

TITLE	Update on the Review of the Most Appropriate Decision Making Governance Arrangements for Wokingham
FOR CONSIDERATION BY	Standards Committee on 12 June 2013
WARD	None specific
STRATEGIC DIRECTOR	Susanne Nelson-Wehrmeyer, Director of Legal and Electoral Services

OUTCOME / BENEFITS TO THE COMMUNITY

That Wokingham has the most appropriate decision making governance system. This should provide the community with confidence that the Council has considered all the alternatives and come up with the best option in terms of achieving a balance between openness, transparency, accountability and efficiency of decision making.

RECOMMENDATION

That the update on the Review of the Most Appropriate Decision Making Governance Arrangements for Wokingham be noted.

SUMMARY OF REPORT

The report, which in its original format was considered by Council in March, provides an update of the work that has recently been undertaken by the Decision Making Review Working Party whilst carrying out the review of the most appropriate decision making governance arrangements for Wokingham. The report has been updated to reflect work that has been carried out since March and also includes an outline of the areas that the Working Party is due to look at in their future meetings.

Background

1. The Localism Act 2011 gave all Councils the right to determine what decision-making arrangements they wished to operate. Under the regulations the following models of governance are available:

- Mayor and Cabinet Executive – whereby a person is elected by residents to the office of Mayor by the electorate. This model was discounted by Council when it previously reviewed its governance arrangements in November 2010 and the Decision Making Review Working Party has also agreed that it does not wish to pursue this model;
- Leader and Cabinet Executive – whereby a Councillor is appointed as Leader by Council and the Leader then appoints and assigns portfolios to Executive Members. This is the model that was adopted in November 2010 and is currently in operation;
- Committee System – there are various ways that this system can be structured e.g. a number of committees with the power to make decisions or committees with limited power to make decisions with an overarching committee making major decisions.

2. There is also a fourth option which some Councils have adopted which is referred to as a “hybrid arrangement” which generally has Council as the ultimate decision making body with a cabinet/executive in place being delegated specific decisions. If Council were to choose this option the arrangements would need approval from the Secretary of State.

3. The Localism Act states that a change to decision making governance arrangements eg from the Executive model to a committee system can only take place at an Annual Meeting which would necessitate Council passing a resolution for such a change at the preceding Council meeting. If it was decided to make minor changes to the current Executive model then these could be actioned at any Council meeting.

Analysis of Issues

4. The following motion was agreed at the Council meeting held on 19 July 2012:

“Under the Localism Act 2011, local authorities gained the freedom to determine for themselves whether to operate an executive system, a committee system, or other agreed governance arrangements.

This Council wishes to consider what the most appropriate governance system is for Wokingham, and therefore refers this matter for investigation to the Overview and Scrutiny Management Committee to determine who manages the investigation, with a report on options for changing Wokingham’s existing governance arrangements to be received and debated at a future meeting of the full Council.”

5. The Overview and Scrutiny Management Committee considered the matter at its meeting to be held on 18 September 2012 and agreed that:

- a. A Working Party be set up to investigate the most appropriate decision making governance arrangements for Wokingham;
- b. The Working Party be made up of members of the Constitution Review Working Group plus at least two members of the Management Committee, an additional Executive Member and a member from the Independent Group; and
- c. The Terms of Reference be finalised by the Working Party.

6. The Decision Making Review Working Party (DMRWP) was established and held its first meeting on 1 October 2012, when its Terms of Reference were agreed. The DMRWP is chaired by Councillor Paul Swaddle and consists of the following Members: Councillors Prue Bray, Michael Firmager, Pauline Helliard-Symons, Pauline Jorgensen, Ken Miall, Nick Ray and Rob Stanton. The DMRWP is assisted by the following Officers: Susanne Nelson-Wehrmeyer, Director of Legal and Electoral Services; Muir Laurie Director of Business Assurance and Democratic Services; and Anne Hunter, Democratic Services Manager.

7. The DMRWP has so far held nine meetings and during these meetings it has:

- Considered a large amount of background information including:
 - Centre of Public Scrutiny (Cfps) Publications – Musical Chairs: Practical Issues for Local Authorities in Moving to a Committee System and Changing Governance Arrangements;
 - The Council's Vision Statement;
 - A list of all the current committees etc that exist within the Council;
 - The Committee Structure that existed in 1994/95; which was prior to the introduction of the Executive governance model which is now used;
- Carried out an exercise, and agreed, a set of assessment criteria by which any proposed decision making arrangements, including the current arrangements could be assessed;
- Produced two questionnaires: one of which was sent out to all Members and Officers and the other to Local Authorities who were currently undertaking, or who had undertaken, a similar review;
- Considered the 31 Member and 21 Officer responses and a response from a former Member that had been received. The DMRWP also requested that further analysis of the questionnaire responses, including the arguments for and against particular elements eg the top 3-5 strengths and weaknesses of the current arrangements and a committee system. This analysis has been received by the DMRWP and is being taken into account when considering any new decision making structures;
- Received feedback and copies of presentations from the Governance by Committees? Opportunities, Choices and Issues Seminar which was attended by Councillors Prue Bray and Rob Stanton;
- Heard the views and experiences, in relation to the current decision making structure and the committee structure, of a number of Members, including the Leader, members of the Executive and Backbench Members, and a group of Officers made up of the Chief Executive; Strategic Director of Neighbourhood Services, Director of Legal and Electoral Services and the Strategic Commissioner Communities;
- Considered other Local Authorities' responses to the questionnaires that had

- been sent out; and
- Held a workshop to develop a revised Executive decision making structure.

8. The Working Party realised very early on in the review process how complicated the subject matter was and how many different options were available when designing a decision making structure. It was therefore agreed at the meeting held on 13 December 2012 that given the amount of evidence that was still required to be collected, and the various options that required consideration in order to make the right choice for Wokingham, that it was unlikely that the review would be completed in time for proposals to be finalised and considered by Council in the 2012/13 Municipal Year.

9. The DMRWP has agreed to hold meetings at 7.30pm on the following dates:

Wednesday 12 June 2013
 Monday 24 June 2013
 Tuesday 23 July 2013

At the 12 June meeting it is proposed to develop a draft committee structure. The resultant committee structure and the revised Executive structure will then be discussed in more detail at the 24 June meeting; following which the structures will be shared with all Members for their comments.

10. It has been agreed that copies of the minutes of the meetings of the DMRWP will be e-mailed to all Members and any Member wishing to find out more about the review is welcome to attend meetings of the Working Party as an observer.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0		
Next Financial Year (Year 2)	£0		
Following Financial Year (Year 3)	£0		

Other financial information relevant to the Recommendation/Decision

There are no financial implications arising from this report.

Any financial implications arising from detailed proposals will be included in a subsequent report.

Cross-Council Implications

There are no cross-Council implications arising from this report.

Any implications arising from detailed proposals will be included in a subsequent report.

List of Background Papers
Localism Act 2011 Council's Constitution

Contact Anne Hunter	Service Governance and Democratic Services
Telephone No 0118 9746051	Email anne.hunter@wokingham.gov.uk
Date 31 May 2013	Version No. 1