

Report to Council

15 February 2017

By the Monitoring Officer

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Appointment of a Governance Committee

Executive Summary

On 7 December 2016 the Council resolved to create a Governance Committee. This report notes the appointment of the Chairman of the Council and the Chairman of Overview and Scrutiny Committee to the Governance Committee ex officio. The report further requires the appointment of one Cabinet Member and six other Members to the Governance Committee.

Recommendations

That the Council is recommended:

- i) **To note the appointment of the Chairman of the Council and the Chairman of the Overview and Scrutiny Committee to the Governance Committee.**
- ii) **To appoint the following Members to the Governance Committee:-**

Councillor Phillip Circus (Cabinet Member)

Councillor Bradnum

Councillor Peter Burgess

Councillor Coldwell

Councillor French

Councillor Willett

Councillor Youtan

Reasons for Recommendations

To discharge Article 8 of the Constitution of the Council, and so satisfy resolution CO/53 of the Council, 7 December 2016.

Background Papers

None

Wards affected: All Wards

Contact: Paul Cummins, Head of Legal and Democratic Services.

Background Information

1 Introduction and Background

- 1.1 The Revised Constitution for Horsham District Council was agreed by Full Council on 7 December 2016.
- 1.2 Article 8 of the constitution forms the committees of the Council for the discharge of Council functions. Paragraph 8.1 f) constitutes a Governance Committee of nine Councillors (to include the Chairman of the Council, the Chairman of the Overview and Scrutiny Committee and one Member of the Cabinet (but no more than one)).

2 Relevant Council policy

- 2.1 The Constitution of the Council compels this report.

3 Details

- 3.1 Part 3.2 of the Constitution of the Council sets out the responsibilities and functions of the Governance Committee as follows:
 - a) Receive reports of the Monitoring Officer to amend the Constitution of the Council and make any consequent recommendation to the Council.
 - b) Consider reports of the Monitoring Officer about governance, the Council's structure and procedures consequent to Article 13, clause 13.2 of the Constitution.
 - c) Community Governance Reviews.
 - d) Electoral Reviews.

4 Next Steps

- 4.1 Consequent to the appointment of Members, the Governance Committee shall form to elect its Chairman at its first meeting. Officers will present an indicative work programme to the meeting, which will include receiving the Electoral Review proposal from the Local Government Boundary Commission for England, and officers will consult on the frequency of meetings required with the Committee.
- 4.2 Resolution CO/53 (iv) of the Council on 7 December requires that the Governance Committee undertakes a review of the effectiveness of the governance arrangements agreed by Council on 27 April 2016, after one year of operation (and therefore after Annual Council 2017).

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

- 5.1 The formation of a committee of the council is not a cabinet function and the constitutional provisions relating to policy development advisory groups are consequentially not applicable.

6 Other Courses of Action Considered but Rejected

- 6.1 The resolution of Council CO/53 and Article 8 of the Constitution require the appointment of a Governance Committee, and therefore no other course of action may be considered.

7 Resource Consequences

- 7.1 The changes to the advisory function introduced in April 2016 were met from existing staff resources, however, the suite of 42 policy development advisory group meetings per year has proven demanding on staff resources. The Committee proposed in this report will absorb the resource allocation for the dissolved Personnel Committee of at least 4 meetings per year.
- 7.2 The terms of reference will require the dedicated support, guidance and advice of the Monitoring Officer and his staff.

8 Legal Consequences

- 8.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 set out the functions that the council is responsible for. Section 102 of the Local Government Act 1972 provides for the Council to create committees to discharge any functions.

9 Risk Assessment

- 9.1 The Corporate Risk Register details risk *CRR13 – Governance: Source: decisions are not always based on data: Event: wrong decision made*. This is materially relevant to governance and decision making insofar as mitigation to that risk would be that the Council and the Monitoring Officer would be well-advised by a Committee on the matters within its terms of reference.

10 Other Considerations

- 10.1 The requirements Openness of Public Bodies Regulations 2014 are better discharged by such ongoing improvement to governance arrangements, along with the increase in the number of meetings set out in 7.1 above.