

AUDIT & GOVERNANCE COMMITTEE

19 December 2019 at 6.00 pm

Present: Councillors Mrs Erskine (Chairman), Mrs Haywood (Vice-Chair), Bennett, Bicknell, Blanchard-Cooper (Substitute for Tilbrook), Brooks, Chapman, Clayden, Dendle and Thurston

Councillors Bower, Mrs Cooper, Cooper, Coster, Dixon, Edwards, Gunner and Roberts were also in attendance for all or part of the meeting.

Apologies: Councillor Tilbrook

348. WELCOME

The Chairman welcomed Members, officers and members of the public to the meeting and explained that the Committee had an important task in considering the proposal from the Governance Working Party on the conclusions of its governance review prior to any final recommendation being presented at the Full Council meeting on 15 January 2020.

She confirmed to all in attendance that whilst she was a member of the Governance Working Party and had been involved in their discussions to date, at this meeting she was here with an open mind to act as Chairman of this Committee to ensure everyone had an opportunity to have their say and come to a view that could be fed back to the Working Party.

She clarified that the Committee's role at the meeting was to act as a consultee as requested by Full Council on 18 September 2019 and that it would involve Members providing an independent assurance that the review undertaken to date had been adequate to inform fellow councillors ahead of their decision making on the issue.

The Committee's views would be fed back to the Governance Working Party at its next meeting on 6 January 2020.

349. DECLARATIONS OF INTEREST

No declarations of interest were made.

350. MINUTES

The minutes of the meeting held on 21 November 2019 were approved by the Committee as a correct record and signed by the Chairman.

351. REVIEW OF GOVERNANCE ARRANGEMENTS - CONSULTATION PHASE

The Monitoring Officer referred the Committee to the report before them and highlighted the importance of the review process that they had been asked to undertake. In addition to the report and background documents, the Monitoring Officer referred to the additional document, circulated separately to the agenda, which had provided an analysis of each governance option and costings for any potential change. She then explained that the next stage in the process required this Committee to consider if the review had been sufficiently robust.

The observations made by Members in considering the report are summarised below;

- As the Constitution would require updating based on an implemented change to a Committee system, Members were keen to establish if there would be sufficient time to ensure that these changes could be made against the timeline of April/May 2020. The Monitoring Officer explained that the Working Party had accepted that there would not be any changes to individual Councillor or Officer delegation and on that basis, she believed that she would be able to conclude the update on the key parts of the Constitution. However, there would be more work required to be completed throughout the rest of the constitution and that was why in the strategic targets there was £10,000 allocated for consultee help and support to get this work done.
- Several concerns were raised over the budget costings in the additional report. The Monitoring Officer advised Members that these had been based on what could be quantified at this stage in the review process.
- Significant concern was raised in relation to Working Party not having taken the opportunity to meet with another Council who had implemented a governance change. It was felt this was a missed opportunity.
- A question was asked regarding the lack of consultation with former Cabinet Members by the Working Party as it was felt that these Members would be able to provide key advice and information based on their experience of how a Cabinet system worked in practice. It was explained that all Members of the Council and the Senior Management Team had been sent a questionnaire to complete and of the 54 councillors only 30 responses were received. It was confirmed that the Working Party did include two former Cabinet Members, however, they had not been asked to provide their experience of a Cabinet system. A request was made for previous Cabinet Members to be invited to inform the review. The Committee was advised that this would need to be agreed by the Chairman of the Working Party and the Monitoring Officer agreed to raise this with him.

The Chairman asked the Committee if they would be happy to hear comments from Members who were in attendance in the Public Gallery. Councillors Bower,

Edwards, Dixon, Chapman, Roberts, Gunner, Coster and Cooper were all then invited to speak. Comments made were:

- This review was being undertaken by a new Council with a large number of newer Members who have little or no experience of being on a District Council, stating that it was very different to working on a Town or Parish Council.
- Concern that any of the proposals that were being considered would drive a significant amount of constitutional change and that this would detract or stop from other required constitution updates from taking place due to the significant work load.
- Concerns about the budget costings and what if a change was agreed and it then turned out that the financial impact was significantly higher than currently predicted.
- A belief that the Cabinet structure did not work in favour of backbenchers and a Committee system was therefore favoured.
- Support for the hybrid structure
- A view that the review was being rushed through and should have included more research on the approaches taken in other councils
- Whether the review process had been sufficiently clear about what the Council was trying to achieve and whether Councillors would be comfortable with making any decision based on the information they had in front of them at this moment.
- The benefits of the current structure whereby when Cabinet Member decisions are made, one person is accountable for those and the public can also see this clearly, allowing them to also hold that individual to account. The view was under a Committee System this would not be seen so clearly and that the Working Party had not considered the impact of this fully.
- A view that a Committee structure would achieve greater inclusivity for all Members; whilst the Hybrid proposal was seen to be making the process unnecessarily complicated and Members would not engage with well.
- Was the motivation for a change clear and asked if was really felt that the current structure was broken and needed to be changed?
- Support for the hybrid structure
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- Whether the review process had been sufficiently clear about what the Council was trying to achieve and whether Councillors would be comfortable with making any decision based on the information they had in front of them at this moment.
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- A view that a Committee structure would achieve greater inclusivity for all Members; whilst the Hybrid proposal was seen to be making the process unnecessarily complicated and Members would not engage with well.
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In returning the debate to Committee Members, the Chairman did remind Members that any change to its governance arrangements would also need a corresponding culture change, reflecting the manner in which Members would want the Council to work in the future.

From listening to the views of speakers, there was concern from some Members of the Committee at the pace of this review, and a feeling that further clarification was required for each proposal to ensure that Members understood exactly what was contained within each option and how each proposal would function. A Seminar was suggested as the best way to achieve this.

The Chairman reminded the Committee at this point that it was their job to decide if the Working Party review had been robust enough and whether Members were fully informed to be able to make a recommendation to Full Council.

A question was asked why the Working Party had not made a Members Seminar a priority at the start of the review, the view of one Member was that this decision, along with the decision to reject meeting with an individual who had implemented a governance change elsewhere, meant that the review had not been robust enough.

In moving to vote on the proposal before the Committee, Councillor Brooks stated he had an amended proposal he would like to put forward and asked that a recorded vote take place. He proposed

“That the proposal as presented by the Governance Working Party is not supported and that full council on 15 January 2020 be presented with two options for a governance structure namely

- A) No change – the status quo
- B) Change to a committee structure

This alternative proposal was seconded by Councillor Mrs Haywood.

Discussion on the alternative proposal took place amongst Members of the Committee. Members felt that removing options from the original proposal was not the right thing to do as it was not transparent. The decision to be made was either that the Working Party were ready to make a recommendation to Full Council on 15 January 2020 or they were not ready.

On putting this alternative proposal to the vote, it was declared LOST.

Those voting for the proposal were Councillors Bennett, B Blanchard-Cooper, Brooks and Mrs Haywood (4). Those voting against were Councillors Bicknell, Chapman, Clayden, Dendle and Ms Thurston (5). Councillor Mrs Erskine (1) abstained from voting.

The Monitoring Officer then advised the Committee that a further alternative proposal could be put forward at this time or a vote could now be taken on the original proposal.

Councillor Dendle proposed a further alternative proposal that:

“The Working Party’s proposals are not supported at this stage and any decision on a change to governance be deferred to enable a Members Seminar to be held with more information to be provided on the options, including evidence from a Council operating a hybrid model.”

Councillor Clayden seconded the proposal.

A request was received that the voting on this proposal be recorded.

On putting this proposal to the vote, it was declared CARRIED. Therefore, the Committee

RECOMMEND to the Governance Working Party;

That Working Party’s proposals are not supported at this stage and any decision on a change to governance be deferred to enable a Members seminar to be held with more information provided on the options including evidence from a Council operating a Hybrid model.

Those voting for the proposal were Councillors Bennett, Bicknell, B Blanchard-Cooper, Brooks, Chapman, Clayden, Dendle, Mrs Haywood and Ms Thurston (9). Councillor Mrs Erskine (1) abstained from voting.

The Chairman expressed her thanks to the Members of the Working Party, the Audit and Governance Committee and the Officers for all the hard work that had been put into this process to date and the meeting tonight. The view of this Committee would now be fed back to the Governance Working Party on 6 January 2020.

(The meeting concluded at 7.55 pm)