

COUNCIL MEETING – 8 MARCH 2022

PROPOSALS FOR NEW GOVERNANCE ARRANGEMENTS

1.0 Purpose of Report

1.1 To update full Council on the progress made by the Governance Review Working Group and to approve the final design of the new governance arrangements for implementation in May 2022.

2.0 Background Information

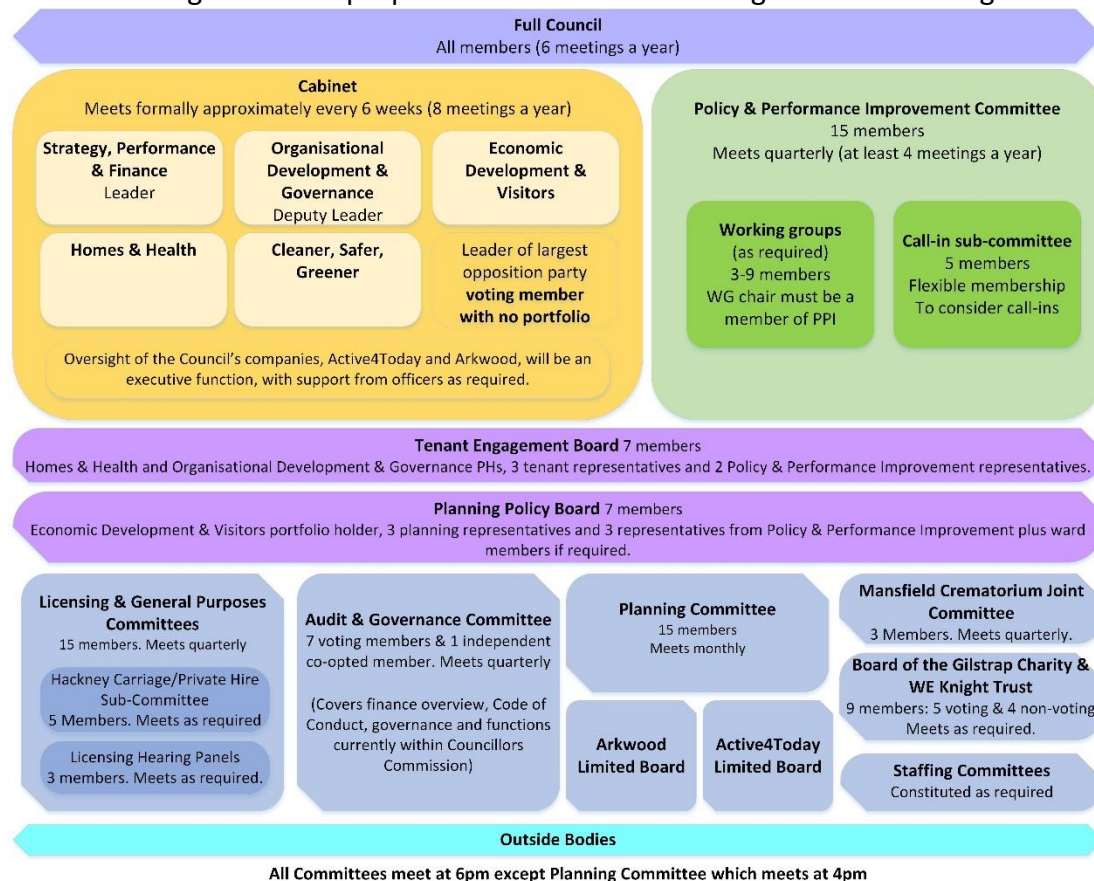
2.1 At its meeting held on 4 May 2021 full Council resolved to adopt a Leader and Cabinet style of governance, with implementation to take effect from May 2022, and appointed a small working group of Members, tasked with formulating the detail of how the new governance arrangements should operate.

2.2 The group's progress was reported to full Council on 14 December 2021. The majority of details regarding the structure for the new arrangements was approved in principle and a training budget was established. It was agreed that the working group would continue to meet as required and report back to full Council with recommended changes to the Constitution and any further refinement of the proposed governance arrangements. Refined proposals are set out in Section 3 of this report.

3.0 Proposals

3.1 Proposed Structure

Below is a diagram of the proposed structure of the new governance arrangements.



- 3.2 Members will note a minor revision since the report of December 2021. On balance, the working group reached the view that it would not be appropriate for a single shareholder committee (which the law requires to be a committee of Cabinet) to discharge shareholder responsibilities in relation to the Council's two wholly owned companies; Active4Today and Arkwood Developments. This is because the remits of the two bodies are substantially different. The possibility of establishing two shareholder committees was considered, however it was concluded that this would create an administrative burden for the Council. Instead it is proposed that Cabinet discharges the Council's shareholder responsibilities, with delegation to relevant portfolio holders as appropriate. The Constitution will however contain provision for the establishment of committees of Cabinet if required in future.
- 3.3 **The Constitution**
The draft Summary and Introduction to the Council's revised Constitution is attached at **Appendix 1**. This provides a useful overview regarding the new arrangements, for the public, Members and Council Officers.
- 3.4 A draft section of the Constitution, 'Responsibility for Functions', has now been developed for the new governance structure and this is attached for noting at **Appendix 2** (with the exception of some sections relating to existing bodies that require only minor amendment – these will be included in the May report for Full Council). The Councillors Commission and the Governance Review Working Group have reviewed the draft documents and provided initial feedback to Officers. The process of drafting and review is ongoing and the final draft will be presented to Full Council on 17 May for formal approval.
- 3.5 Also attached, at **Appendix 3**, is a draft Protocol for Decision-Making. This will be used as the basis for report/decision templates and training, to ensure transparency and accountability in decision-making, and that appropriate considerations are taken into account.
- 3.6 **Call-In Procedure**
Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited. It provides a key check and balance in the leader/cabinet system of governance. It should, however, be regarded as a measure that is only needed in exceptional circumstances.
- 3.7 Following feedback at Councillors Commission and Full Council, the draft criteria that was presented on 14 December, has been amended to include a public interest ground. The draft Call-in Procedure is attached at **Appendix 4**.
- 3.8 **Strengthening the Representative Role of Members**
As part of the review of governance, the Working Group has also considered how the Council could better support all Members in their roles as community leaders. A list of proposals was presented to Full Council on 14 December, including a proposal to create an annual Member fund with spending linked to community plan priorities. A draft Community Grant Scheme has now been developed, and is subject to a separate report later on the agenda for this meeting.

3.9 **Training**

There will be two all Member training sessions on the new governance system. The first session, to be held on 30 March, will be delivered with the support of the Local Government Association (LGA). This session will include a talk from Councillor Andrew Proctor who is an experienced LGA Peer. The second session, to be held in late April, will build on the first session by going into more detail on the specifics of the new system using case studies to show how the system will operate. This session will be led by the officer working group supporting the transition to the new governance model. Both sessions will be held in the evening, and will be recorded and available for members who are unable to attend.

3.10 There will be a series of three team development workshops facilitated by the LGA. The officer senior leadership team, Cabinet and Chair and Vice Chair of Policy and Performance Improvement will have respective sessions to build a sense of team and agree informal ways of working. These will be followed by a third session bringing these two groups together to build a single team ethos.

3.11 All staff will be informed about the new governance structure via a short instructional video and/or an interactive training tool. This will be released in the lead up to the first Cabinet meeting. Those officers who will regularly report to Portfolio Holders, Cabinet and/or Policy and Performance Improvement Committee will be able to attend a more detailed training session on the new system. There will be several sessions running in April and May delivered by officers from the governance working group. Finally, arrangements will be put in place for new officers, as part of the Council's formal staff induction.

3.12 **Next Steps**

Work will now continue to finalise the drafting of the revised Constitution, with input and guidance from the Governance Review Working Party, and the Councillors' Commission. This will include a refresh of meeting procedure rules, and consequential amendments to other sections of the Constitution. The revised Constitution will be presented to Full Council for adoption on 17 May 2022, just prior to the new governance arrangements coming into operation.

4.0 **Equalities Implications**

4.1 It is essential for the Council to consider equalities in its decision-making. The revised Constitution includes appropriate provision.

5.0 **Financial Implications (FIN21-22/8472)**

5.1 The previous report to Council on the 14th December 2021 approved a one-off budget for £5,000 in order to fund external training. As yet, minimal commitments have been made against this and are not forecast prior to 31st March 2022. Any remaining balance of this budget will be carried forward into the 2022/23 financial year to cover associated costs.

6.0 **Community Plan – Alignment to Objectives**

6.1 The Council's revised governance arrangement align with the Community Plan purpose and values – always looking to improve and innovate, and demonstrating integrity.

7.0 **RECOMMENDATION**

That Council approve the final design (structure) of the new governance arrangements as set out in the diagram at Paragraph 3.1, noting that the final version of the Council's Constitution will be presented to the Full Council on 17 May 2022 for formal approval and implementation.

Background Papers

Nil.

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