

WIRRAL COUNCIL

COUNCIL

1 MARCH 2012

SUBJECT:	CHANGING GOVERNANCE ARRANGEMENTS – PROPOSAL TO RETURN TO THE COMMITTEE SYSTEM
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The Local Government Act 2000 required all local authorities with a population of 85,000 or more, including Wirral, to change their governance arrangements from a committee system to ‘executive arrangements’. The Act allowed three options for executive arrangements: a council leader and cabinet model; a mayor and cabinet model; and a mayor and council manager model. Wirral opted for the leader and cabinet model.
- 1.2 The Local Government and Public Involvement in Health Act 2007 required borough councils operating executive arrangements to change to one of two models of governance: either a strong leader and cabinet model; or a directly elected mayor and cabinet model. The Council had to consult local residents and other interested parties on the two options. Then, after public consultation and by 31 December 2010, the Council passed a resolution to change to a new form of executive arrangements. Consequently, in May 2011 Wirral moved to a strong leader and cabinet governance model.
- 1.3 The Localism Act 2011 received Royal Assent on 15 November 2011. It provides greater choice as to the form of governance that councils may adopt. In particular, the Localism Act allows Wirral the option of adopting a committee system of governance.
- 1.4 Reintroducing a committee system will involve all Member decisions being made by committees made up of councillors from all parties to reflect the political balance of the authority.

2.0 BACKGROUND

- 2.1 Prior to 2000, decisions in Wirral, in line with all other English local authorities, were taken by committees. These committees were governed by the Local Government Act 1972 and had power delegated to them directly from the Council. They also generally had power to arrange for the discharge of their functions through sub-committees or officers. They were required to be politically proportionate. This means that seats on committees and sub-committees had to be allocated to each political group in the

same proportion to the number of seats held by each of those groups on the Full Council.

- 2.2 The Local Government Act 2000 gave effect to the then Government's plans to change the way that local authorities made decisions. The central feature of the new system was a division between Council functions and executive functions. In general terms, the Council set the Budget and approved the authority's Policy Framework. The Council, through traditional, proportionate committees, also had responsibility for regulatory functions (planning and licensing); audit and risk management; and standards. The Executive (or Cabinet at Wirral), would make executive decisions, provided these were in accordance with the Policy Framework and not contrary to the Budget approved by Council. Non-executive elected members would scrutinise those decisions at proportionate Scrutiny committees. The 2000 Act also required councils to set up standards committees, to ensure high standards of conduct, and created the Standards Board for England.
- 2.3 The stated aim of separating the roles of executive and non-executive elected Members was to improve efficiency, transparency and accountability. The Government gave large local authorities like Wirral three alternative decision-making models: a directly-elected mayor and cabinet model; a leader and cabinet model; or a directly elected mayor and council manager model. Where Councils held a referendum to adopt an elected mayor and the referendum result was not in favour of a mayoral system, authorities could adopt 'alternative arrangements' as a fall back position. It was under this fall back rule that Brighton and Hove City Council, uniquely for a unitary authority with over 85,000 residents, continued to operate an 'enhanced committee system' until forced to move to executive arrangements in 2011. Brighton and Hove City Council is responsible for a similar wide range of functions to Wirral and is in the advanced stages of reverting to a committee model of governance, with effect from May 2012.
- 2.4 In response to the Local Government Act 2000, Wirral changed its governance arrangements from a committee system to a 'leader and cabinet' executive model.
- 2.5 The Local Government and Public Involvement in Health Act 2007 required councils with over 85,000 residents to adopt one of only two models of executive arrangements: either a strong leader and cabinet model; or a directly elected mayor and cabinet model. The Council had to consult local residents and other interested parties on the two options. Then, after public consultation and by 31 December 2010, the Council passed a resolution to change to a new form of executive arrangements. Consequently, in May 2011 Wirral moved to a strong leader and cabinet governance model.
- 2.6 The Localism and Decentralisation Bill, published in December 2010, offered the prospect for the Council to return to the committee system; and Members followed the Bill's passage through Parliament with growing interest. The Bill became the Localism Act 2011, which received Royal Assent on 15 November 2011. It provides greater choice as to the form of governance that councils may adopt. In particular, the Localism Act allows Wirral the option of adopting a committee system of governance. This report sets out the options and timescales available for changing the Council's governance arrangements.

3.0 WIRRAL COUNCIL'S ASPIRATIONS AND PREPARATIONS FOR A RETURN TO THE COMMITTEE SYSTEM

3.1 The Council, at its meeting on 14 February 2011, considered a Notice of Motion entitled 'Democratic Reform and Localism'. Council resolved:

'That

- (1) Council welcomes the measures in the Localism and Decentralisation Bill, published on 13th December 2010 that will:
 - Involve people more closely in the workings of their communities
 - Diversify the way services are provided
 - Reduce the interference of central government in local and community matters
- (2) Council particularly welcomes the amendment of Pt 2 of the Local Government Act 2000, giving the flexibility for local authorities to propose their own preferred governance structures.
- (3) Council notes that the partnership agreement between the Conservative and Liberal Democrat Groups commits the current administration to consideration of how a committee system might be re-introduced and to enhancing the role of all elected members of the Council and seeking mechanisms that will allow the delegation of significant amounts of executive authority to members.
- (4) Council also notes the commitment of the current Conservative and Liberal Democrat administration to embedding processes which engage the public in the Council's decision making.
- (5) Council further notes the establishment and work of the Council's Localism Commission under the leadership of Councillor Kelly, preparing the way for a substantial devolution of functions and budgets to local neighbourhoods.
- (6) Council believes that steps should be taken now to prepare for a move towards a modernised committee structure, creating a more democratic council with the opportunity for all Councillors to be involved in making real decisions on matters that affect their residents, and being held accountable for them.
- (7) Therefore, in anticipation of the Localism Bill being given Royal Assent, Council instructs the Director of Law HR and Asset Management to immediately begin holding and facilitating discussions between the three party leaders to develop a new governance model for Wirral, within existing resources, to be ready to come into operation at the earliest opportunity within the 2011/12 municipal year once the relevant legislation is in place.'

(Minute No. 89 refers.) This was carried by 41 votes to 22.

3.2 The Council, at its meeting on 17 October 2011, resolved:

'That

Council further asks, in line with the Notice of Motion previously passed by all parties, and in line with pending legislation, that an all party working party comprising two members of each party be set up to seek to achieve consensus on the most appropriate form of democracy within the Council, taking into account the strengths and weaknesses both of the old Committee system and the current Cabinet system, and of any legislation and subsequent regulations as these become known.

Council asks that any new system meeting all party approval be prepared ready for adoption at the Council's AGM, in May 2012 or as soon thereafter that the enactment of the Localism Bill and any subsequent regulations allow.

Council recognises that this is a separate issue from the need to strengthen Corporate Governance in the Council, but believes that a successful outcome would, none the less, contribute to a less antagonistic and more co-operative form of politics, building on the individual strengths of each member.'

(Minute No. 51 refers.) This was carried by 37 votes to 26.

- 3.3 At the Budget Cabinet meeting held on 20 February 2012, when proposing the Council's 2012/13 Budget, the Leader of the Council stated that:

"We will ensure our business is conducted in the most transparent manner possible involving as many Council Members as possible. We today instruct the Director of Law, HR and Asset Management to bring forward at the earliest possible opportunity a report detailing how this Council will return to the Committee System to ensure that decision making rests in the hands of the many not the few."

(Minute No. 137 refers.)

4.0 THE LOCALISM ACT 2011

- 4.1 The Localism Act includes provisions to enable councils to choose to revert to a committee system at their annual meeting. The Act specifies that, in order to change from a cabinet system to a committee system, local authorities must:

- pass a resolution to change their governance arrangements;
- as soon as practicable after passing the resolution, make the provisions of the new arrangements available for inspection; and
- publish in one or more newspapers circulating in the area, a notice which describes the features of the new system and timescales for implementation.

- 4.2 Having passed a resolution and complied with the publicity requirements above, authorities are required to cease operating their old form of governance arrangements and start operating their new arrangements. This must take place “at the relevant change time” which, in the case of a move from a cabinet system to a committee system, is defined as:
- (a) the first annual meeting of the local authority to be held after the resolution to make the change in governance arrangements is passed; or
 - (b) a later annual meeting of the local authority specified in that resolution.
- 4.3 This means that the range of governance models available to Wirral Council now includes that of a committee system. If a majority of elected Members wish the Council may legally introduce a committee model of governance at the Annual Council meeting on 14 May 2012, or at a later Annual Council meeting.
- 4.4 The Localism Act also specifies that if a council passes a resolution to change its governance arrangements, it may not pass another resolution to change from one form of governance to another (e.g. from a committee system back to a leader and cabinet model of governance) for five years, unless a referendum is held on the issue and a majority of those electors voting support the proposed change.

Permitted forms of Governance under the Act

- 4.5 Under the Act, the governance models available to councils in terms of decision making structures are:
- (a) A leader and cabinet executive;
 - (b) A mayor and cabinet executive;
 - (c) A committee system; and
 - (d) Other arrangements approved by the Secretary of State.
- 4.6 The Secretary of State has power to approve alternative forms of governance arrangements on request from local authorities. However, this power is conditional upon the Secretary of State being satisfied that the alternative form of governance proposed would: (a) be an improvement on the current arrangements; (b) ensure efficient, transparent and accountable decision making; and (c) be appropriate for all local authorities, or a particular type of local authority. Obtaining the Secretary of State’s approval to an alternative form of governance, specifically for Wirral, would be likely to involve many months’ work.

Overview and Scrutiny

- 4.7 The Act is clear that a local authority with committee based governance arrangements may appoint one or more overview and scrutiny committee or committees. However, there are specific legal requirements to review and scrutinise the following areas:
- Flood risk management functions;

- Health (including scrutinising the work of the Cheshire and Wirral Partnership NHS Trust, which provides mental health services, learning disability services and drug and alcohol services across the whole of Cheshire and Wirral. This work is carried out by a joint committee); and
- Crime and disorder.

Accordingly, under a committee model of governance there will still need to be at least one scrutiny committee.

- 4.8 The Government shortly plans to lay in Parliament regulations defining the operation of overview and scrutiny in committee system authorities. The Centre for Public Scrutiny expects that these will be, for all intents and purposes, identical for the provisions on overview and scrutiny for 'leader and cabinet' authorities. In addition, the Localism Act has increased the powers of scrutiny committees to include powers to scrutinise partners.
- 4.9 Based on the above indications from Government and the Council's previous arrangements, officers expect that in any new committee system there will be a retained element of the current overview and scrutiny system. Under a committee system this might be streamlined, perhaps focussing on the above statutory scrutiny functions and task and finish scrutiny reviews and/or policy development reviews in response to referrals from service committees. However, the indications referred to in the preceding paragraph suggest that it may be difficult to achieve a reduction in the number of overview and scrutiny committees (and overview and scrutiny meetings). This will make it very difficult to support a committee model of governance within the existing resources of Committee Services.

Standards

- 4.10 The Localism Act requires authorities to promote and maintain high standards of conduct by Members and co-opted members of the authority. This includes a requirement to adopt a code of conduct. This code must be consistent with 'Nolan Principles' of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The code is also required to cover the disclosure of pecuniary and non pecuniary interests.
- 4.11 Local authorities are required to have in place arrangements under which allegations of breaches of the code of conduct can be investigated and decisions on allegations are made. These arrangements must include the appointment of at least one 'independent person'. The Localism Act has been drafted in such a way that no such 'independent person' may have been a member or co-opted member of the authority in the last five years. This precludes all the current Independent members of the Council's present Standards Committee from undertaking this role. Whether this outcome was actually intended by parliament or is merely the result of poor parliamentary draughtsmanship is not clear.
- 4.12 The Localism Act provides for the abolition of Standards for England. Accordingly, councils are to be required to deal with their investigations and decisions internally.

4.13 Members will be very aware of recent criticisms of the Council's corporate governance arrangements. Accordingly, it is recommended that if Members are minded to move to a new, committee system of governance the opportunity is taken to adopt a new Constitution which embraces best practice in relation to corporate governance, including standards. The Standards Committee has set up a Working Party on 1 march to consider the Council's response to the changed regime under the Localism Act.

5.0 DEMOCRACY WORKING PARTY

5.1 As a result of this Council's resolutions (reported in Section 3 of this report), a Democracy Working Party has been established with the following terms of reference:

'To achieve consensus on the most appropriate decision making structure within the Council, taking into account the strengths and weaknesses both of the old Committee system and the current Cabinet system, and of any legislation and subsequent regulations as these become known.

To agree key principles and values to become part of the new decision making structure; and

To report back with recommendations to the Cabinet and the Council.'

5.2 The Democracy Working Party has already met five times and is making good progress.

Meeting Date	Items of business that were considered by the Democracy Working Party
15 Nov 2011	The Working Party agreed its Terms of Reference. It received an update on the Localism Bill 2011. It agreed its Work Programme.
1 Dec 2011	The Working Party received a report on the Localism Act 2011 and considered in detail the Council's previous Committee Structure.
10 Jan 2012	The Working Party agreed a number of values to be used as a framework against which to measure any proposals. It also gave detailed consideration to the strengths and weaknesses of the strong leader and cabinet and committee system governance arrangements.
18 Jan 2012	The Working Party drew up a list of questions for a Survey on Governance Arrangements which it conducted. Questionnaires were sent to all Members and the Executive Team with a tight deadline for responses.

9 Feb 2012	<p>The Working Party considered the findings of the Survey on Governance Arrangements. There was a 79% response rate.</p> <p>It also considered Corporate Governance Key Line of Enquiry 6 – Committee Services referrals on:</p> <ul style="list-style-type: none"> • the timing and duration of Council and Committee Meetings; • Number of Reports being presented to Meetings; and • The rules of debate (which it deferred to its next meeting.) <p>It discussed Brighton and Hove City Council's proposed return to a Committee System and its arrangements to bring this about, including the timetable that could allow new governance arrangements to commence from its Annual Council meeting in May 2012.</p>
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- 5.3 The Working Party, as part of its work, has already carried out a survey of all Members of the Council and the Executive Team. The clear outcome of this survey is that, in principle, the model of governance most preferred is a Committee System.
- 5.4 Consequently, officers, at the request of the Working Party, have made contact with officers at Brighton and Hove City Council. Officers are discussing Brighton and Hove's Constitutional Change Work Programme with a view to sharing its best practice and providing a discussion paper, as soon as practically possible, which will be discussed at the Working Party's next meeting, scheduled for 14 March 2012.
- 5.5 The discussion paper will set out a proposed outline of a Committee System for Wirral, along with a rigid timeline to move to the new style of governance. An initial view or basic model will be put forward by officers and the values put forward by the Democracy Working Party and agreed by the three Political Groups, must be reflected therein. This paper will also include exactly what has to be done and what must be put in place if a Committee System is to be the model of governance in use in Wirral from the beginning of the 2012/13 Municipal Year.
- 5.6 The Head of Democratic Services at Brighton and Hove City Council, Mark Wall, has kindly agreed to visit Wirral on 14 March 2012. He will spend the full day at Wallasey Town Hall meeting with Members and officers. He will discuss his Council's proposed new governance arrangements and share his Council's views as to best practice. Mr Wall will also attend the Democracy Working Party meeting at 4pm to make a presentation on what a move back to the Committee System involves and the timetable required etc. Mr Wall has also agreed to provide Members with an overview of Brighton and Hove's new Constitution and a copy of the Constitution in its entirety.

6.0 PROPOSALS FOR DEVELOPING A NEW CONSTITUTION

- 6.1 If the Council instructs officers to proceed with Constitutional change, the timeline for approval could be as follows:

Constitutional Change Work Programme		
Meeting/activity	Date	Purpose
Council	1 March 2012	<p>Resolution that, in principle, the Council is minded to move to a Committee System with effect from the Annual Meeting in May 2012.</p> <p>Authorisation to officers to undertake and commission the necessary preparatory work for preparing a new Constitution, including codes and protocols.</p>
Democracy Working Party	14 March 2012 and other meeting dates to be agreed	<p>Update following 1 March 2012 Council meeting and information on future process.</p> <p>Share Brighton and Hove City Council's best practice, including its new Constitution.</p> <p>Agreement of timetable and process to be followed.</p> <p>Input into arrangements and the drafting of the Constitution which will be recommended for adoption to the Council, after consultation with Group Leaders.</p> <p>Consideration of draft Constitution, including the following:</p> <ul style="list-style-type: none"> • Articles of the Constitution; • Responsibility for Functions; • Overview and Scrutiny; • Standards; • Codes and Protocols; and • Rules of procedure. • Independent Remuneration Panel – proposed Scheme of Members' Allowances. • Consider any outstanding issues and any final recommendations to Council.
Council	16 April 2012 (or a later Special Council meeting)	Formal resolution under the Localism Act 2012 that the Council adopt a committee model of governance with effect from the Annual Meeting in May 2012.

		Publication of proposals, as required by the Localism Act. Place a notice in local newspapers which describes the features of the new system and timescales for implementation.
Annual Council	14 May 2012	The Council allocates committee places in line with the proportions of the political groups as represented on the authority following the May 2012 Local Government Election.

- 6.2 This is a very challenging timetable. It will require a significant time commitment from both Members and officers if this challenge is to be met successfully. It is proposed that the Democracy Working Party, liaising with the political Groups, continues to meet for the purpose of moving this initiative forward within the timescale indicated. The Working Party will consider the emerging new Constitution and ensure the Council is in a position to introduce its new governance arrangements from the Annual Council meeting in May 2012.
- 6.3 A possible committee structure is attached at Appendix 1. Members' views are sought as to whether they are satisfied that this should form the initial outline structure for a new Constitution to support a Committee model of governance; and inform a review of members' Allowances by the Independent Remuneration Panel (see below).

7.0 ADOPTING A COMMITTEE SYSTEM – ISSUES TO CONSIDER

- 7.1 The decision as to whether or not to return to a committee system is a decision for the Council. The Council has in the past indicated its support for such a move. In considering the arrangements further, there are a number of potential issues that Members need to consider:

- **Restrictions on future changes to other governance models.** Once a resolution is passed to change the Council's model of governance, there are restrictions on making further changes within five years. The Council will not be able to change from a committee system to a leader and cabinet system; a mayoral system; or a system approved by the Secretary of State, for five years unless a referendum is held. However, it is possible to review and amend the new governance system at any time, without the need for a referendum, provided the overall model of decision making (a committee system) is retained.
- **Resources.** External legal advice will be required to deliver a new constitution in such a tight timescale. Officers are obtaining estimates for the cost of this work, but it is likely to run into tens of thousands of pounds. In addition, there will be ongoing costs to support a committee system. These may be higher than those of supporting an executive system, depending on the number of committees, the frequency of their meetings and the level of officer delegation. There will also be a need for considerable officer and Member time to be spent in preparing for and implementing a new system of governance.

- **Timing.** If the Council agrees to move to a committee system from the Annual Council meeting in May 2012, this will mean that there is very little time to design a new system. It will effectively require the Council to purchase a constitution from external solicitors, or to adopt a system very similar to that of a Council who is further ahead than Wirral, in terms of implementation. In practice, this latter option is likely to be Brighton and Hove City Council. However, as indicated above, the Council can make revisions to the details of a committee model of governance at a later stage.
- **Preparing the organisation.** Operating under a committee system is a very different model of decision making compared with executive arrangements. Decisions are taken at all-party committees and this will require the organisation to review how it engages with and supports Members. New arrangements will need to be implemented which adequately support Members to operate effectively under the committee system. This will need to happen very quickly to meet a May 2012 timetable.
- **The wishes of Members.** On the other hand, as evidenced by previous resolutions, there appears to be considerable Member support to changing the governance arrangements to a committee system.

Members' Allowances

- 7.2 Operating under a committee system will mean that the Independent Remuneration Panel (IRP) will need to review the new arrangements and make proposals for changes to Members Allowances. The role of chair of a committee is significantly different to that of a Cabinet Member. Based on the Council's previous committee arrangements, it is possible that there will be more decision making meetings taking place, but possibly with more chairs as compared to the number of Cabinet Members. This means the IRP would be likely to propose changes to the current allowances scheme to align with roles and responsibilities under a committee system. However, it is worth noting that there is a requirement to review the Scheme of Members' Allowances after four years, which is in 2012. The IRP did meet during 2011, but in the light of this it considered that only essential changes should be made prior to the full review taking place this year.
- 7.3 If the Council resolves, in principle, that it is minded to change its governance arrangements, and there is a degree of consensus on the number of and remit of committees, it is suggested that, the IRP should commence a review with a view to progressing its work and reporting to the same meeting of Council that adopts the new arrangements, if at all possible.

Calendar of Meetings

- 7.4 It is recommended that the Director of Law, HR and Asset Management be instructed to prepare and circulate to Members a draft alternative Calendar of meetings based on the indicative committee structure as set out in Appendix 1 to this report. It is proposed to follow the existing pattern of meetings for Regulatory committees, principal committees to meet five times a year as an initial arrangement.

8.0 RELEVANT RISKS

- 8.1 Risks and opportunities relating to any change to decision making arrangements will be considered and planned for using the council's approved risk management methodology. A risk register will be drafted immediately to guide the implementation.

9.0 OTHER OPTIONS CONSIDERED

- 9.1 If the Council decides not to revert to a Committee System it can continue with its current governance arrangements, the Strong Leader and Cabinet model. Alternatively, Members may wish to consider the option of a hybrid arrangement, as permitted under the Localism Act, subject to Secretary of State approval. As indicated, this model would not be likely to be in place for May 2012.

10.0 CONSULTATION

- 10.1 A Member/Chief Officer survey has already been carried out with a 79% return rate. The findings were that 70% of those who responded to the survey said they would prefer the Council to have a Committee model of governance.
- 10.2 As the proposals for new decision-making arrangements are developed, the relationship of the Committees with the Local Strategic Partnership and other partnerships will need to be considered and addressed.
- 10.3 The Localism Act does not require the Council to consult with local people on a proposal to move to a different form of governance. However, as indicated, once a council changes its form of governance, it may not do so again within five years without the endorsement of a referendum.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 11.1 None

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 12.1 The Council's new Constitution will need to be drafted without delay. This work is urgent as the Democracy Working Party and the political groups will need to be consulted on the new Constitution during early April 2012, prior to it being formally adopted by the Council at its Meeting on 16 April 2012 (or a later Special Council meeting in April 2012).
- 12.2 There is limited officer capacity available to expedite the work required on the new Constitution. Officers in Legal and Member Services will be required to undertake significant amounts of work on the forthcoming local government election and imminent round of school appeals (which must be heard within 30 school days of being lodged). Accordingly, enquiries are being made with private sector solicitors to support the preparation of a new Constitution.

12.3 There will be costs associated with the work that must be carried out by the IRP to produce a new Scheme of Members' Allowances. The Chair of the Panel is the only Panel Member who will receive payment for the work, but all Panel Members will receive payment for out-of-pocket expenses. The total cost of convening the Panel is expected to be in the region of £3000.

12.4 Based upon previous arrangements, servicing a committee system may require an increase on democratic support because of the increase in the number of meetings that is likely. This may be offset by changes to overview and scrutiny arrangements but that will depend on the model of overview and scrutiny that is adopted. In addition printing costs are also likely to increase.

13.0 LEGAL IMPLICATIONS

13.1 These are incorporated into the body of the report.

14.0 EQUALITIES IMPLICATIONS

14.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No.

15.0 CARBON REDUCTION IMPLICATIONS

15.1 There are implications associated with any increase in meetings as a result of new governance arrangements e.g. heating, lighting, extra journeys made by Members' attending more meetings at the Town Hall. There may be an increase in the number of agendas printed, paper, ink and electricity used.

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 None.

17.0 RECOMMENDATIONS: It is recommended that:

17.1 The Council resolves that it is minded, in principle, to change its governance arrangements from that of a Leader and Cabinet model to a committee system with effect from the Annual Council meeting in May 2012; and based initially on the indicative committee structure set out in Appendix 1 to this report.

17.2 The Director of Law, HR and Asset Management be instructed to prepare and/or commission the preparation of a new Constitution for the Council to enable the authority to move to a committee model of governance with effect from the Annual Council meeting in May 2012; with the costs of any external legal advice to be met from Balances.

17.3 The Director of Law, HR and Asset Management be instructed to bring the proposals for a new Constitution to the Democracy Working Party for urgent consideration and then refer them to the Council in April 2012 for consideration and, if appropriate, approval.

- 17.4 The Director of Law, HR and Asset Management be instructed to arrange for Members and officers to receive appropriate, briefings and training in preparation for a move to a committee model of governance in May 2012.
- 17.5 The Director of Law, HR and Asset Management be instructed to prepare and circulate to members a draft alternative Calendar of meetings based on the indicative committee structure as set out in Appendix 1 to this report.
- 17.6 The Director of Law, HR and Asset Management be instructed to convene the Independent Remuneration Panel to review the new arrangements and make proposals to Council for changes to Members' Allowances. This review shall be based initially on the indicative committee structure as set out in Appendix 1 to this report; with the costs of the review to be met from Balances.

18.0 REASON/S FOR RECOMMENDATION/S

- 18.1 To ensure that all necessary work is in hand so that the Council has arrangements in place and a new Constitution if it resolves to return to a Committee System model of governance at its Meeting 16 April 2012.

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APPENDICES

Appendix 1 - A possible committee structure for Wirral Council.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	14 February 2011
Council	17 October 2011
Budget Cabinet	20 March 2012
Democracy Working Party	15 November and 1 December 2011, 10 and 18 January, and 9 February 2012