

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Cabinet		
Date:	26 March 2012		
Title:	Review of Governance Models		
Reference:	3794		
Report From:	Chief Executive		
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1. Executive Summary

- 1.1. This report follows on from the decision of the County Council on 23 February 2012 to establish an all-party member working group, to examine the various governance models open to the County Council in light of changes available to the County Council in its governance model afforded by the Localism Act 2011.
- 1.2. Annex 1 to this report sets out outline proposals for the constitution of the all-party working group plus timelines, together with suggested terms of reference.

2. Contextual information

- 2.1. Sections 21 and 22 of the Localism Act insert a new part 1A into the Local Government Act 2000 ('the Local Government Act'), and set out revised options with respect to governance of English local authorities. By virtue of the new part 1A of the Local Government Act the County Council may choose to operate either executive arrangements, a committee system, or other governance arrangements approved by the Secretary of State. It should however be noted that whichever form of governance the County Council might finally determine on, various options exist as to how the detail of this might work in practice.

3 Commentary

- 3.1. The County Council at its meeting on 23 February 2012 considered a notice of motion submitted by Councillor Dash, suggesting that the County Council replace the current leader and cabinet executive form of governance with a committee system.

- 3.2. The notice of motion submitted by Councillor Dash was withdrawn on the basis of a proposal put forward by the Leader that the current governance arrangements continue for the remainder of the current administration, but that an all-party member working group be formed to carry out investigation of governance models available to the County Council with regard to any future administration in light of changes introduced by the Localism Act 2011. The Chief Executive was asked by the Council to take the appropriate action as to proposals with regard to how this working group might be formulated.
- 3.3. As indicated above, the resolution of the County Council was that the member working group should be all-party. Whilst not required to be proportional, due to the nature of the review it is considered that all political affiliations within the County Council should be represented on the group, and the terms of reference have been constituted on this basis.
- 3.4. As proposed by the Leader, it is considered sensible that the County Council's present system of governance continue for the course of the current administration. This allows sufficient time for the all-party working group to consider all options, and for any changes to the existing form of governance to be introduced in the next administration. If after examination of the options available, the County Council determines to make changes to its form of governance, consequential amendment to the Constitution will be required. This time scale therefore also allows for any detailed drafting to be done in conjunction with the review.

4 Recommendation(s)

- 4.1. That Cabinet approve the establishment of an all-party working group in line with the proposals set out in the Annex to this report to carry out a review of governance models available to the County Council, as outlined in this report.

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision in order to enable a review of governance models to be considered.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. n/a

2. Impact on Crime and Disorder:

2.1. n/a

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

n/a

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

n/a

REVIEW OF GOVERNANCE MODELS

TERMS OF REFERENCE FOR A REVIEW OF THE MODELS FOR THIS GOVERNANCE OF THIS COUNCIL

1. Agree the criteria against which options identified are to be assessed, to cover the following areas:
 - establish alternative models
 - costs and impact on resources
 - nature and extent of Member involvement
 - speed and effectiveness of decision making
 - evaluation of benefits
2. Develop options and assess these against the agreed criteria
3. Identify a preferred model of governance and report on this to Cabinet with a recommendation to full Council.

The working group will be able to consider internal and external evidence and to visit other Councils as required.

REVIEW OF COUNTY COUNCIL GOVERNANCE MODELS

OUTLINE PROPOSALS

1. Terms of Reference

Draft Terms of Reference attached at Appendix 1.

2. Member Working Group:

In line with the Council's resolution of 23 February 2012, an all-party working group to be convened comprising:

Conservative:	6
Liberal Democrat:	2
Community & Green:	1
Labour:	1

NB: Whilst not required to be proportional, due to the nature of the review it is felt that all political affiliations within the Council should be represented on the Group. Group Leaders to nominate their representatives.

3 Support to Member Working Group

The Working Group will be supported by the Chief Executive's Department - Legal Services, Democratic Services, and the Policy and Programme Office for policy and research support. The Lead Officer will be Barbara Beardwell, Head of Governance.

NB: Work undertaken by the Democratic Infrastructure Review during 2010/11 can be taken into account as part of the review in terms of benchmarking, costs and so on, together with work carried out on a streamlining pilot in regard to existing Executive Member decision making arrangements.

4. Timing:

4.1 Member Working Group - Workshop 1 – March/April 2012

- Agree criteria against which options are to be assessed.
 - Look at existing and emerging models at comparator Councils and the advantages/disadvantages of each. Consider any other options which might be available.
- Identify the options/models to be worked up in more detail

4.2 Member Working Group – Workshop 2 – June/July 2012 (i.e. approx 2 months after Workshop 1 to allow necessary work to be carried out)

- Consider the worked up options
- Agree a preferred option/ model to take forward to Cabinet / Council. Draft report to Cabinet to be worked up thereafter.

4.3 Member Working Group - Workshop 3 – September 2012

- Consider and agree draft report to Cabinet followed by full Council.

4.4 Member Working Group – Workshop 4 – February 2013 (i.e. after full Council Meeting)