



REPORT of CORPORATE GOVERNANCE WORKING GROUP

**to
COUNCIL
14 FEBRUARY 2019**

NEW COUNCIL STRUCTURE – TRANSFORMATION PROGRAMME

1. PURPOSE OF THE REPORT

- 1.1 To receive and consider the report of the Corporate Governance Working Group and its recommendations on the principles of a new committee structure as part of the Council's Transformation Programme.

2. RECOMMENDATIONS

- (i) That the Council approves the principle of the revised committee structure as shown in **APPENDIX 1** to this report, with the functional responsibilities and cycle of meetings as summarised in **APPENDIX 2**;
- (ii) That the Council approves the principles of membership of the new Committees as set out in **APPENDIX 3**, with a review of towards the end of the municipal year 2019/20;
- (iii) That the Council endorses the concept of an incremental approach to the approving of elements of the new Constitution with a view to their taking full effect in October 2019 following its completion and adoption.

3. AREA FOR DECISION / ACTION

- 3.1 The Council at its last meeting agreed the following specific brief for the Working Group:

That the Corporate Governance Working Group be instructed to commence work in line with its existing terms of reference to consider and report on a committee structure and associated governance arrangements including constitutional documentation and report back to the Council

- 3.2 The Working Group met on 9 January 2019 to consider matters around a new committee structure for the Council, and again on 21 January 2019 to finalise this report.
- 3.3 The Working Group was mindful that implementation of the organisational changes would impact on the Council's corporate governance arrangements to the extent that there was a need to adapt, and indeed modernise the Council's constitutional

arrangements which can be re-designed to accommodate the new model and so enable effective ways of working.

- 3.4 The Council would need to review its committee structure in terms of mirroring the internal organisational structure and to provide a basis for clear and effective decision-making. As part of the overall governance arrangements, the associated constitutional documentation (e.g. Rules, Protocols, Codes, Scheme of Delegation) will also need to be reviewed and re-presented in a more modern cohesive form, and become recognisable as the Council's Constitution.
- 3.5 The Working Group received a presentation from Mr Paul Dodson, Director of Strategy, Performance and Governance, assisted by Mr David Mullen of Ignite and Mr Stuart Jennings, Corporate Governance Project Officer.
- 3.6 The principles for discussion were identified as follows:
- Aligning Committees to the Directorates where possible;
 - Creating a committee structure where decisions and papers only go to one committee;
 - Single committee with an holistic view of all strategy, and aligning resources with Council strategy so that these are considered by a single committee to ensure funding decisions are strategically led (Strategy and Resources);
 - Reviewing all high level delivery performance in a single committee (Performance, Governance and Audit - covering all operational services and removing need for separate Planning and Licensing and Community Services Committees);
 - Maintaining the local focus through retention of the Area Planning Committees;
 - Unifying the cycle of all Council / Committee meetings into a simplified forward plan – Council / Committees six weekly, Area Planning Committees four weekly;
 - Creating space for more commercial activity and strategic programmes.
- 3.7 The Working Group acknowledged the underlying approach to all future business and projects being strategy-led, then the subject of a resource allocation, with performance management of the subsequent delivery including all operational elements. It also acknowledged the advantages of a clearer reporting route for business, the avoidance of duplication, and a simplified decision-making process. In working towards a new model, the Working Group studied how functions and responsibilities undertaken in the present arrangements could be mapped to a new structure. This took account of the statutory requirements to fulfil certain regulatory functions, e.g. public licensing.
- 3.8 Other considerations during the mapping exercise included:
- the continued operation of an **Overview and Scrutiny Committee** and the amount of business likely to be directed to the two new main Committees. Good chairmanship of these new Committees and the management of business would assume particular importance, although it was hoped that they would still be able to undertake a level of scrutiny of their own remits. Alongside the

statutory requirement for scrutiny, e.g. Crime and Disorder, having a separate scrutiny committee was however good for transparency. There should be restrictions on the membership of this Committee.

- it was not possible to have a Licensing Sub-Committee without a **Licensing Committee** in the first place. The Council was required to establish a Licensing Committee of at least ten Members which could stand alone or be added to the remit of another Committee. This is where all Licensing policy / strategy / statement of principles for this regulatory function should exceptionally be developed for recommendation to the Council. Meetings of the Licensing Sub-Committee would be constituted from that membership and comprise suitably trained Members. Such a Committee could take on other regulatory matters if required.
- the approach to **Asset Management** would largely depend on what would be determined by the main Committees as to overall strategy and direction. Subject to this, much of the work could be progressed as operational, with the opportunity for a Member / Officer Working Group as required to provide 'steers' and assist the preparation of business cases.
- the **Joint Standards Committee** had been established as a joint Committee with Parish / Town representatives included as Members with voting rights. The relative infrequency of meetings was reflective of the reduced amount of business emanating from the 'lighter touch' regime introduced by the Localism Act. It was noted that the constitution and working arrangements of the Committee had been reviewed and update only in the last year or so.

- 3.9 Other considerations in relation to the new structure were the need for clarity and understanding, which in turn assisted transparency, of the reporting links for future business. While the concept of delegation included the remits given to Committees by the Council, as well as the powers given to Officers, the Director of Strategy, Performance and Governance confirmed that the proposed new structure was not dependent on any increase in delegation to Officers.
- 3.10 The Working Group then looked at the constitution and membership of the new Committees. While there was a desire to provide an opportunity for all Members to be involved, it was important to determine the level at which each Committee might work best to deal with the anticipated large workloads. An enlarged membership offered the potential for working groups / panels to be appointed, and in that connection a review would be undertaken of the existing ones and where they would sit in relation to the proposed new structure. A level of supporting detail as to functional responsibilities would be provided alongside the proposed new structure sufficient to recommend to the Council.
- 3.11 It was noted that an incremental approach was being taken to how the new Constitution would be developed. If the Council agreed the principle of the new structure based on that level of detail, then the Working Group would proceed to look at functions and responsibilities (Committee Terms of Reference and Scheme of Delegation), together with operation protocols for the Committees, in greater detail and report back to the Council. This would be followed by a review, as necessary, of other Codes, Protocols, and Procedure Rules, all key elements of the Constitution. Subject to incremental approval by the Council, the new arrangements would not take

effect until the new Constitution had been completed. This was scheduled for October 2019 in line with the principle agreed by the Council at its last meeting.

4. IMPACT ON CORPORATE GOALS

- 4.1 The updating of the corporate governance and associated arrangements underpins the decision making processes of the Council, is in part a matter of compliance with the law and is also linked to the Corporate Goal of aiming to be an organisation that delivers good quality cost effective and valued services in a transparent way.

5. IMPLICATIONS

- (i) **Impact on Customers** – It is important that the Council is able openly to explain, through well-presented and user-friendly constitutional documentation, the way in which it is set up and operates, and how it conducts its business. It is important that the Council’s procedures are seen as open and transparent.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – The new council committee structure will operate more efficiently, in staff time, and Member time and will require one fewer Committee Chair and Vice Chair, giving a financial saving, supporting the financial benefits outlined in the Future Model.
- (v) **Impact on Resources (human)** – The reduction in the number of committees and overall meetings will reduce the staff resource required.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

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