



REPORT OF:	DIRECTOR OF HR, LEGAL & CORPORATE SERVICES
TO:	COUNCIL
ON:	22 MARCH 2018

SUBJECT: GOVERNANCE – COUNCIL MAY 2018

1. PURPOSE OF THE REPORT

Further to the report to the report to Policy Council in December 2017, for the Council to recommend and approve some aspects of the corporate governance arrangements for the Council to take effect after the elections in May 2018.

2. RECOMMENDATIONS

Council is asked:

- 1 To recommend to the Leader following the elections on 3rd May 2018, that there should be 7 Executive Members with portfolios as set out in this report, with the final decision confirmed by the Leader at the Annual meeting of the Council on 17th May 2018.
- 2 To agree the revised cycle of meetings for Overview and Scrutiny Committees as set out in this report (and referenced in the draft Year Planner also on this Agenda).
- 3 Subject to 1-2 above authorise the Director of HR, Legal & Corporate Services to update the Council Constitution to reflect these proposed new Council governance arrangements to take effect in May 2018.

3. BACKGROUND

As a consequence of the Boundary Review and the changes to wards, the numbers of councillors will be reducing from 64 to 51 in May 2018 and the wards will be reducing from 23 to 17. All 51 `new` Councillors will be elected with all current terms of office ceasing in May 2018.

In December 2017, Policy Council received a report and approved changes to the Council's governance arrangements consequent of the reduction of Wards and the new Council elections due to take place on 3rd May 2018. A number of changes were agreed by Policy Council and this report proposes further revisions to governance arrangements as envisaged and referenced in that report.

The outstanding Governance arrangements will then be the subject of a further report to Annual Council in May 2018.

This report presents recommendations for consideration which will, if adopted, require the Council's Constitution to be updated and re-published in May 2018. The Constitution being the key document setting out the governance framework of the Council.

4. GOVERNANCE

1. Executive Arrangements – Leader & Executive Board

At the meeting in December, Policy Council agreed the retention of the Leader and Executive (Board) structure.

The current Leader's term of office will end alongside other councillors in May 2018. This will then require a Leader for the Council to be appointed at the Annual Council in May 2018.

Following the appointment of the Leader at Annual Council 2018, the composition and the individual Executive Board members will be confirmed. The Board can be a maximum size of the Leader plus 9 Executive Board Members or a minimum of 2 Members including the Leader.

Given the reduction in the number of Councillors overall, the Policy Council in December 2017 recommended the Leader in May 2018 review the composition of the Executive (Board) with the new Executive Board comprising the Leader plus 8 Members with 7 Executive Members with portfolio and the Leader of the Main Opposition Group.

In recognition of this recommendation the current portfolio responsibilities have been reviewed and it is suggested that Council Forum considers recommending to the Leader in May 2018, that the current `Children's Services` and `Schools & Education` portfolios be merged, and also that Young Peoples Services transfer into the new portfolio from the current Leisure, Culture & Young People portfolio. The revised 7 Executive Members portfolios becoming therefore:

Children, Young People & Education
Environment
Health & Adult Social Care
Leisure & Culture
Neighbourhoods & Prevention
Regeneration
Resources

2. Scrutiny Committees

It was also agreed in December by the Policy Council that going forward the Council operate with 3 rather than 4 scrutiny committees, with the number of elected members on each committee remaining at 11 seats. The 3 Scrutiny Committees to broadly cover People Services, Place Services and Policy & Resources. The frequency of meetings was to be considered further, and following some assessment of the position and experience of current arrangements it is suggested the frequency be amended to quarterly meetings. This is to reflect that the membership of each Scrutiny Committee is agreed at Annual Council each May with the annual report on the work of the Scrutiny Committees being presented to the final Council Forum each year in the following March/April.

Moving to a quarterly cycle therefore presents the best opportunity to ensure the work of the Committees can be planned and undertaken effectively throughout the year and proposals in this regard are now suggested in the proposed Year Planner also attached to this Agenda.

5. CONSTITUTION POLICY IMPLICATIONS

Constitutions set out the governance framework for local authorities, which provide the foundations for any local authority that aspires to be effective, progressive and successful. With the change to the Council elected member numbers, changes are required to ensure the continued effective operation of the Council.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

The Local Government Act 2000 requires local authorities to prepare, keep up-to-date and publicise their constitution.

The Executive arrangements, as detailed in this report are a permitted form of governance under section 9B of the Local Government Act 2000 (“the Act”). Such Executive arrangements must conform with the Act (Section 9C), which states that the executive may consist of a councillor elected as leader of the executive by the authority, and two or more councillors of the authority appointed to the executive by the executive leader . Under the Act the number of members of a local authority executive may not exceed 10 and must be at least 2.

Overview & Scrutiny – under section 9F local authorities with executive arrangements must include a provision for at least one overview and scrutiny committee with powers under section 9F(2).

8. RESOURCE IMPLICATIONS

None

9. EQUALITY IMPLICATIONS

The constitution when updated reflects changes in legislation and the various resolutions passed at Council, which would be subject to an equality assessment, if required. None is required in respect of this report.

10. CONSULTATIONS

The Leader, Deputy Leader/Executive Member for Resources and the Deputy Chief Executive have previously attended meetings of the Policy & Corporate Resources Overview & Scrutiny Committee to discuss and consider the Committee’s views on the governance arrangements for the Council from May 2018. Chief Officers have also been consulted.

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Background Papers: None