meetings of the working group would be met from within existing resources. Any changes to the Council's Governance Structures would have financial implications and these would be articulated in the report setting out the recommendations of the working group.
<b>Personnel:</b>	The administration of the working group would be undertaken using existing resources.
<b>Legal/Procurement:</b>	The content of this report would not require any changes to the Council's policies. Any changes to the Council's Governance Structures would however require significant changes to the Council's Constitution and could require the appropriate legislation to be in place and operational.
<b>Property:</b>	No implications
<b>Risk Management:</b>	No implications related to this report. A risk analysis of any changes to the Governance Structures would need to be undertaken in respect of the report setting out the recommendations of the Working group
<b>Equalities Impact Assessment:</b>	Stage 1 completed, not required to progress to Stage 2.
<b>Corporate Board's Recommendation:</b>	Corporate Board were supportive of the approach suggested subject to the inclusion of some minor amendments.

<b>Is this item subject to call-in?</b>	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input type="checkbox"/></p> <p>Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months <input type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p>		

# Executive Summary

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## **1. Introduction**

- 1.1 At the Council meeting held on the 23 September 2010 Members agreed to refer the two motions relating to potential amendments to the Council's governance structures to the Governance and Audit Committee for consideration.

## **2. Proposals**

- 2.1 It is proposed that a Working Group of the Governance and Audit Committee be set up to consider the strengths and weaknesses of the various models the Council could adopt in respect of its Governance Structures. The Terms of Reference and the indicative timescales of the group would need to be agreed.

## **3. Conclusion**

- 3.1 The Council is likely to have the opportunity to reconsider and ensure that its Governance Structures are fit for purpose and it will be the role of the Governance and Audit Working Group to ensure that this is the case.

# Executive Report

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## 1. Introduction

1.1 On the 20 September 2010 Communities Minister Andrew Stunell announced 'Councils will be able to run themselves under a system that works best for their area. The new Government will let councils have a real choice and decide with local people what system is best for their community, whether that be a Mayor or Leader and Cabinet or a Committee system'

1.2 At the Council meeting held on the 23 September 2010 two motions pertaining to the Council's governance structures were included on the agenda.

1.3 The first motion was submitted in the name of Councillor Jeff Brooks and requested that:

"West Berkshire Council:

- Notes the Coalition Government's intention to allow local authorities to return to the committee system of governance;
- Believes the Executive decision making system is undemocratic and denies most elected representatives a proper share of access to information, speaking rights and influence over the decision-making process; and
- Resolves to return to the committee system with effect from the Annual meeting of the Council which follows the enactment of the relevant legislation. "

1.4 The second motion was submitted in the name of Councillor Graham Jones and requested that:

"This council notes the coalition government's intention to allow local authorities to adopt their own governance structures.

This council resolves to establish a small working group under the auspices of G and A to look at the strengths and weaknesses of the current system and to look at other alternatives having regard to the need to retain accountability and ensure any new system is cost effective."

1.5 In accordance with Procedure Rule 4.5.8. of the Council's Constitution the Chairman proposed that both motions be referred to the Governance and Audit Committee for consideration. This was put to the Council and duly **RESOLVED**.

1.6 It is therefore proposed that a separate working group of the Governance and Audit Committee be set up to consider the merits and demerits of the various options, undertake a thorough cost analysis of any proposed models and deliver recommendations on governance structures which would be considered at Annual Council in May 2011 or at such time as the Decentralisation and Localism Bill has come into force.

1.7 It is proposed that the Working Group comprise Members and Officers with experience of both the Committee and Executive arrangements. It is suggested that the Group be made up of four Conservative and two Liberal Democrat Members to

be nominated from the respective Groups. It is also suggested that both leaders of the respective groups be invited to sit on the Group as ex officio Members.

1.8 The following are the suggested Terms of Reference of the Working Group:

1. To undertake a review of the current Executive and Scrutiny arrangements, both financial, and in relation to how effective, efficient and inclusive the current arrangements are.
2. To consider options for returning to a Committee based decision making structure and to articulate what this new structure might look like.
3. To examine all of the costs of the current Executive and Scrutiny based decision making structures and to compare this to the anticipated costs of introducing any new committee based structure.
4. To examine the resources that will be required to effectively run any revised or current system.

1.9 It is proposed that the initial meetings of the Working Group be scheduled for:

- 18 January 2011
- 08 February 2011
- 08 March 2011

1.10 This schedule would allow for a report to be considered by Corporate Board in early April and that any recommendations could then be considered at Annual Council in May 2011. This timetable will however require the relevant legislation to be in place before any decision was made. Additional meetings could be scheduled should they be required.

## **Appendices**

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There are no Appendices to this report.

## **Consultees**

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**Local Stakeholders:** N/A

**Officers Consulted:** Moira Fraser, Andy Day

**Trade Union:** N/A