

Forest Heath District Council

(This report is not a key decision. This report has been subject to appropriate notice of publication under the Council's Access to Information Rules)

Report of the Cabinet Member for Resources, Governance and Performance

CABINET

6 NOVEMBER 2012

CAB12/042

REVIEW OF CONSTITUTION AND GOVERNANCE ARRANGEMENTS (Key Decision Reference: NOV12/10)

1. Summary and reasons for recommendation(s)

- 1.1 This report provides the opportunity for Cabinet to comment on and inform the review of the Leader and Cabinet model of governance required by Council to be undertaken 6 months after its introduction.
- 1.2 The recommendation is made so that Cabinet can formulate any views for inclusion in the report of the review to Council in December 2012

2. Recommendation(s)

2.1 It is recommended that:-

2.1.2 That Cabinet note the outcome of the review.

2.1.3 That Cabinet indicate any views that it has for inclusion in the report to Council on 12 December 2012.

Contact Details

Name

Title

Telephone

E mail

Portfolio Holder

Councillor Stephen Edwards
Portfolio Holder for Resources
Governance and Performance
01638 719000
stephen.edwards@forest-
heath.gov.uk

Lead Officer

Peter Heard
Legal Services Manager
01638 719309
peter.heard@forest-
heath.gov.uk

3. How will the recommendations help us meet our strategic priorities?

- 3.1 The review will assist in achieving good governance and meeting the priority for an efficient Council.

4. Key issues

- 4.1 Following the adoption of the Leader and Cabinet Model at Forest Heath District Council in May 2012, it was resolved to undertake a review of the new governance arrangements after six months. Cabinet agreed in September that this work should be undertaken alongside the ongoing governance review to align the constitutions of both authorities by May 2013.
- 4.2 The review has focused on the practicalities of the new arrangements, how things were bedding in for Members and officers and what amendments/adjustments could be implemented to improve the arrangements. The review included consultation with a range of Members and officers on how the new governance arrangements were working so far. All Members were invited to comment and feedback was received from 12 Members (including all Cabinet Members) together with a selection of Heads of Service and Service Managers.
- 4.3 The results of this consultation have been incorporated into an Overview of Key Issues, the main points of which, arising from Member Comments, are set out in the Appendix attached.
- 4.4 Further issues of detail were also raised by officers. Some of these are addressed in changes to the Constitution. Others will be a part of the further review in May next year which will see more work toward alignment across both Forest Heath and St Edmundsbury. In particular please note the amendment to the definition of a Key Decision so that it relates to a spending of over £25k if *not* specifically mentioned within the approved Revenue Budget or Capital Programme.
- 4.5 It is also proposed that the requirement to video record all Council and Committee meetings is removed to allow greater flexibility in meetings, both with regard to the layout and the location. In terms of layout this will enable changes to layout without the need to ensure the reprogramming of video equipment. The ability where appropriate to hold committees in other venues will also help Community Engagement. It is suggested that the Protocol be changed to state that meetings will normally be recorded but this may be amended with the agreement of the Chairman where appropriate.
- 4.6 The Constitution has also been updated as required to meet the changes made in respect of individual matters where there has been agreement by Council over the last 6 months and to reflect responses to specific concerns raised during the review process.
- 4.7 This has been considered by Joint Leadership Team before this meeting and a detailed list of suggested amendments to the constitution as well as any other necessary actions, updated as necessary, will be considered by Council on 12 December. Those issues that cannot be resolved by December will be incorporated into the 12 month review due to be considered in May 2013.

5. Other options considered

5.1 No other options have been considered.

6. Community Impact

6.1 **Crime and disorder impact** (including Section 17 of the Crime and Disorder Act 1998)

6.1.1 None.

6.2 **Diversity and equality impact** (including the findings of the Equality Impact Assessment)

6.2.1 None.

6.3 **Sustainability impact** (including completing a Sustainability Impact Assessment)

6.3.1 None.

6.4 **Other impact** (any other impacts affecting this report)

6.4.1 None.

7. Consultation (what consultation has been undertaken and what were the outcomes?)

7.1 The consultation undertaken is set out at Paragraph 4.3 above.

8. Financial and resource implications (including asset management implications)

8.1 None.

9. Risk/opportunity assessment (potential hazards or opportunities affecting corporate, service or project objectives)

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Poor Governance	Medium	Implement results of review	Low
Constitution unfit for purpose	Medium	Implement agreed changes	Low

10. Legal and policy implications

10.1 None.

11. Ward(s) affected

11.1 All wards are affected.

12. Background papers

12.1 None.

13. **Documents attached**

- 13.1 Appendix - Review of governance and decision making framework at Forest Heath - Overview of Key Issues