



Annual Council

8 May 2017

Subject: Recommendation from the Governance and Audit Committee's Governance Arrangements Task and Finish Group.

Report by:

Director of Resources

Contact Officer:

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Purpose / Summary:

To receive the recommendation from the Governance and Audit Committee's Governance Arrangements Task and Finish Group, which was established to undertake further detailed evaluation work into the implications of a possible move to the Leader Cabinet model, hybrid or more effective Committee System, following a resolution passed by Annual Council in 2016.

RECOMMENDATION(S):

That Council: -

- (a) note and accept the work undertaken by the Task and Finish Group; and**
- (b) accept the recommendation from the Governance and Audit Committee, namely that that no further work into a potential change of Governance Arrangements be undertaken for the reason's outlined in the report attached at Appendix A.**

IMPLICATIONS

Legal: N/A

Financial : FIN/7/18

None at this stage.

However if further work was to be undertaken and the decision to implement new governance arrangements were to be put in place, then one off costs of consultation and Constitution review would be circa £20k, additional ongoing administrative costs are estimated to be £50k per annum including oncosts.

The financial impact on Members allowances has not been considered at this stage.

Staffing :

None at this stage. However if further work was to be undertaken the impact on staffing is summarised within the report

Equality and Diversity including Human Rights :N/A

Risk Assessment : N/A

Climate Related Risks and Opportunities : N/A

Title and Location of any Background Papers used in the preparation of this report:

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

x

1 Introduction

- 1.1 The Governance and Audit Committee at its meeting on 18 April 2017, received the report attached at Appendix A.
- 1.2 The minute arising from this meeting is set out below: -

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Members gave consideration to a report which set out recommendations from the Governance Arrangements Task and Finish Group, which had been established to undertake further detailed evaluation work into the implications of a possible move to the Leader Cabinet model, hybrid or more effective Committee System, following a resolution passed by Annual Council in 2016.

The report set out the work the Task and Finish Group had undertaken in order to be able to form their recommendations and the outcome of the high level consultation they had undertaken.

Task and Finish Group Members who were present, shared with the Committee, experiences they had had whilst undertaking their investigations.

In responding to questions, Officers confirmed that the consultation responses received had been cross party.

RESOLVED that:

- (a) the work undertaken by the Task and Finish Group be noted and accepted;
- (b) in light of the Group's findings, it be **RECOMMENDED** to Council that no further work into a potential change of Governance Arrangements be undertaken for the reason's outlined in the report; and
- (c) Officers be requested to include provision for those suggestions made at Section 5.3 of the report within the annual review of the Constitution report for further consideration by Full Council in May 2017.

2. Recommendation

- 2.1 In light of the above Council are requested to:-
 - (a) note and accept the work undertaken by the Task and Finish Group; and
 - (b) accept the recommendation from the Governance and Audit Committee, namely that that no further work into a potential change of Governance Arrangements be undertaken for the reason's outlined in the report attached at Appendix A.



GA.62 16/17

Governance and Audit
Committee

18 April 2017

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Subject: Recommendations from the Governance Arrangements Task and Finish Group.

Report by:

Director of Resources

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Purpose / Summary:

This reports sets out recommendations from the Governance Arrangements Task and Finish Group, which was established to undertake further detailed evaluation work into the implications of a possible move to the Leader Cabinet model, hybrid or more effective Committee System, following a resolution passed by Annual Council in 2016.

RECOMMENDATION(S):

That :

- (a) The Governance and Audit Committee note and accept the work undertaken by the Task and Finish Group and**

(b) in light of the Group's findings, it be RECOMMENDED to Council that no further work into a potential change of Governance Arrangements be undertaken for the reasons outlined in the report; and

(c) Officers be requested to include provision for those suggestions made at Section 5.3 of this report within the annual review of the Constitution report for further consideration by Full Council in May 2017.

IMPLICATIONS

Legal:

Financial : Financial : FIN/7/18

None at this stage.

However if further work was to be undertaken and the decision to implement new governance arrangements were to be put in place, then one off costs of consultation and Constitution review would be circa £20k, additional ongoing administrative costs are estimated to be £50k per annum including oncosts.

The financial impact on Members allowances has not been considered at this stage.

Staffing :

None at this stage. However if further work was to be undertaken the impact on staffing is summarised at section

Equality and Diversity including Human Rights :

Risk Assessment :

Climate Related Risks and Opportunities :

Title and Location of any Background Papers used in the preparation of this report:

Wherever possible please provide a hyperlink to the background paper/s
If a document is confidential and not for public viewing it should not be listed.

Call in and Urgency:

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Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Background and Introduction

- 1.1 At its Annual Meeting in May 2016, when considering the Annual Review of the Constitution, Members were advised that whilst undertaking the annual review a number of other associated actions for further work and development during 2016/17 had been identified.
- 1.2 This included, as a result of the growing importance of the Devolution work in Lincolnshire, and a commitment in the Conservative manifesto, a recommendation that Governance and Audit Committee further explore the implications of a possible move to the Leader Cabinet model with a view to submitting recommendations to full Council during 17/18.
- 1.3 Annual Council had been further advised, in May 16, that workshops for Elected Members had been held in April 2016 to give Members an understanding of the Governance systems available and how they may meet the needs of WLDC. A number of key drivers emerged from comments expressed by those present at the workshops. These had included: -
- Speed of decision making
 - Executive powers for key Members
 - Specialist Knowledge
 - Transparency
- 1.4 Full Council therefore **RESOLVED** at its Annual Meeting in May 2016: -
- “That Council commission the Monitoring Officer, with support from and through the Governance and Audit Committee, to undertake further detailed evaluation work into the implications of a possible move to the Leader Cabinet model, hybrid or more effective Committee System, with a view to achieving the outcomes set out below ((i) – (vii)) relate) and submit recommendations to full Council
- (i) Speed of decision making – The Council's Decision Making process allows it to take advantage of opportunities on commercial projects and ensure that WLDC can work as quickly as its colleagues in Greater Lincolnshire
- (ii) Empowering Individuals – Those members charged with representing the Council with partners have the authority to act and take responsibility for the decisions they make.
- (iii) Effective Council governance and roles of Members and Officers - to ensure the Council has maximum influence and impact with any potential Mayor and Combined Authority to the benefit of West Lindsey.

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- (iv) Specialist Knowledge – Members have the knowledge and skills to make good, well informed and safe decisions
- (v) Transparency – Governance arrangements which ensure residents can see that decisions are made reasonably and fairly.
- (vi) Accountability – There is clear accountability for success and failure for both members and officers
- (vii) Involvement – Members are able to set policy and take ownership of key decisions.

- 1.5 In connection with this resolution the Governance and Audit Committee, at its meeting of 15 September 2016, received a briefing on the process for changing governance arrangements and consideration to appointing a Member/Officer Working Group to consider feedback from Members and the public, discuss options in detail and make recommendations for change to the Governance and Audit Committee in the first instance. The briefing included a staged outline timetable, and the steps required.
- 1.6 The Governance and Audit Committee were advised that whilst Full Council had made a request for change by May 2017 initially, the final implementation date of any change would be dependent on the extent of the changes ultimately agreed, as had been outlined in the paper.
- 1.7 At the meeting on 15 September 2016 the Governance and Audit Committee therefore resolved to establish a cross party Task and Finish Group comprising Councillors Angela White, David Bond and Giles McNeill. Terms of Reference were also agreed for the Group and these are set out at Appendix 1.

2. Work Undertaken by the Task and Finish

- 2.1 The Task and Finish Group met for the first time on 18th October 2016 to agree the terms of reference for the group and the desired outcomes for any change in Governance arrangements, as well as the next steps in the process given the timelines which had been outlined.
- 2.2 The meeting concluded that the Council should consider two of the legally available Governance Models, ruling out the Mayoral/Cabinet Model given the current anecdotal evidence of a lack of political or public appetite for a publically elected Mayor in connection with Devolution proposals.
- 2.3 It was acknowledged very early on by the Group that no one model would deliver all of the desired outcomes. It was also noted that the cost of a full consultation exercise could be considerable and was only required if significant change was proposed.

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2.4 Guidance provided by the former Department of Central and Local Government did not provide a standard approach to follow but it was clear that authorities were expected to use both qualitative and quantitative methods of consultation. In 2001 when the Council consulted on a potential change only quantitative methods were used. In 2008 when the Council had again consulted, the consultation was comprehensive and included a number of different methods of raising the issue and taking soundings from the community. The following were all part of the approach and included both qualitative and quantitative methods which complied with Government guidelines on effective consultation:

- a stand with Lead Member available to answer questions at each of the three Area Forums across the District in October 2008.
- the stand was then utilised in the Council's reception area in the Guildhall for wider community information.
- an individual edition of West Lindsey News to every household in West Lindsey explaining the issues and requesting a response.
- a special meeting for Parish and Town Councils with individual phone calls to each of the Parishes affected by the potential move to Whole Council Elections in 2011.
- Local Strategic Partnership/Stakeholder consultation.
- staff/member survey.

2.5 A similar comprehensive approach would need to be undertaken, if significant change was to be considered.

2.6 The Group were therefore of the view that high level indicative consultation should be undertaken in the first instance, with Elected Members, the Public, Parish Councils and the Citizens' Panel, to establish initial appetite on the two models, namely :

Committee Model (Known as Fourth Option) this is the system that we currently use. The key features of this are that Council and Committees make the decisions of the Council and these meetings are subject to scrutiny by the Challenge and Improvement Committee. Whilst this is the model that is currently used it can be amended and/or improved through the annual review of the constitution which is normally agreed at Annual Council.

Leader and Cabinet. This system was brought in by the Local Government Act 2000 and is the governance system that most Councils operate. In some Councils, individual Members of the Cabinet have decision-making powers; in others, decisions have to be made by the whole Cabinet. Cabinet is led by a Leader, who is elected by full

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Council for a term determined by the Council itself or on a four yearly basis

(And will usually be the leader of the largest party on the council). These Councils must have at least one overview and scrutiny committee.

- 2.7 It was also suggested that indicative consultation should be undertaken on the seven desired outcomes, which had already been agreed at Annual Council, in order to establish which of these were the priority 3 or 4, for those surveyed, in order to establish which drivers should be the key focus when making recommendations regarding future governance arrangements going forward.
- 2.8 The Group agreed that the consultation needed to be undertaken as a matter of urgency and thus submitted a report to the Governance and Audit Committee on 8 November 2016 seeking approval to undertake high level consultation.
- 2.9 The approved questionnaire is attached at Appendix 2.
- 2.10 At their first meeting the Group were in agreement that they understood the benefits, as well as the restrictions, of the Committee System within which they currently operated. However, those of the Leader Cabinet system were at this point only perceived views and known to a lesser degree.
- 2.11 Therefore it was further agreed that an information gathering visit to a similar sized local Authority operating a Leader Cabinet system would be of assistance in understanding how the two models differed in operating terms, and in order to gather views from those who operated within them.
- 2.12 Feedback and comments made at previous Members' Workshops had established the following potential advantages and disadvantages of the two systems: -

| Leader and Cabinet model | |
|---|--|
| Advantages | Disadvantages |
| <ul style="list-style-type: none">▪ Allows for clearer accountability to the community▪ Permits the Council to act effectively in wider partnership working within the county and beyond▪ Removes traditional 'silo' thinking in separate Committees▪ Provides greater opportunity for One Council approach to | <ul style="list-style-type: none">▪ Perception of a 'few' making decisions▪ Potential to change cross party working▪ Concern over the role of 'backbenchers' |

| | |
|--|--|
| <p>strategic decision making</p> <ul style="list-style-type: none"> ▪ Allows for more reactive decisions and less 'Ping Pong' of decisions ▪ Improves credibility and confidence in the Council with partners ▪ Would allow for stronger and more effective scrutiny function ▪ Improved role for Members in the community | |
| Retaining the 'fourth option' Committee System | |
| Advantages | Disadvantages |
| <ul style="list-style-type: none"> ▪ It is established and understood by existing members ▪ There is a good level of involvement of all Members in debate/discussion ▪ It is inclusive of all political parties | <ul style="list-style-type: none"> ▪ Slow decision making process due to the length of cycle ▪ It is less accountable in that Members make 'collective' decisions and there is little personal accountability ▪ Current scrutiny function is too wide ranging and not focused on improvement or policy development ▪ It does not support and incorporate 'One Council' approach by reinforcing silos of different services in potential conflict ▪ A lot of energy and work is duplicated and resources are potentially wasted ▪ The Council is perceived as being out of date and un-modernised ▪ Perception is that the current system is officer led |

2.13 A meeting with Cabinet Members, back benchers and scrutiny Chairman from similar sized local authority was therefore arranged and a series of questions to be posed was established.

2.14 A sample of these is attached at Appendix 3

2.15 The Group were also afforded the opportunity to see a meeting of the Executive in operation.

3 How was the consultation undertaken and What Did We Learn?

3.1 West Lindsey Residents, Parish Councillors and West Lindsey District Council Members were invited through either a direct invite or by visiting the website to complete a questionnaire.

3.2 The consultation commenced on Thursday 22 December and ended on 3 February 2017, in accordance with agreed consultation protocols. It should be noted that the consultation timeframe differs to that agreed by the Governance and Audit Committee. On seeking advice from the Business Improvement Team, there was view that a greater response would be received by incorporating this survey into the larger Citizens' Panel Survey, also further time was permitted to acknowledge the Christmas and New Year Period and meeting frequency of Parish Councils. This has resulted in a delay in the timeline.

3.3 All 1,300 current members of the Citizens' Panel were sent an invite as well as all Parish Councils and West Lindsey District Council Councillors. The survey was also a feature item on the home page of the Authority's website.

3.4 The total number of surveys returned was 801, broken down as follows:

-

Number of Citizen Panel responses - 746

Number of Councillor responses - 13

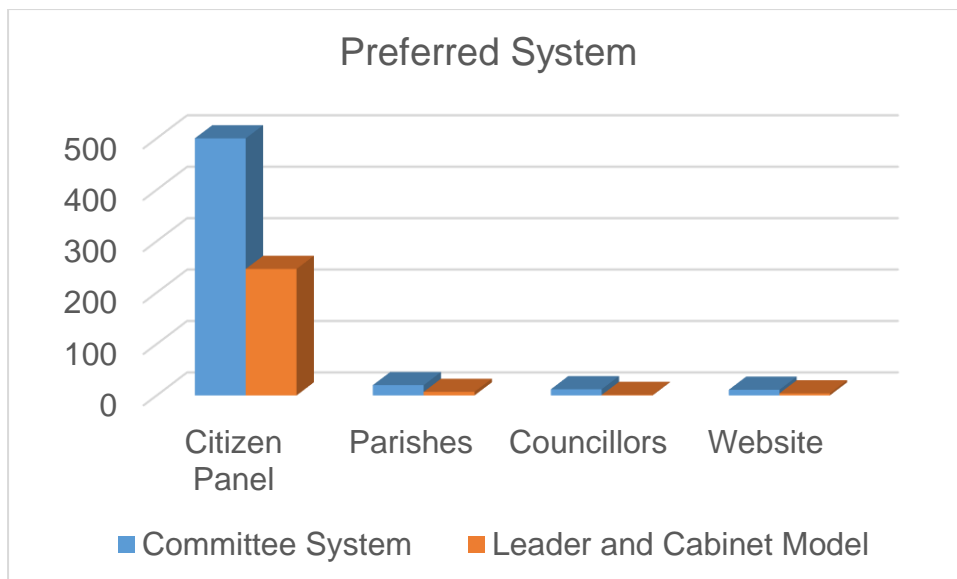
Number of website responses – 15

Number of Parish Council responses – 27

3.5 System preference

3.5.1 As indicated in Section 2 of the report, the first part of the consultation was to look at which system the respondents would prefer. Overall the Committee System was preferred with 68% of those who responded voting for this option.

| | Committee System | Leader and Cabinet Model | Total responses |
|---------------|------------------|--------------------------|-----------------|
| Citizen Panel | 500 | 246 | 746 |
| Parishes | 20 | 7 | 27 |
| Councillors | 12 | 1 | 13 |
| Website | 11 | 4 | 15 |
| Total | 543 | 258 | 801 |
| % | 68% | 32% | |



3.6 Priorities

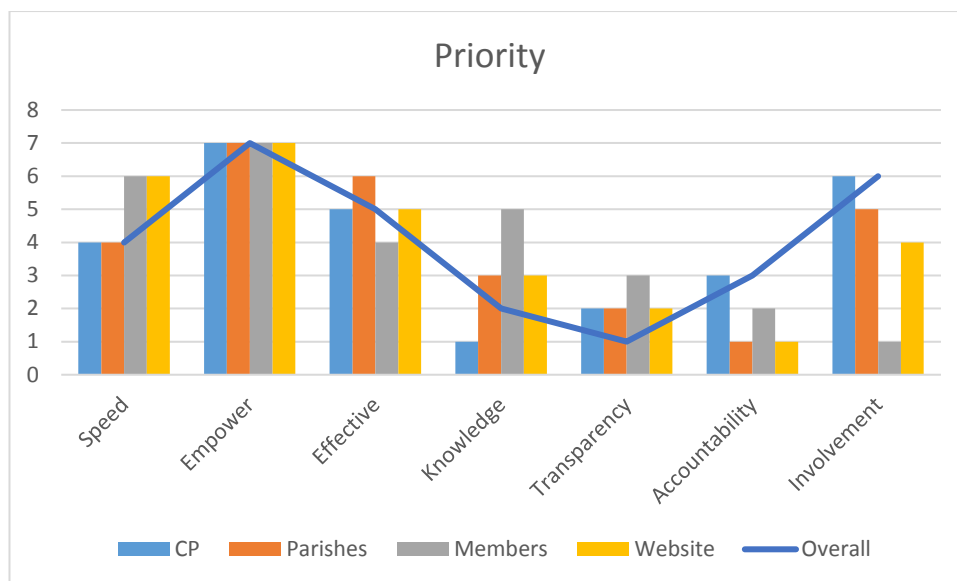
3.6.1 Again as detailed in Section 2 of the report, the second part of the consultation was to identify the priority drivers for change.

3.6.2 Respondents were asked to prioritise the seven outcomes in order of priority to them, so that the Council could evaluate the models. Overall respondents felt that the most important priority was that the decisions were made reasonably and fairly, therefore transparent. The last priority for respondents overall was that individual Members could make decisions when working with partners (empowerment).

3.6.3 Below are the individual results and also the combined results:

| | CP | Parishes | Members | Website | Overall |
|----------------|----|----------|---------|---------|---------|
| Speed | 4 | 4 | 6 | 6 | 4 |
| Empower | 7 | 7 | 7 | 7 | 7 |
| Effective | 5 | 6 | 4 | 5 | 5 |
| Knowledge | 1 | 3 | 5 | 3 | 2 |
| Transparency | 2 | 2 | 3 | 2 | 1 |
| Accountability | 3 | 1 | 2 | 1 | 3 |
| Involvement | 6 | 5 | 1 | 4 | 6 |

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3.6.4 Please note 7 was deemed the lowest priority and therefore the higher the peak the lower the priority.

3.6.5 It is important to remember that any change in governance would need a simple majority vote by Members of this Authority however, a significant change in governance, if approved, could not legally be significantly modified again for period of five years.

3.6.6 On analysis of the surveys received from District Council Members, firstly only 13 returned the survey and of those 12 stated they would prefer to remain in the current committee structure.

3.6.7 Involvement was the first priority outcome for those elected Members who responded, followed by accountability and transparency, whilst empowerment of individuals was the least.

4 Conclusions reached and Other Factors Taken into Consideration

4.1 The Information gained from the visit and the consultation responses have been assessed against those outcomes set by Council in May 2016.

4.2 The Group have also taken cognisance of work previously undertaken and of a number of pieces of arguably associated work being undertaken across the Council which the Group consider will further support some of those identified outcomes- see section 4 (a) and 4 (c)

4.3 Consideration has also be given to the further potential costs which will be incurred if the Council were to change its Governance Structure – see section 4 (b)

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| Outcome Set By Council | Findings From Visit | Importance demonstrated through consultation response or other factors to consider | Would revised structure bring change |
|--|--|--|--|
| <p>Speed of decision making – The Council’s Decision Making process allows it to take advantage of opportunities on commercial projects and ensure that WLDC can work as quickly as its colleagues in Greater Lincolnshire</p> | <p>On further investigation, the speed of decision making is not considerably different between the two models. Those on Executive arrangements are legally bound to give 28 days notice of the intention to take a key decision and publish this on a public forward plan. This is not a requirement for those on Committee systems and whilst WLDC currently retain a forward plan, key decision items can legally be added to this with little notice.</p> <p>Both models have provision to make an urgent decision with immediate effect (subject to it being within agreed Policy).</p> <p>Decisions which fall outside of Policy need to be taken by Full Council in both models. Both models have provision for calling an urgent meeting. The notice period however remains the same in both models.</p> | <p>speed of decision making did not score highly in the indicative consultation, Involvement, Transparency and Accountability were all viewed as more important.</p> | <p>The group are not of the view that a change in Governance structure would deliver significant change in this aspect.</p> <p>Nor would it appear to be a priority driver from those who responded to the consultation.</p> |

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| Outcome Set By Council | Findings From Visit | Importance demonstrated through consultation response or other factors to consider | Would revised structure bring change |
|--|--|---|---|
| <p>Empowering Individuals – Those members charged with representing the Council with partners have the authority to act and take responsibility for the decisions they make.</p> | <p>The model operated by the Authority visited had not invested any Executive powers in individual members. The Executive Board were responsible for decisions (6 Members in total). Collective decision making was still present within the model used.</p> | <p>Empowering individuals was scored as the lowest priority by all those categories surveyed.</p> | <p>The group are not of the view that a change in Governance structure would deliver significant change in this aspect.</p> <p>It was not a priority driver from those who responded to the consultation.</p> |
| <p>Effective Council governance and roles of Members and Officers - to ensure the Council has maximum influence and impact with any potential Mayor and Combined Authority to the benefit of West Lindsey.</p> | <p>There was no evidence that the difference in Governance models either assisted or hindered working with any potential Mayor and Combined Authority to the benefit of the District</p> | <p>Effectiveness in these terms did not score highly in the indicative consultation</p> <p>One of the most recently established drivers for change was Devolution. Since Full Council's decision in May 2016, the Devolution picture has considerably changed and continues to do so. This arguably is now much less of a driver than it may have been previously. Furthermore, more in depth legal advice was sought as to the Leader's position, should a combined Authority be established. The impact of the Authority being in</p> | <p>The group are not of the view that a change in Governance structure would deliver significant change in this aspect.</p> <p>It was not a priority driver from those who responded to the consultation.</p> |

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| Outcome Set By Council | Findings From Visit | Importance demonstrated through consultation response or other factors to consider | Would revised structure bring change |
|--|---|---|---|
| | | <p>a Committee Structure on his position was considerably less than first thought.</p> <p>Decision making would work on similar albeit larger scale to that of the JPU, in that the Authority would have delegated its powers to another authority, a new authority. Members appointed to that authority, would have the decision making powers conferred to them by that Authority, so long as the decisions they were making only related to the resources assigned to the combined authority</p> | |
| <p>Specialist Knowledge – Members have the knowledge and skills to make good, well informed and safe decisions</p> | <p>There was no evidence that the difference in Governance models either assisted or hindered working in this way</p> | <p>Specialist Knowledge did score highly in the indicative consultation undertaken</p> | <p>The group are not of the view that a change in Governance structure would deliver significant change in this aspect.</p> <p>However a more bespoke Member Training Plan, for Lead Members and Committee Chairs for</p> |

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| Outcome Set By Council | Findings From Visit | Importance demonstrated through consultation response or other factors to consider | Would revised structure bring change |
|---|---|---|--|
| | | | example could improve the Council's performance in this area. |
| <p>Transparency – Governance arrangements which ensure residents can see that decisions are made reasonably and fairly.</p> | <p>There was no evidence that the difference in Governance models either assisted or hindered working in this way</p> | <p>Transparency did score highly in the indicative consultation undertaken, across all those categories surveyed.</p> | <p>The group are not of the view that a change in Governance structure would deliver significant change in this aspect.</p> <p>However ensuring the Constitution reflects as accurately as possible how our decisions are made could improve the Council's performance in this area.</p> |
| <p>Accountability – There is clear accountability for success and failure for both members and officers</p> | | <p>Accountability did score highly in the indicative consultation undertaken, across all those categories surveyed.</p> | <p>The group are not of the view that a change in Governance structure would deliver significant change in this aspect.</p> <p>However ensuring the Council's scheme of delegation is clear and</p> |

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| Outcome Set By Council | Findings From Visit | Importance demonstrated through consultation response or other factors to consider | Would revised structure bring change |
|--|--|---|---|
| | | | understandable would further assist in this area. |
| <p>Involvement – Members are able to set policy and take ownership of key decisions.</p> | <p>The model operated by the Authority visited gave the impression that non-executive members did not have much involvement in decision making and it was difficult to oppose decisions.</p> <p>Decision making was in the hands of a few people and less inclusive. There was a clear expectation on non-executive members to read a lot of material in order to have some understanding of what was going on.</p> <p>.</p> | <p>Involvement scored highly with our own elected Members in the indicative consultation undertaken</p> | <p>A revised structure would bring about change in this aspect but this would likely have the adverse effect to the desire expressed through the consultation.</p> <p>In our present system members of all parties are able to be involved in committees, and decision making, even parties with small numbers, these appears to still be the desire of our Elected Members</p> |

(a) **Previously established Advantages and Disadvantages of the current system**

- 4.4 A number of the original perceived advantages and disadvantages were established prior to the introduction of the new Constitution which was significantly streamlined in 2011 and resulted in
- clear definition of the relative roles and responsibilities of Members and senior officers of the Authority.
 - a scheme of delegated or reserved powers which included a formal schedule of those matters reserved for the collective decision of the Authority.
 - Members meeting on a formal basis regularly to set the strategic direction of the authority and to monitor service delivery.
 - clearly documented and understood management processes for policy development, implementation and review and for decision-making, monitoring and control and reporting and formal procedural and financial regulations to govern the conduct of the authority's business.
 - the role of the Leader, Deputy Leader and (Committee Chairs) being formally defined to include responsibility for providing effective strategic leadership to the authority and for ensuring that the authority successfully discharges its overall responsibilities for the activities of the organisation as a whole.
 - the roles and responsibilities of all Members of the local authority being defined clearly.
- 4.5 This has helped to address a number of the perceived disadvantages, outlined in Section 2 of the report, of the Committee system, and arguably gone some way to address some of the outcomes established in May 2016, particularly accountability.
- 4.6 For example, on analysis, the number of decisions which have had to be submitted to both Policy Committees, to date during 16/17, (with the exception of performance and budgets) was 6. The previous ping-ponging is having a lesser impact. Resources are not being "wasted" to the level previously perceived.
- 4.7 The Challenge and Improvement Committee in recent years have continued to refine their scrutiny function with more focus on improvement, policy development and working with other public bodies. More recent feedback received (through the annual effectiveness survey) regarding this Committee and its role has been positive. The improvements made in the Challenge and improvement Committee including the introduction of an agreed methodology have assisted the Committee in undertaking a more effective role.

(b) Potential Financial Implications of Implementing a Change

Staffing

- 4.8 A revised governance model is likely to see the need arise to review the current staffing arrangement.
- 4.9 Initial, but not in depth comparison has been made against NKDC who operate a Leader Cabinet Model.
- The Cabinet comprises six Members
 - There are three Scrutiny Committees
 - Regulatory committees including, planning, licensing, audit, standards and Full Council
- 4.10 All of these meetings require administrative support. To do this NKDC currently employ four full time Democratic Officers and a part time (20hrs) scrutiny officer. The salary cost of this (ignoring NI and Super) is £107,000. Leader and Cabinet Member support is provided from elsewhere and is therefore additional. The Chairman's Office and general Member support is also a separate function.
- 4.11 WLDC currently employ three Democratic Officers, these Democratic Officers also support the Chairman's Office and undertake a level of general member support. Initial indication is that a further £40k pa plus on costs may be required to support revised arrangements.
- 4.12 The detail of these impacts would only be completely clear as implementation is duly developed. However recruitment and training costs would also need to be allowed for (£4k)
- 4.13 Again, in light of the indicative consultation which has been undertaken and the emerging results, the Working Group are of the view that there is no value in undertaking further evaluation of the associated staffing costs at this stage.

Consultation and Advertisement

- 4.14 Any change would require the Council to undertake necessary consultation / publication within notice requirements set out in the Act.
- 4.15 Use of on-line methods would help reduce costs however it is suggested that this could incur a one off cost of around £5k.

Revised Constitution

- 4.16 Any change would require a fundamental change to the Constitution and in effect a new document in its entirety.
- 4.17 The last full revision of the constitution cost in the region of £10k and it is therefore suggested that costs of around £15k could be incurred.

Members Allowances

- 4.18 There would also be implications for Members' Allowances. These would ultimately be determined by the Independent Remuneration Panel.

(c) On-Going Associated Work

- 4.19 There are a number of pieces of arguably associated work being undertaken across the Council which the Group consider will further support some of those identified outcomes: -
- A fundamental review of planning protocols, delegations and associated procedures, such as public participation, have been undertaken and is nearing completion. The Group are confident this will further facilitate the outcomes of: -
 - Transparency
 - Accountability
 - Involvement.
- 4.20 A fundamental review of the Code of Conduct is being undertaken, it is envisaged this work will conclude in May 2017. The Group are confident this will further facilitate the outcomes of: -
- Transparency
 - Accountability
 - Effective Governance
- 4.21 The Call-in Procedure is being reviewed, it is envisaged this work will conclude in May 2017 and further strength and clarify the role of Scrutiny in this regard.

5 Conclusion

- 5.1 In light of the apparent lack of appetite for change, a number of the drivers having changed or having being addressed in alternative ways and the further costs which would need to be funded to further investigate a potential change in governance, it is recommended that no significant change in governance is made ie, a move to a Leader Cabinet model.

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5.2 However a number of potential minor changes have been identified for further consideration.

- (a) Making it more explicit rather than implicit in the Constitution that key (high impact decisions) can be submitted directly to Council. This would increase Member involvement, which scored highly in the consultation, and speed up implementation of key decisions as they would not be subject to Call-in.

This could be achieved by an additional delegation being afforded to the Chief Executive to use at her discretion when it would prove prudent from a business need. It is further suggested that any delegation granted in this area should be exercised in consultation with the affected policy committee chairs and the Chair of Scrutiny in light of the fact that this approach will remove the ability to call such decisions in, but mean decisions can be implemented immediately.

- (b) Introducing a Joint Committee or “Back to Back Committee” protocol.

In recent years there have been occasions when it has been prudent to submit key (high impact decisions) to the two policy committee’s on the same evening.

The introduction of a laid down protocol, as to how and when such arrangements may be used could further facilitate the outcome of Transparency and would assist both Members and the public to be assured that decisions are been made reasonably and fairly and in accordance with laid down procedures.

- (c) Bespoke Member Training Plan for Lead Members

Member training has significantly improved over recent years, the creation of a supplementary training Programme bespoke to Lead Members, for example Committee Chairman, could further facilitate the outcome of Specialist Knowledge, which scored highly in the indicative consultation.

5.3 Changes to the Constitution within the current governance model will where possible be used to deliver the priorities established during this work. This will include:

- Clarity on the ability to call additional meetings where business makes it necessary: and
- Clarity on the ability to take some decision directly to full council to avoid double handling and to speed up implementation.

6 Recommendations

That

- (a) The Governance and Audit Committee note and accept the work undertaken by the Task and Finish Group and
- (b) in light of the Group's findings, it be **RECOMMENDED** to Council that no further work into a potential change of Governance Arrangements be undertaken for the reasons outlined in the report; and
- (c) Officers be requested to include provision for those suggestions made at Section 5.3 of this report within the annual review of the Constitution report for further consideration by Full Council in May 2017.

APPENDIX 1

Draft Terms of Reference – Governance Arrangements Task and Finish Group

a) **Membership 2016/17**

The Membership of the GA T&F is appointed at Governance and Audit Committee.

- Cllr D Bond
- Cllr G McNeill
- Cllr A White
- Project Manager
- Project Sponsor

The Membership will remain for the duration of the task.

All Members of Council are welcome to feed in to the discussions of the group.

b) **Purpose**

The purpose of the GA T&F is to:

- To fully review the governance arrangements in place, and develop options for future delivery that address (to the best extent) the requirements identified within the specified outcomes:
 1. Speed of Decision Making – The Council's decision making process allows it to take advantage of opportunities on commercial projects and ensure that WLDC can work as quickly as it's colleagues in Greater Lincolnshire
 2. Empowering Individuals – Those Members charged with representing the Council with partners have the authority to act and take responsibility for the decisions they make.
 3. Effective Council Governance and roles of Members and Officers – to ensure the Council has maximum influence and impact with any potential Mayor and combined authority to the benefit of West Lindsey.
 4. Specialist Knowledge – Members have the knowledge and skills to make good, well informed, and safe decisions.
 5. Transparency – Governance arrangements that ensure that residents can see that decisions are made reasonably and fairly.
 6. Accountability – there is clear accountability for success and failure for both members and officers.
 7. Involvement – Members are able to set policy and take ownership of clear decisions.
- To evaluate evidence presented and request evidence to support proposals for different arrangements to ensure efficiency, transparency and accountability to its best potential for decisions made at West Lindsey
- to consider refined procedures to combat a perceived slow pace in decision-making, address decision predetermination, accountability of decisions as well as connectivity, duplication of discussion, and value for money on the decision making process.
- To make recommendations with evidence and implications to G&A Committee for full consideration.

c) Role

- The GA T&F group aims to meet its objectives, and then will be disbanded.
- The GA T&F Group represents cross party working and considers the views of all Members and political parties.
- The GA T&F Group reports directly to GA Cttee, and is not a decision making body.

d) Responsibilities

The GA T&F Group take collective responsibility for:

- Engaging all Members in the work it undertakes;
- Reporting on a regular basis and when requested to its parent committee (Governance and Audit Committee);
- Developing ideas to further its objectives;
- Making recommendations, where necessary to its parent committee.

e) Modes of Operation

- The Group tailors its ways of working to its various functions;
- The Group meets on a regular basis, as business progression dictates.
- Agendas and Minutes are produced for each meeting, and Minutes are provided to the parent committee on a regular basis by email.

West Lindsey District Council Governance Arrangements 2016

HELPFUL HINTS FOR COMPLETING THIS QUESTIONNAIRE

- Please read each question carefully. In most cases you will only have to tick one box but please read the questions carefully as sometimes you will need to tick more than one box, or write in a response.
- Once you have finished please take a minute to check you have answered all the questions that you should have answered.
- If you have any questions about this survey please contact Alan Robinson on alan.robinson@west-lindsey.gov.uk or call on 01427 676509.

West Lindsey District Council is reviewing its governance arrangements and two options are being considered. These are the Committee System which the council already uses and the Leader and Cabinet Model.

Committee system. Since the Localism Act this option is now available to all councils. Previously it was available only to district councils with populations under 85,000. Committee system councils make most decisions in committees, which are made up of a mix of councillors from all political parties. These councils may have one or more overview and scrutiny committees but are not required to.

Leader and Cabinet Model. This system was brought in by the Local Government Act 2000 and is the governance system that most councils operate. In some councils, individual members of the cabinet have decision-making powers; in others, decisions have to be made by the whole cabinet. Cabinet is led by a leader, who is elected by full council for a term determined by the council itself or on a four year.

1. Which system would you prefer West Lindsey District Council to use? **Please tick one box only**
 - Committee System
 - The Leader and Cabinet Model

2. In order to evaluate the models the Council will use the following outcomes. Please can you mark each of these outcomes from 1 to 7 with 1 being your first priority, 2 being the second priority and so on until 7 which would be the last priority to you.

Speed of decision making - The Councils Decision making process allows it to take advantage of opportunities on commercial projects and ensure that WLDC can work as quickly as its colleagues in Greater Lincolnshire.

Empowering Individuals - Those members charged with representing the Council with partners have the authority to act and take responsibility for the decisions they make.

Effective Council governance and roles of Members and Officers - to ensure the Council has maximum influence and impact with any potential Mayor and Combined Authority to the benefit of West Lindsey.

Specialist Knowledge - Members have the knowledge and skills to make good, well informed and safe decisions.

Transparency - Governance arrangements which ensure residents can see that decisions are made reasonably and fairly.

Accountability - There is clear accountability for success and failure for both members and officers

Involvement - Members are able to set policy and take ownership of key decisions.

3. Any other comments you wish to make about the proposed governance arrangements?

Thank you very much for your time completing this part of the questionnaire.

Please click submit once and you will be taken back to the West Lindsey District Council website.

Potential Questions: -

Opposition Members : -

Can you briefly summarise how decision making works in your authority and your involvement in this.

Do you feel you have ample opportunity to influence Policy?

How does this happen? Is this through informal meetings or through laid down procedures?

Do you feel the decision making arrangements effect relationships? How? Positive or Negative?

Do you think you become aware of potential policies as they develop or only once they are implemented?

Do you frequently use call-in? If not why not?

Do regularly review the forward plan.

How many scrutiny panels / cttees are there? How often do they meet.

How do you select your topics for investigation ? Free choice, or administration led?

Do you hold individual portfolio holders to account? How , when?

Administration Members

Can you briefly summarise how decision making works in your authority and your involvement in this

What mechanisms do you use to keep the opposition informed?

Do you engage them early around contentious policy? Is this through formal laid down procedures or informal arrangements?

How many exec Members, how often do they meet, how long do the meetings last?

Do you think it has removed silo thinking?

Do you feel you can make decisions quickly?

How do you stay up to date or develop yourself as an expert in your portfolio area?

How is the forward plan is scrutinised. Do you get much public participation engagement?

As a portfolio holder how are you held to account?

How do you make your executive decisions?