

<p><b>REPORT FROM CONSTITUTION ETHICS AND PROBITY COMMITTEE</b></p> <p><b>CHANGE OF GOVERNANCE SYSTEM</b></p>
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## **1 Introduction**

- 1.1 On 22<sup>nd</sup> January 2013 Council resolved to – ‘call upon the Constitution Ethics and Probity Committee to devise alterations to the Constitution of the Council to replace the Cabinet, Cabinet Resources Committee, Business Management Overview and Scrutiny Committee and Budget and Performance Overview and Scrutiny Committee with suitable operating Committees to lead on policy, budgetary and operational matters, to further devise changes to full Council proceedings to ensure the involvement of all Members in the democratic control of the business of council...and to bring forward proposals to enable early approval of such change to commence operationally from the Annual meeting 2014.
- 1.2 This report outlines how the Committee has managed this process in order to arrive at the proposals that are before Council.

## **2 Development of the Proposals**

- 2.1 The Committee met on four occasions (8 July; 21 October; 19 December and 14 January) and the proposals were moved forward as follows:

8 July 2013 - consideration of an Outline Business Case for how this project would be managed; agreement to bring forward the timetable to report to Council in January rather than April 2014; agreement to hold a public meeting as part of the process..

21 October 2013- consideration of the survey findings of phase I consultation (see below); consideration of learning from site visits; agreement of a series of options including a set of committees with outline responsibilities for Phase II consultation

19 December 2013- consideration of final report of findings from Stage I and Stage II consultation; analysis of the current Constitution and consideration of options for how it should change to reflect the proposed new form of governance.

14 January 2013- further consideration of options including a review of the draft Constitution (Articles, Responsibility for Functions, Meeting Procedure Rules and Public participation and Access to Information Procedure Rules) and agreement of recommendations to Full Council.

- 2.2 In addition, a member Working Group was established, consisting of the Chairman, the three Group Leaders, and Councillors Shooter, Scannell and Rawlings. This met more frequently and was able to give more detailed consideration and provide Officers with a steer in developing proposals for the Committee to discuss.

### **3 Research and Consultation**

- 3.1 Desk research on those authorities that had moved to a Committee system was provided to the Member Working Group.
- 3.2 As a result the Working Group identified two authorities, London Borough of Sutton and South Gloucestershire Council, as suitable for study visits which were conducted in August and September 2013
- 3.3 Consultation was in two phases:
- 3.3.1 An initial consultation to explore views of the public on their knowledge and experience of current decision making processes and how they would like governance processes to operate and reflect their priorities. 71 responses were received to a questionnaire which was placed. The questionnaire was also sent to Citizens Panel members and generated 504 responses.
- 3.3.2 A second phase to design the new system in more detail, principally through a meeting for all members of the Council, hosted by the Mayor, on 28 October, which was attended by 24 Members from all parties; and an interactive workshop for Members of the public held on 20 November, which was attended by 22 members of the public (in addition to 9 Members)..

### **4 Summary of proposals**

- 4.1 The proposals before you as represented on the diagram at Appendix A on page 49:
- Replace Cabinet, CRC and all Overview and Scrutiny Committees (other than Health OSC which is statutory);
  - Introduce eight new committees: Policy and Resources; Performance and Contract Management; and six theme committees with responsibility for commissioning around particular themes: Education, Children, Libraries and Safeguarding; Housing; Community Leadership; Environment; Adults and Safeguarding; and Assets, Regeneration and Growth;
  - Rename Area Environment Sub-Committees as Area Sub-Committees to allow for the possibility of other functions to be delegated to a local level, and allocate a budget for each of them;
  - Establish an Urgency Committee of three members to deal with matters of genuine urgency;

- Introduce changes to public participation rules which increase the range of opportunities whilst ensuring that business is transacted accordingly;
- Amend the business of Full Council to allow for the greater volume of statutory Council business while still preserving the opportunities for motions for debate.

4.2 Annexe A notes in a table the changes to each section of the Constitution thus far for Members to consider and Annexe B attaches a revised Constitution that will come into effect from Annual Council on 2<sup>nd</sup> June 2014.

## **5 Next Steps**

- 5.1 Should Council make a resolution to move to a Committee form of governance, the Council is required to publish as soon as practicable after passing such a resolution its intention to move to a committee system together with a document setting out the provisions of the arrangements that are to have effect (i.e. the Constitution).
- 5.2 Further work would continue to refine the details of the new system, and to revise those sections of the Constitution not yet considered (Finance, Procurement, Assets and HR Regulations, Codes and Protocols, and the Members Allowances Scheme) and the Constitution, Ethics and Probity Committee will bring back any further proposals to the 8 April 2014 Council meeting.
- 5.3 The new form of governance would take effect from the Annual Meeting in 2014.

Councillor Melvin Cohen

Chairman

17 January 2014