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Governance Committee

Wednesday, 14th June, 2017 at 5.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

Toni Bradnum
Peter Burgess
Philip Circus
Roger Clarke
David Coldwell

Leonard Crosbie
Matthew French
Michael Willett
Tricia Youtan

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

	Page No.
1. Election of Chairman	
2. Apologies for absence	
3. Appointment of Vice-Chairman	
4. Minutes	3 - 6
<i>To approve as correct the minutes of the meeting held on 1st March 2017 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i>	
5. Declaration of Members' Interests	
To receive any declarations of interest from Members of the Committee	
6. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	
7. Review of the changes to governance arrangements introduced in 2016	7 - 12

8. **Work Programme**

13 - 14

To note the Governance Committee's Work Programme

9. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

Governance Committee
1 MARCH 2017

Present: Councillors: Toni Bradnum, Peter Burgess, Philip Circus,
David Coldwell, Leonard Crosbie, Matthew French, Christian Mitchell,
Michael Willett and Tricia Youtan

Also Present: Councillor Nigel Jupp

1 **CHAIRMAN OF THE COMMITTEE**

RESOLVED

That Councillor Michael Willett be elected Chairman of the Committee for the current Council year.

2 **VICE-CHAIRMAN OF THE COMMITTEE**

RESOLVED

That Councillor David Coldwell be appointed Vice-Chairman of the Committee for the current Council year.

3 **DECLARATION OF MEMBERS' INTERESTS**

There were no declarations of interest.

4 **ANNOUNCEMENTS**

The Chief Executive reminded the Committee of its terms of reference, which had been approved by Council on 7th December 2016.

5 **ELECTORAL REVIEW OF HORSHAM: DRAFT RECOMMENDATIONS OF THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND (LGBCE)**

The Monitoring Officer reminded Members that the Local Government Boundary Commission for England (LGBCE) was currently undertaking an Electoral Review of the District to deliver electoral equality for voters in local elections.

In this respect, on 21st July 2016, the Council had agreed a submission to the LGBCE, proposing a Council size of 47 councillors from May 2019. On 27th September 2016 the LGBCE had advised the Council that it was commencing its consultation on proposals for a new pattern of electoral wards and that it was minded to recommend that 47 district councillors should be elected to Horsham District Council in future.

On 7th December 2016, the Council had approved a submission to the LGBCE on warding arrangements from May 2019 and in doing so agreed that the LGBCE be asked to approve a Council size of 48 councillors (an increase in one from that originally proposed).

The LGBCE had now opened its public consultation on its draft recommendations for new electoral arrangements for Horsham District Council with a closing date of 3rd April 2017. The draft recommendations were based on this Council's proposal for 48 members, as electoral equality was improved under this number. However, the LGBCE had modified the ward boundaries for Broadbridge Heath, Denne, Forest, Southwater North and Shipley & Southwater South wards from those proposed by the Council to reduce electoral variances which were close to or above 10%.

The Committee discussed proposals for a Council response to the LGBCE's draft recommendations, acknowledging that the recommendations were largely based on this Council's submission but asking the LGBCE to reconsider its proposals in respect of the boundaries between Broadbridge Heath/Denne wards and Southwater North/Shipley & Southwater South wards.

It was noted that an Extraordinary Council meeting would need to be called to enable a response to be submitted within the consultation period.

RECOMMENDED

That the following be approved as this Council's response to the LGBCE consultation on its draft recommendations:

"The Council acknowledges and welcomes that the draft recommendations of the Local Boundary Commission for England (LGBCE) on the electoral arrangements for Horsham are largely based on this Council's submission. However, the Council has two main areas of concern where it requests the LGBCE to consider amending its proposals, as follows:

(a) Horsham Town and Broadbridge Heath

The Council considers that the suggested inclusion of the Highwood area in the Broadbridge Heath ward, whilst improving electoral equality, does not reflect community identity or provide for effective and convenient local government. This area is separated from the rest of the Broadbridge Heath ward by the A24 dual carriageway (which forms a distinct boundary to the Horsham town area on its western side) and is quite clearly within the town of Horsham. The residents in this area have no obvious connection with Broadbridge Heath other than the possible use of the out of town shopping area and leisure centre, in common with many other residents of Horsham town as a whole.

Broadbridge Heath is a distinct parish area with its own community identity and a growing population due to a number of new developments

including the development of 165 residential units on land north of Old Guildford Road which was not included in the original electorate projection and is currently being implemented.

The Council therefore requests that:

- the Highwood area to the east of the A24 is included in the Denne ward proposed by the LGBCE (including the area between Horn Brook and the railway line), giving this ward an electoral variance of +7%, and
- the Broadbridge Heath ward is retained on the existing parish boundary with a projected variance of -13% on the basis that this is a distinct area with its own community identity and the additional development not included in electorate projections is likely to reduce the variance below 10% by 2022.

(b) North-west Horsham

The reasons the Council proposed the boundary between the two Southwater wards (Southwater North and Shipley & Southwater South) were twofold:

- to ensure that the village centre (Lintot Square etc.) was contained within the ward covering the larger and more densely populated part of the village (Southwater North), and
- to allow for an increase in the electorate in the Shipley & Southwater South ward above that projected due to the development of approximately 600 residential units on land west of Worthing Road, Southwater which was not included in the original electorate projection and is currently under construction.

The Council accepts the LGBCE's amendment to include the Raylands Country Park campsite in Southwater North. However, the Council requests that the dividing line it proposed within Southwater itself, which included the area between Worthing Road, Pond Farm Gill and south of Cedar Drive and Nutham Lane in the Southwater North ward, be used to define the boundary between the two wards as it is considered that the additional development in the Shipley & Southwater South ward will increase the electorate sufficiently to improve electoral equality. It is also considered that, from a community identity perspective, the village centre (which includes the parish council offices, library and shopping centre) is better located in the ward that contains the larger proportion of the Southwater parish electorate."

REASON

To encourage the LGBCE as far as possible to adopt the warding arrangements that the Council believes will be right for the authority from May 2019 to provide electoral equality whilst reflecting the interests and identities of local communities and providing for effective and convenient local government.

6 **THE CONSTITUTION OF HORSHAM DISTRICT COUNCIL**

The Monitoring Officer reminded the Committee that, under the Constitution, he had power to make minor variations to the Constitution to remove inconsistency or ambiguity; to reflect a decision of the Council or Cabinet; or as a consequence of legislative change.

Details of three minor variations currently required to the Constitution were reported.

The Committee considered that the proposed variations fell within the Monitoring Officer's remit of 'minor variations to the Constitution to remove inconsistency or ambiguity'.

RESOLVED

That the proposed variations be noted.

REASON

To give Member oversight in respect of proposed variations to the Constitution and support the Monitoring Officer in maintaining the Council Constitution.

7 **WORK PROGRAMME**

The Committee noted the indicative work programme for 2017.

8 **URGENT BUSINESS**

There were no matters of special urgency to be considered.

The meeting closed at 6.35 pm having commenced at 5.30 pm

CHAIRMAN

Report to Governance Committee

14 June 2017

By the Governance Project Manager

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

One year review of the changes to governance arrangements introduced in 2016

Executive Summary

Full Council in April 2016 unanimously resolved a range of formal and informal enabling changes to the governance arrangements operating at the Council in 2015/16. Council further resolved that a review of the effectiveness of those changes to the Council's governance arrangements in be undertaken in 2017, after one year of operation. This report proposes a method to satisfy the resolution of Council.

Recommendations

That the Committee is recommended:

- i) To agree to the review method described in part four of this report and to circulate a questionnaire to all Members on 19 June 2017.
- ii) To agree a date for the Committee to meet in August 2017 to receive a report on the results of the questionnaire.

Reasons for Recommendations

- i) To satisfy council resolution CO/96 that the changes to the governance arrangements introduced in 2016, be reviewed.

Background Papers

None.

Wards affected: All Wards.

Contact: Ben Bix, Governance Project Manager

Background Information

1 Introduction and Background

- 1.1 The Localism Act 2011 provided Local Authorities an opportunity to review their governance arrangements. It effectively provides for two permissible forms of council governance i) executive arrangements (the Cabinet and Leader model) or ii) the Committee system. Following the election of a new Council in May 2015, the Leader undertook to facilitate a review of the Council's current and future governance arrangements. The review of the Council's governance arrangements was enabled in two parts: i) a Governance Group of members and ii) three all-member seminars – the final one being to hear and discuss the report and proposals of the Governance Group. Full Council unanimously resolved a range of formal and informal enabling changes to the governance arrangements operating in 2015.
- 1.3 The Governance Group met on 12 occasions and examined how governance arrangements worked in similar councils, visited other councils, received representations from experienced officers who had worked in all arrangements and invited any Members with a particular view on governance to address the Group. The Group also examined the role of Scrutiny which was a key component of the cabinet and leader model. The seminars explained the history of council governance, possible change considerations and how other councils worked. The seminar notes were circulated to all Members.
- 1.4 Having considered the alternatives to the existing arrangements and having heard the views of Members at two seminars, the Group was generally of the view that cabinet governance arrangements should be retained but modified. This was unanimously agreed by Full Council in April 2016. The modifications would include the appointment of a single politically balanced Policy Development Advisory Group (PDAG) comprising 11 Members for each Cabinet portfolio which would meet six times a year, with the membership and timetable of meetings for each PDAG being agreed at the annual Council meeting. A further report providing certainty on 'Key Decisions' was also unanimously agreed.
- 1.5 The Council report of 27 April 2017 (CO/96 refers) described five desired effects of the changes to governance as follows:
- **Member involvement:** Clear member advisory pathway at the earliest possible stage
 - **Efficiency:** Clearer key-decision making responsibilities
 - **Accountability:** Strong Scrutiny function. Clear line of cabinet member accountability
 - **Timely decision making:** Decisions, subject to advisory stage may be taken quickly
 - **Openness:** Published agendas, member attendance, and policy development advisory group conclusions, benefitting from 'thinking space meetings
- 1.6 This report proposes that the achievement of the five effects described in 1.5 be tested by an all-member questionnaire from the Governance Committee.

2 Relevant Council policy

- 2.1 The Corporate Plan 2016/19 has a Council priority of 'Efficiency - Great value services' which has been better enabled by clear, well understood and supported governance arrangements over the past year.

3 Details

- 3.1 Full Council agreed an improved constitution in December 2016 which created the Governance Committee.
- 3.2 Officers examined the review method (if any) used by councils that had recently changed their governance arrangements. Those that conducted a review after one year of operating the changed arrangements did so by questionnaire. The questionnaire focussed solely on the changes introduced as part of a governance review.
- 3.3 A questionnaire approach is broad enough to allow all-members to participate and document their views. The Governance Committee would then receive and consider the findings.

4 Next Steps

- 4.1 Subject to the agreement of the Committee, the following steps will take place.
- a) a questionnaire (a draft of which is attached as appendix a) be enabled electronically for Members to complete
 - b) four weeks from 19 June will be allowed for Members to give their views, 2 reminders will be provided and the questionnaire will close on 14 July 2017
 - c) Officers will collate responses and present a full report of the findings to the Governance Committee.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 The Chairman of the Governance Committee (2016/17) was consulted on 31 May 2017, and agreed to the review method. The views of all members will form the consultation to be received, collated and presented to the Governance Committee.
- 5.2 Governance is a function of the Governance Committee, not the Cabinet. Therefore, the constitutional provisions relating to policy development advisory groups do not apply to this matter.

6 Other Courses of Action Considered but Rejected

- 6.1 A review must take place to satisfy the resolution of council.

7 Resource Consequences

- 7.1 The review will take place within existing resources.

8 Legal Consequences

- 8.1 Full Council resolution CO/96 requires this review to be undertaken. The improved constitution agreed by Council in 2016 created the Governance Committee, consequentially aligning the responsibility for this review to the committee.

9 Risk Assessment

- 9.1 This review of the changes to governance introduced in 2016 mitigates risk. The risk of the review taking too long, not being focussed or not concluding will be mitigated by the Chairman of the Committee with officer support.

10 Other Considerations

- 10.1 Due consideration has been given to Crime & Disorder; Human Rights; Equality & Diversity and Sustainability matters.

Quality evaluation prompts and questions

	Better since changes made?	The same as before?	Worse than before?
Member involvement	<i>Prior to 2016, the council had up to 18 ad-hoc 'advisory groups' for which agendas and notes were not consistently available. The 2016 governance review set out to deliver better member involvement through a suite of 7 PDAGs, visible to all members and with published agendas and notes. The view of the PDAG would appear on Cabinet reports. Member participation in the earliest stage of policy development was desired and good attendance would be expected from members.</i>		
As a result of the introduction of PDAGs are you better informed about business?			
Is your own participation at the groups you are appointed to			
Is the advisory function itself			
Efficiency	<i>The 2016 governance review examined all forms of governance and unanimously supported the Cabinet and Leader model as it would continue to be the most efficient and visible way to make decisions. Forthcoming decisions would appear on the Forward Plan for all members to see and key decisions would only be made by Cabinet in a public meeting.</i>		
Is the visibility and efficiency of decision making			
Accountability	<i>The 2016 governance review introduced PDAGs so that backbench members would be able to engage directly with the Cabinet Member and officers in in the development of policy. The Cabinet and Leader model provided for an Overview and Scrutiny Committee which would be strong and take on the role of holding Cabinet Members to account for their portfolio of responsibilities</i>		
Is the Overview and Scrutiny Function			
Is the accountability of decision makers (officers and Members)			
Is the accountability of cabinet members to the overview and scrutiny committee			
Timely decision making	<i>The 2016 governance review aimed to increase the awareness of when decisions would be made by strengthening the visibility and use of the forward plan. New software called Modern.gov would improve notifications of meetings and 'key decisions'.</i>		
Is the notification by email, the Modern.gov app and publication of decisions on the website			
Is the visibility (on the website and at cabinet meetings) and use of the forward plan of forthcoming decisions			
Is your understanding of 'key decisions'			

Openness	<i>The 2016 governance review aimed to increase the awareness of when decisions would be made by strengthening the visibility and use of the forward plan. A trial of software for broadcasting, recording and publishing decision making meetings took place and was been adopted. The council's meeting pages on the website have been transformed to publish attendance details, provide a much better calendar of meetings and storage of audio recordings. There is now a list of 'what's new' so that members, the public and officers benefit from greater openness and transparency</i>		
Is your use and understanding of the forward plan			
Is having Audiominutes of decision making meetings			
Is the meetings part of the council's website (including the calendar of all meetings, the 'what's new' list and your attendance)			
Is accessing documents on the Modern.gov app on your ipad			

Comments and explanation of your views

Report to Governance Committee

14th June 2017

By the Monitoring Officer

INFORMATION REPORT



**Horsham
District
Council**

Not Exempt

Indicative Work Programme 2017

	Date	Matters	Officer
1	June 2017	Appoint Chairman and Vice-Chairman of the Committee for 2017/18 Receive the report of the Monitoring Officer on the method for evaluating the effectiveness of the changes to governance introduced from May 2016 Note Governance Committee Work Programme	
2	August 2017	Receive the evaluation of the effectiveness of the changes to governance Note Governance Committee Work Programme	

Recommendations

Committee is recommended to note the work programme.

Reasons for Recommendations

To provide clarity as to the future work of the Committee as far as it is known.

Background Papers

None.

Wards affected: All.

Contact: Paul Cummins, Monitoring Officer.

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