

NAME OF COMMITTEE	Council
DATE	30 July 2013
REPORT TITLE	Future Governance Arrangements
Report of	Head of Corporate Services
WARDS AFFECTED	ALL

Summary of report: To consider a report which asks the Council to reach a decision on how to overcome the present imbalance in the workload between the Resources and Community Services Committees. In addition, the report seeks a Council decision on the most appropriate mechanism for Members to consider the future governance arrangements before the Council meeting on 17 December 2013.

Financial implications: Assuming that the recommendation is agreed, there will be no cost implications arising from this report. If one of the alternative options is preferred, there will be additional Special Responsibility Allowances to be considered and costs associated with meetings' administration, although these will be minimal, given the limited number of meetings that will take place before December 2013.

RECOMMENDATIONS:

It is recommended that Council agrees:

- (i) that with immediate effect, and until further consideration at the Council meeting on 17 December 2013, to redress the present imbalance in Committee workloads, the Council chooses to transfer all matters in relation to the Strategic Planning function from the Community Services Committee to the Resources Committee and that the Monitoring Officer be given delegated authority to amend the Council Constitution accordingly; and
- (ii) the Political Structures Working Group should continue to review future governance arrangements with a view to making recommendations formally to Council on 17 December 2013.

Officer contact:

Jan Montague, Head of Corporate Services, Tel: 01822 813671

jan.montague@swdevon.gov.uk

Member contact:

Cllr Philip Sanders, Leader of Council, Tel: 01822 812265

Cllr.philip.sanders@westdevon.gov.uk

1. BACKGROUND

Committee Workloads

- 1.1 The Council agreed at its meeting on 12 February 2013 to extend the Two Committee Structure pilot beyond May 2013 to the Council meeting on 17 December 2013 (Minute CM 71b refers).
- 1.2 In addition to extending the pilot, Members will also recall that a second resolution was agreed which asked the Chairman and Vice-Chairman of the Resources Committee and the Community Services Committee to consider revising current working arrangements to ensure a more even spread of workload between the two Committees.
- 1.3 Members will recall at the Annual Council meeting on 21 May 2013 that a decision to transfer all matters relating to Strategic Planning from the Community Services Committee to the Resources Committee was deferred (Minute CM 7 refers).
- 1.4 This report seeks to establish a way forward for the interim period until the matter is again considered by the Council on (or before) 17 December 2013, as part of a wider debate on overall governance arrangements.

Future Governance Arrangements

- 1.5 A Task and Finish Group was established to make recommendations on the two Committee pilot review. The Group subsequently presented its findings to the Overview and Scrutiny Committee at its meeting on 15 January 2013. In presenting its findings at the time, no formal recommendation or decision was reached on the mechanism for Members to review the pilot in the future. It is therefore intended that this report will also establish a review mechanism.
- 1.6 Since 15 January 2013, the subject has been subsumed into the work carried out by the Political Structures Working Group to make a rational case to the Boundary Commission on Council Size. Given the role of the Political Structures Working Group, it makes sense for it to consider the wider governance arrangements and for that Group to report to Council.

2. ISSUES FOR CONSIDERATION

Committee Workloads

- 2.1 Since the deferral, there has been further evidence of the imbalance between the two Committees. In addition to the Resources Committee meeting scheduled for 7 May 2013 being cancelled due to a lack of agenda items, the most recent Committee meeting (held on 23 July 2013) only contained three substantive agenda items.

2.2 In comparison, during this period, the most recent Community Services Committee meeting (held on 25 June 2013) contained seven substantive agenda items.

2.3 As a follow up to his group sessions with Members, the Chief Executive recently conducted a presentation to Informal Council entitled: 'Effective Local Government in West Devon.' During this presentation, which emphasised the need to formally agree a way forward at this Council meeting, the Chief Executive made reference to three potential options to redress the imbalance:-

- Option 1: To transfer the Strategic Planning function to the Resources Committee;
- Option 2: To create a Strategic Planning Sub-Committee which reports directly to the Community Services Committee; and
- Option 3: To create a third Committee with specific responsibility for Strategic Planning.

2.4 To compare these options, some of what are considered to be the main advantages and disadvantages are outlined below:

	Advantages	Disadvantages
Option 1	<ul style="list-style-type: none"> - The Resources Committee has the current capacity to absorb this piece of work and this option causes least disruption; - No need for additional meetings or the incurring of extra costs associated with meetings administration; - Given that decisions on the wider governance issues are to be addressed at full Council on 17 December, if not before, the probability is that there will be no need to programme any more than the two formal Resources Committee meetings already scheduled. 	<ul style="list-style-type: none"> - Appointments to serve on the Resources and Community Services Committees were based upon Strategic Planning remaining a Community Services Committee function.
Option 2	<ul style="list-style-type: none"> - A Sub-Committee will enable Members to be appointed from within the existing Community Services Committee which will provide for both continuity and experience and knowledge to be retained; - There are no constitutional implications arising from the creation of a Sub-Committee. 	<ul style="list-style-type: none"> - The creation of a Sub-Committee will need to report to the Community Services Committee which may slow the decision-making process down; - Arguably, this option will not address the initial concerns regarding the workload of Community Services Committee Members.

Option 3	- A new Committee will provide the ability to exploit Members individual expertise, experience and strengths by appointments being based upon Strategic Planning related skills, experience and commitment.	- The establishment of a third Committee will have inevitable resource and cost implications (e.g. payment of a Special Responsibility Allowance to the Committee Chairman) and amendments to the Constitution; - The creation of a third Committee this late during the two-Committee pilot could make it difficult to accurately assess its success.
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- 2.5 On balance, Council is recommended that the most suitable option to adopt for the remainder of the period of the pilot is to transfer the Strategic Planning function to the Resources Committee (Option 1).
- 2.6 In the event of this Option being adopted, it is intended that some of the functions in relation to strategic planning will be discharged, with optimum use being made of Member Working Groups comprising of a wide range of Members from across all political groups of the Council. This will enable a wider cross section of Members to influence key decisions.
- 2.7 Furthermore, with the ability to appoint substitutes to the Resources Committee, coupled with the provision for any Member to attend Committee meetings and partake in the debate, it is intended that the impact of transferring this function will be kept to a minimum and that Community Services Committee Members will continue to be actively engaged and involved in the Strategic Planning function.

Future Governance Arrangements

- 2.8 On the wider governance issues, there is now a need to reflect on the most appropriate arrangements to suit our future needs. The Informal Council session to be held on 2 September 2013 will afford a further opportunity and no doubt discussions will ensue in political groups. The T18 Transformation Programme work will also have a significant bearing on any decision and we expect to have a formal resolution on T18 in November. A Special Council meeting has been arranged to take place on 4 November 2013 at 4.30pm (replacing the Informal Council session).
- 2.9 Given the work that has been conducted to date through the Political Structures Working Group in relation to the Boundary Committee submission, it is felt to make good sense for the Political Structures Working Group to continue its work and lead upon the review into the Two Committee pilot and present its findings via a report to Council. It may be appropriate to consider this at the same time as the T18 Transformation Programme debate but, if not, findings will be presented to the Council meeting on 17 December 2013 as previously indicated.

3. RISK MANAGEMENT

- 3.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

4. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	Local Government Act 2000
Considerations of equality and human rights:	None
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background papers:	<ul style="list-style-type: none">- Council minutes and agenda from 12 February 2013 meeting;- Annual Council minutes from 21 May 2013 meeting;- Overview and Scrutiny Committee minutes and agenda from 15 January 2013 meeting;- Chief Executive Presentation entitled: 'Effective Local Government in West Devon';- Council Constitution.
Appendices attached:	None.

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Member Training	Members of the Resources Committee will now have decision-making responsibility for Strategic Planning matters.	2	2	4	↑	Resources Committee Members will need to have access to officer briefings to increase their awareness and understanding of the Strategic Planning function.	Head of Corporate Services and Head of Planning, Economy and Community
2	Member engagement in the Two Committee Pilot review	The Political Structures Working Group consists of only five Members and engagement with the wider membership will be critical.	3	2	6	↔	The wider membership will be consulted and actively engaged with before the Working Group makes its recommendations to full Council on 17 December 2013.	Chief Executive and Head of Corporate Services.

Direction of travel symbols ↓ ↑ ↔