

<b>Council</b>	
<b>Meeting Date</b>	23 February 2022
<b>Report Title</b>	<b>Change of governance model: Outline of new committee structure</b>
<b>Cabinet Member</b>	Cllr Baldock – Deputy Leader (Cabinet Member for Constitutional Reform)
<b>SMT Lead</b>	David Clifford – Head of Policy, Governance and Customer Services (Monitoring Officer)
<b>Head of Service</b>	
<b>Lead Officer</b>	
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	Council is asked to: 1. <b>Agree</b> the outline of the future governance model as described in the report.

## 1 Purpose of Report and Executive Summary

- 1.1 This report updates council on the work of the cross-party group overseeing the review of the constitution, and asks council to agree an outline committee structure. The report does not ask council to agree constitutional wording at this stage, but having a clear steer from council on the number and functions of service committees will enable the working group to continue the detailed work of updating the text of the constitution for adoption by council next month.

## 2 Background

- 2.1 Council voted unanimously in October to move to a committee system of governance from the 2022/23 municipal year. At the same meeting, council requested the cross-party working group which had been established to consider this governance change to continue its work in overseeing the detail of the new governance model. The working group comprises Cllrs Baldock (chairman), Bonney, Darby, Ingleton, Martin, Simmons, Truelove and Valentine.
- 2.2 By way of a reminder, the establishment of the committee system will only affect decisions which are currently taken by cabinet. These decisions will in future be taken by politically-balanced service committees. The governance change will not affect the council's existing committees, such as planning committee or audit committee, although the rewrite of the constitution can of course be an opportunity to review the working of those committees where members believe it is expedient to do so.

- 2.3 The working group has generated and considered a range of different options for the number of service committees which will replace cabinet, as well as reviewing options for the committees' remits, how they should operate, and the number of members who should serve on them.
- 2.4 Because the service committees will be decision-making bodies which will not generally receive reports for information only, the group reviewed the decisions made by cabinet over the past two years in order to ascertain which portfolios had given rise to the largest number of formal decisions. This information was factored into subsequent discussions concerning the split of functions across committees.
- 2.5 Given that the service committees are the element around which the rest of the constitution will need to be updated, council is asked at this stage to agree the outline of how these committees will work, prior to its adoption of the actual text of the relevant parts of the constitution next month.

### **3 Proposals**

- 3.1 There was a wide range of initial views within the working group concerning the most appropriate number of service committees, but the debate has gradually coalesced around a five-committee structure, including a policy and resources committee which would be responsible for adopting those policies and strategies not reserved to full council, based on proposals from the other committees, as well as for proposing the budget and strategic policy framework to full council. The expectation would be that the non-executive council leader would chair the policy and resources committee.
- 3.2 In addition to its coordinating role, the policy and resources committee would exercise responsibility for 'corporate' functions and services, with the remaining functions and services split between four further service committees with the following broad areas of responsibility, which will be defined in detail in the final version of the new constitution:
- Community;
  - Environment;
  - Housing and health;
  - Regeneration and property.
- 3.3 All five of these service committees would have a politically-balanced membership of 15 councillors each, and would be expected to meet at approximately eight-week intervals.
- 3.4 The working group has discussed options for the current local plan panel which, as an executive panel, will be unable to continue in its current format. Because of the restrictions on membership which would result from the panel being a subcommittee of a service committee, the proposal is for a politically-balanced stand-alone committee which would make recommendations to the policy and

resources committee, where relevant for onward recommendation to full council, and which would have a smaller membership than the main service committees.

- 3.5 Council is now **recommended** to agree this outline of the new governance model in order that the detail of the service committees' functions and procedures can be worked up and brought to council along with the consequential amends to the constitution next month.

## 4 Alternative Options

- 4.1 Having made the decision to move to a committee system of governance, the council needs to put in place service committees to take on the work of the current executive. However, there is a good deal of flexibility in terms of the number and remit of these committees, so there is a range of potential alternative options. Council agreed in October that the cross-party working group should be the body to develop proposals for the detailed working of the new system, and the outline model described in this report reflects the group's considered preference.

## 5 Consultation Undertaken or Proposed

- 5.1 In addition to the cross-party member working group, an officer group has also been established to work on the introduction of the new system, and that group has been consulted on the content of this report. The council fulfilled its legal obligation shortly after the October decision to move to a committee system to bring that decision to the attention of the public by means of a newspaper notice.

## 6 Implications

Issue	Implications
Corporate Plan	This decision contributes to the council's fourth corporate plan priority, to 'renew local democracy and make the council fit for the future'.
Financial, Resource and Property	No implications identified at this stage. In the new model, the policy and resources committee will propose an annual budget to council in the way that cabinet does now, and once adopted all service committees will spend within the confines of that budget, again as cabinet does now.
Legal, Statutory and Procurement	The council has engaged a consultant corporate governance solicitor to assist with the redrafting of the constitution, and he is comfortable that all elements of the outline structure proposed in this report can be delivered in a legally robust constitution.
Crime and Disorder	No implications identified at this stage. Crime and disorder matters would fall under the remit of the community committee in the outline structure proposed here.

Environment and Climate/Ecological Emergency	No implications identified at this stage. Environmental, climate and ecological matters would fall under the remit of the environment committee in the outline structure proposed here.
Health and Wellbeing	No implications identified at this stage. Health and wellbeing matters would fall under the remit of the housing and health committee in the outline structure proposed here.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified at this stage. Safeguarding matters would fall under the remit of the housing and health committee in the outline structure proposed here.
Risk Management and Health and Safety	No implications identified at this stage.
Equality and Diversity	No implications identified at this stage.
Privacy and Data Protection	No implications identified at this stage.

## 7 Appendices

7.1 There are no appendices.

## 8 Background Papers

8.1 Council report from October 2021 regarding the decision to make a formal change to the council's governance model:  
<https://services.swale.gov.uk/meetings/documents/s21029/Council%202021-10-16%20re%20governance%20model%20change%20v0-3.pdf>