

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
MONITORING OFFICER	AUDIT AND STANDARDS	28 JULY 2016	4
GOVERNANCE REVIEW			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The Council changed governance systems in May 2015, following a public referendum in 2014, from a leader and cabinet to a committee system. Throughout the transition process discussions were held with a cross party Governance Working Group that had been established to frame the new governance system, and at each stage, the outcome of the Governance Working Group's work was put before Council. It was always the intention that the new governance arrangements would be reviewed after the first year of operation and this review was embarked upon earlier in the year.

At the end of three cycles of meetings feedback and views had been sought from councillors and officers regarding the operation of the current arrangements. These are summarised in the attached document at Appendix 2.

During May 2016, the council engaged in a voluntary Peer Review Challenge which was undertaken by a team of local government professionals, both members and officers, on behalf of the Local Government Association. The new governance arrangements were examined as part of the review and it was recommended that in reviewing its governance arrangements, the Council could draw upon best practice from other local authorities who have made similar governance changes. It was proposed that the council could engage with the Institute of Local Government Studies at Birmingham University, the leading experts in governance. John Cade from the University has been involved in working with a number of Councils (including Great Yarmouth, Norfolk, Cambridgeshire and Peterborough) at various stages in their initial consideration and/or review of Committee governance arrangements as well as convening seminars on the topic at the University, and it is suggested that Mr Cade is invited to visit the council to discuss the new arrangements with officers and members, to gauge opinions, draw on his experiences elsewhere and present a short report for consideration thereafter. This will add an external independent perspective to the governance review at Fylde and ensure that any proposed changes to the committee arrangements at Fylde are appropriate to Fylde and will lead to improvement.

A report including Mr Cade's findings will be brought before this committee with any recommended amendments to the governance arrangements for this committee to consider putting to Full Council. Members are reminded, it is the remit of this committee to review constitutional arrangements, and to make any recommendations to the council, who has the ultimate responsibility for endorsing any changes proposed.

RECOMMENDATIONS

1. To invite John Cade from the Institute of Local Government Studies, University of Birmingham, to engage further with members and officers regarding the new governance arrangements and present a summary of his findings and any recommendations to this Committee for consideration
2. That the changes recommended as a result of the council's own internal review be considered in parallel with the report from the University of Birmingham
3. That any recommendations made by the committee with respect to any amendments to the governance system then be presented to the council for its consideration in due course.

SUMMARY OF PREVIOUS DECISIONS

The Council's governance system changed in May 2015. The new constitution, to reflect these changes was approved by Council in April 2015.

Feedback and initial recommendations from the cross party Governance Working Group was approved by Council in December 2014.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	√

REPORT

1. In accordance with an undertaking to review the new governance arrangements after a period of six months, a survey was sent to councillors and a request for feedback and comments was sent out to officers in January 2016.
2. There have been a number of practical suggestions and these are attached in a summary document. Since the council undertook its own review, the Local Government Association, through the Peer Review Challenge undertaken in May of this year, proposed that in reviewing governance arrangements, the council could draw upon national best practice, and the experiences, of other local authorities who have made a similar change.
3. It was proposed that the council could engage independent external support through the Institute of Local Government Studies at Birmingham University ("INLOGOV"). INLOGOV is the leading UK centre for the study of local public service management, policy and governance, and has worked within local government and the public sector for over 40 years. The objective of INLOGOV is to increase the democratic governance of local communities, working with politicians, managers, communities and partner organisations to enhance practice through academic insight¹.

¹ INLOGOV website at www.birmingham.ac.uk/schools/government-society/departments/local-government-studies/about/index.aspx

4. Officers have discussed the possibility of INLOGOV working with Fylde with John Cade, who is an honorary lecturer at INLOGOV. Mr Cade has extensive experience as a local government officer before becoming associated with INLOGOV, and works to address issues around governance arrangements with a particular focus on relationships and developing trust. He has been involved in working with a number of Councils (including Great Yarmouth, Norfolk, Cambridgeshire and Peterborough) at various stages in their initial consideration and/or review of Committee governance arrangements as well as convening seminars on the topic at the University; and it is suggested that he is invited to visit the council to discuss the new arrangements with officers and members, to gauge opinions, and drawing upon his experiences from elsewhere, present a short report for consideration thereafter.
5. Mr Cade focuses on advising on governance arrangements that are appropriate to the culture of the local authority. His approach is to understand the expectations, capabilities and behaviours of the council to ensure that any recommended changes lead to improvement in the decision making process by being consistent with the culture of the Authority.
6. Mr Cade has indicated his interest, and willingness, in conducting this piece of work on behalf of the council.

Finance	No direct implications
Legal	Whilst the Council can make adjustments to its governance system, there is no provision for it to return to a Leader and Cabinet model at this time. In developing a committee system, it is within the gift of the Council for it to establish arrangements as it considers appropriate.
Community Safety	No direct implications
Human Rights and Equalities	No direct implications
Sustainability and Environmental Impact	No direct implications
Health & Safety and Risk Management	Increasing the number of committees and/or the number of meetings would present a risk to the Council in having the appropriate resources to facilitate such a change in governance

Tracy Morrison	01253 658521	23 June 2016	

Name of document	Date	Where available for inspection
Document name		Council office or web address

Attached documents

1. Comments with commentary from the Monitoring Officer
2. Comments from the governance review

Appendix 1

comment/suggestion(s)	Breakdown of comments	Comment from Monitoring Officer	Recommendation
Constitution is silent on which committee is responsible for land charges and building control, suggest that it should be added to Operational Management committee's remit.	The constitution needs to be clear which committee has responsibility for this council function	Add the following wording to the constitution under the remit of the Operational Management Committee; "Considering reports, reviewing and formulating where necessary policies relating to building control and land charges"	Recommend that Council approve this addition
There should not be a need for a drawdown report where funds for a specific project are already in the Council's approved capital programme	There is currently a requirement for a drawdown report to be taken to the relevant committee prior to a project starting despite the project being in the Council's approved capital programme	The current practice can cause delays to the start of projects as officers are required to wait for committee approval.	To avoid delays, the removal of the requirement for a drawdown report to be taken to committee prior to spending. This would apply only for previously approved capital schemes up to the value of £100k. A subsequent report setting out how the money was spent would be reported to the relevant committee. Drawdown reports for more complex and costly schemes, over £100k in value, would still require the sign-off of elected members through the appropriate committee
There were a number of respondents who offered comments regarding public speaking seeking review of public speaking, commenting on confusion regarding pre-registering, the need to tighten the scope for public platform, and the need to draw all	To draw all public speaking rules together in one place in the Constitution. To make the rules/guidelines clearer for the public. To tighten the scope of public platform to just items on the	To re-draft the public speaking rules	To present to members, in the first instance the Audit and Standards Committee, for consideration

public speaking together in the constitution	agenda.		
Change the name of the Development Management Committee to the Planning Committee	This would more adequately reflect the mix of agenda items the DM Committee considers.	To support this suggestion	To change the name of Development Management Committee to Planning Committee
Dissatisfaction/confusion regarding the depth and breadth of committees' remit	A number of respondents have raised issues which point to gaps in knowledge or understanding of the constitution	As the new system is bedding in knowledge can take time to acquire and embed. It is clear that clarification of the committees' remits needs to be addressed	To combine into the members learning hour into Standing Orders relating to meetings, an overview of the Terms of Reference of the Council's Committees and what this means in practical terms in terms of the range of issues discussed. This has already been facilitated through learning hour held in June 2016.

Governance Review comments

Introduction of the information items allows for committee specific information to be disseminated, where previously it was all in one report to one committee. The new way is more transparent and the committee is focussing on the issues which relate to its own remit.

The use of information items is inappropriate and should be reframed as for discussion or debate at committee, or provided to members by email.

I have a feeling of being involved in the governance process and having a say in decision making

Not a substantive break from the leader and cabinet arrangements.

There is still a reluctance amongst some members to accept the autonomy and decision making authority of committees.

One committee is overriding the decisions of other committees.

Too many significant policy options and proposals are being developed by the Leader and an associated group of single party councillors. The benefit of the committee system is being squandered.

I understood that each committee would be making its own decisions and have its own budget. This has not happened.

Use of working parties to circumvent political balance.

All committees are fully operational performing their statutory duties effectively.

Committee system involves all councillors in decision making and all views are listened to.

Notion of leader should be ditched.

Tasks such as policy development need to be assigned to committees.

Moves should be made to make every councillor feel involved in decision making.