

STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

26th September 2019

REPORT TITLE:	GOVERNANCE REVIEW
REPORT OF:	GOVERNANCE REVIEW WORKING GROUP

REPORT SUMMARY

The Annual Meeting of Council charged the Committee ‘to conduct a review of the governance arrangements of the Council, with the objective to produce, in September 2019, an interim report on options and preferred outline for further consideration’.

The Committee established a Governance Review Working Group, which has met over the summer and, with the assistance of the Local Government Association (LGA), conducted interviews and hosted an all Member workshop. The findings of the Working Group, and its implications, are now presented by way of this report.

RECOMMENDATION/S

That the Committee is recommended:

(1) To recommend to full Council that:

- a) the Council moves from leader and cabinet executive arrangements to a committee system form of governance arrangements to take effect from Annual Council 2020.; and**
- b) the Standards and Constitutional Oversight Committee accordingly prepare a draft revised Constitution to propose to the Council meeting of 16th March 2020.**

(2) To task the Governance Review Working Group to:

- a) consider possible structures for a committee system of governance;**
- b) undertake due consultation but giving preference to a streamlined style of arrangements; and**
- c) oversee the drafting of revised standing orders, delegations and procedures by the Director of Governance and Assurance, with a view to producing an operational Constitution for the 2020/21 municipal year in draft form for consideration in February 2020.**

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 The Governance Review Working Group considered that the recommended move to a streamlined committee system form of governance best met their objectives for governance arrangements of:

- **Accountability** – responsibilities and accountability should be clear, within the Council and to residents;
- **Credibility** – governance should assist good decision making, which involved proper and early scrutiny;
- **Transparency** – the decision making process should be open and transparent to Members and to the public;
- **Collaboration** - decision making should be collaborative across parties and less combative;
- **Timeliness** – decision making should be both quick and effective and, when necessary, allow for urgent decision making.

1.2 The recommendation, if adopted, sets in train a number of pieces of work to be completed to allow for the change of form of governance within the desired timeframe.

2.0 OTHER OPTIONS CONSIDERED

2.1 Varying alternative governance arrangements were considered by the Working Group. This included a particular emphasis on a more inclusive and open version of a leader and cabinet form of executive arrangements, as well as ‘hybrid’ and other forms of governance arrangements.

- These other governance options were rejected as it was felt that they would not achieve the objectives to the same high degree or as conclusively as a streamlined committee system.

2.2 To delay the implementation date of the change of governance form to the Annual Meeting of 2021 was considered so as to allow for more time to draw up a satisfactory working structure.

- The Working Group were satisfied, however, that any advantages were more than outweighed by the view that such a delay would be counter-productive and that a workable revised Constitution could be produced in the given time period.

2.3 To make a recommendation to Council to move to a committee system form of governance, but as a statement of intent only in October and to

leave the final decision to the Council meeting of March 2020. This would be so that:

- the resulting draft constitutional structures and procedures could be presented and assessed by Council; and
- in addition to consultation on how proposals drawn up for the design of the committee system might best engage with the public and partners, consultation could also (or instead) take place on the direct question of whether to change of governance form from leader and cabinet executive to committee system,

before the final decision is made. This might be achieved by adding the phrase "*subject to a confirmatory vote at the Council meeting of 16th March 2020*" to the end of recommendation 1a. above.

- This is not currently included as views of the Working Group and Members were felt to be sufficiently informed and clear, so that the introduction of a two stage process would most likely prove unnecessary and potentially unhelpful.

3.0 BACKGROUND INFORMATION

3.1 The Annual meeting of Council on 14th May 2019 resolved to:

"charge the Standards and Constitutional Oversight Committee to conduct a review of the governance arrangements of the Council, with the objective to produce, in September 2019, an interim report on options and preferred outline for further consideration."

3.2 The resulting report to the Committee's meeting of June 2019 set out the headline considerations and advice concerning a change to the form of governance arrangements of the Council. This included a summary of the various arguments both for and against the forms of governance available to the Council.

3.3 Further to the Committee's decision to establish the Governance Review Working Group, the Group has met on several occasions. In addition to their meetings, the Working Group were assisted by a series of interviews conducted by Mr Andrew Campbell OB of the Local Government Association and by an all-Member workshop hosted by the Working Group and facilitated by Mr Campbell and officers.

3.4 The workshop was presented with the Group's initial findings in favouring two options, one a more open and inclusive version of the Council's current executive arrangements and the other a streamlined version of a committee system. The slides as presented are attached as **Appendix A** to this report.

3.5 The Governance Review Working Group has considered the outcome of the workshop, together with its own findings, and the Chair's report is attached as **Appendix B** to this report.

4.0 NEXT STEPS

- 4.1 Should the recommendation be accepted by the Committee and Council, there then follows a process of formal notification. The legislation provides that, as soon as practicable after the Council has passed a resolution to change the form of its governance arrangements, it must:-
- a. Secure that copies of the document setting out the provisions that are to have effect following the resolution are available at its principal office for inspection by members of the public.
 - b. Publish in one or more newspaper circulating in its area, a notice which:-
 - (i) states that the authority has resolved to make a change in its governance arrangements;
 - (ii) states the date which the change is to have effect;
 - (iii) describes the main features of the change;
 - (iv) states that copies of the document setting out the provisions of the arrangements which are to have effect following the resolution are available at the authority's principal office for inspection by members of the public; and
 - (v) specifies the address of the authority's principal office.
- 4.2 The legislation provides that the earliest date by which a change in governance form may be implemented is from the following Annual Meeting, in this case for the municipal year beginning in May 2020.
- 4.3 The passing of such a resolution to move to a committee system will require early consideration to be given to designing a new Committee structure and to then incorporate that structure into a revised Constitution to run from the implementation date. It is suggested that the Committee, via the Governance Review Working Group, might approach this task in the following sequential order:-
- (i) To determine the overall structure of a new Committee system and, in particular, how that may operate as an effective but inclusive 'streamlined' model, separating strategic and executive overview from operational decision making and policy development.
 - (ii) Subject to the decisions at (i) above, determine what functions should be reserved to full Council, how much responsibility should be concentrated in the 'executive' committee and should the operational committees' structure be based on existing officer directorates, functional areas or strategic priorities?
 - (iii) Address whether the Council wishes to retain a split in respect of regulatory functions?

- (iv) Address whether or not the Council wishes to retain dedicated separate committees for Human Resources, Planning (for development control), Regulatory and General Purposes, Audit & Risk Management (accounts) and Standards & Constitutional Oversight [Nb A separate Licensing Committee will need to be retained as this is established through separate legislation other than the 1972 Act.]
 - (v) Consider the size of Committees and impact on political balance.
 - (vi) Determine whether the Council will retain Overview & Scrutiny arrangements, be that a comprehensive function or just for external partners and call-in, or not
- 4.4 It is further suggested that the above issues be considered before moving onto other matters, which will include:-
- (i) Review of the Officer Scheme of Delegation
 - (ii) A review of the detailed content of the constitution, including Council Standing Orders, Procedure Rules, etc. This will include a range of detailed issues including precise roles and remits of Committees, do we wish to retain a reservation system to Council etc.
- 4.5 Should the Council decide to retain a comprehensive style of scrutiny, or in designing the overview and scrutiny function into the remit of committees, regard should be had to the overview and scrutiny review undertaken, also the subject of an instruction from the full Council meeting of May 2019. It should be noted that this is the subject to a separate report on the agenda of this Committee's meeting.

5.0 ENGAGEMENT / CONSULTATION

- 5.1 The current recommendation was subject to an all-Member workshop and discussion with and amongst the political groups. It is envisaged that a similar process would occur during the next phase of development.
- 5.2 Whilst there is no a legislative requirement to consult on the proposed changes, only that a notice of the change is to be published as described at paragraph 4.1 above, the Council's Constitution at Article 15.3(ii) states:

“Change from a Leader and Cabinet form of Executive to alternative arrangements

- The Council must take reasonable steps to consult with local electors and other interested parties in the area when drawing up proposals.”

Consideration must therefore be given as to what form and with whom consultation will take place on the committee system proposals as they are drawn up.

6.0 LEGAL IMPLICATIONS

- 6.1 The ability for the Council to change from one of the permissible forms of governance arrangements of a local authority to another is provided for by Chapter 4 of the Local Government Act 2000 (as amended by the Localism Act 2011). Section 9KC of the Act straightforwardly states that a “resolution of a local authority” (a simple majority) is required in order for the council to make such a change in governance arrangements.
- 6.2 It should be noted, however, that a local authority may not then pass another resolution that makes a change from one to another of the permissible forms of governance arrangements ‘before the end of the period of 5 years’ beginning with the date the first resolution is passed, unless that change is by way of referendum.
- 6.3 A resolution passed by the Authority to change from one of the permissible forms of governance arrangements to another will then be implemented only during-
- (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.

7.0 FINANCIAL IMPLICATIONS

- 7.1 There are direct costs associated with making the change from one system to another. The Centre for Public Scrutiny (CfPS) have reported that the Government has estimated that the costs of moving from one system to another can range from £70,000 to £250,000. The CfPS believes this estimate is rather high, as do the Council’s officers, and consider a more accurate figure to be somewhat lower.
- 7.2 These costs are associated more with the act of making the change, such as redrafting the constitution, making changes to rules of procedure and financial systems, project delivery and impact on forward work programmes as well as training and briefing costs for officers and Members.
- 7.3 Some of the cost activities will be required to be resourced externally. This will be to a greater or lesser extent dependent upon the alternative calls on the time and particular skills of the officer cadre and the resulting mix of external resources required to either provide direct services to the project or elsewhere to backfill opportunity cost or required functions for the Council. The pace of change will likewise have a bearing on the eventual costs. For example, a procurement exercise for legal support has begun in preparation, but this is hoped to be largely formed of proofing and indirect support.
- 7.4 Members’ Allowances will require a full review and a separate report is being prepared on this matter.

8.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 8.1 There are significant implications for the Council in changing its decision making structure to a new form of governance. There will be an initial orientation, briefing and training impact that will reduce as the change in governance arrangements becomes embedded.
- 8.2 Project planning resource will be called upon to assist in preparation and for delivery of the drafting process and changes.
- 8.3 Across the Council, the change to potentially different ways of working and briefing with Members will require greater and different input from officers. The extent of these resource implications in the longer term will vary dependent on the number, frequency and timing of meetings (for example, daytime meetings are less resource intensive and have a lesser staffing impact than evening meetings).
- 8.4 Democratic Services will directly be affected over the longer term and other authorities that have moved to a committee system have reported that an increase in staffing is required. Again, such matters as retention of a separate overview and scrutiny system or not and the number and frequency of meetings will have a direct bearing on this and so costs cannot be estimated at this time.

9.0 RELEVANT RISKS

- 9.1 A change in the form of arrangements will represent a key and integral element of the Council's overall organisational vision and also of how it interacts with other stakeholders. That process of change will raise a number of associated internal and external risks to be identified and managed as part of the development process and implementation.
- 9.2 A key risk to the objectives of the recommendation is that a change to the form of governance arrangements fails to bring with it the desired change in culture.

10.0 EQUALITY IMPLICATIONS

- 10.1 There are no identified equality impact implications directly associated with the proposals set out in this report.

11.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 11.1 None.

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APPENDICES

- Appendix A** Presentation slides to the Member workshop
Appendix B Governance Review Working Group Chair's report

BACKGROUND PAPERS / REFERENCE MATERIAL

- 1) Notes arising from meetings of the Governance Review Working Group
 - 2) Report of Mr A. Campbell OB, LGA Consultant, to the Governance Review Working Group
 - 3) Notes arising from the all Member workshop
- A paper produced jointly by the Local Government Association and by the Centre for Public Scrutiny, "*Rethinking governance - Practical steps for councils considering changes to their governance arrangements*" can be found at: www.cfps.org.uk/wp-content/uploads/Rethinking-Governance.pdf.

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Appendix A

*Governance
Working Group*

ALL MEMBER WORKSHOP

4th September 2019


 **WIRRAL**

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Annual meeting of Council on 14th May 2019

That the Standards and Constitutional Oversight Committee is charged:

“to conduct a review of the governance arrangements of the Council, with the objective to produce, in September 2019, an interim report on options and preferred outline for further consideration.”


Wirral Council Governance 4th September 2019  **WIRRAL**

Slide 3

Forms of governance available

A. Executive arrangements: directly elected mayor and cabinet;
B. Executive arrangements: leader and cabinet;
C. Committee system; or
D. Prescribed arrangements (of which there are none)

- A resolution passed that will change the Council’s form of governance from one of these to another takes effect from Annual Council
- Once resolved, a vote to change again cannot be taken for **five years**
- Changing arrangements within the confines of each form of governance can be done at any time

Wirral Council Governance 4th September 2019  **WIRRAL**

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QUESTIONS to be answered:

1. What outcomes do you want?
2. What's wrong with the system you have now that means that doesn't happen?
3. Is it the Council's culture or is it the form of governance that led to this?
4. What are the options?
5. What form of governance do you prefer
6. Depending on choice(s), what do you need to think of next?

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Timetable

- To date:
 - Resolution from Annual Council
 - Standards & Constitutional Oversight Committee report & debate
 - Working Group established & Workshop held
 - LGA consultant, Andrew Campbell discussion with individuals
- Workshop today
- Working Group recommendations for:
 - 26th September Standards & CO Committee;
 - For 14th October Council meeting & vote

With any changes to be adopted for May 2020 Council

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The answers so far

The views of the Working Group to date

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1. What outcomes do you want?

- **Accountability** – responsibilities and accountability should be clear, within the Council and to residents;
- **Credibility** – governance should assist good decision making, which involved proper and early scrutiny;
- **Transparency** – the decision making process should be more open and transparent to Members and to the public;
- **Collaborative** - decision making should be more collaborative across parties and less combative;
- **Timely** – decision making should be both quick and effective and, when necessary, allow for urgent decision making.

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2. What's wrong with the system you have now that means that doesn't happen?

- The majority of Members feel excluded from decision making with no opportunity to influence decisions when or before they are made (lack of inclusion);
- Options are closed down in discussion between a narrow group of Members and options that might have been of interest to Members of the Council from other parties are ruled out before sufficient evaluation (lack of engagement); and
- Too many important decisions were delegated to individual Executive Members to make rather than Cabinet (lack of transparency).

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3. Is it culture or is it the form of governance?

- The Working Group recognised that efforts had been made since May to respond to the criticisms, including:
 - Informal meetings with Group Leaders;
 - Policy Advisory Group around a cabinet portfolio holder, particularly for the Local Plan;
 - Workshop briefings on key topics and projects;
 - Greater early engagement and shared horizon scanning; and
 - Chairs of Overview and Scrutiny held by opposition
- But feelings were expressed that:
 - more could be done;
 - things might revert to previous problems under a Cabinet without a change of governance form; and also
 - the underlying culture might not change for the better under either system without further work.

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4. What are the options?

- The Working Group ruled out:
 - a directly elected mayor for Wirral; and
 - prescribed arrangements.
- Looked at variations of executive arrangements and a committee system
 - of which there are many,
 - including 'hybrid' forms
- Looked at the the advantages and disadvantages of each and how these might be mitigated in each form.


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4(a) What are the options? – Leader & Cabinet executive arrangements

- The Leader says WHO can make an executive decision
 - Leader or other individual cabinet member
 - Cabinet or committee of cabinet
 - Area committee
 - An officer
- Council can say HOW that decision is to be made
 - The Executive arrangements (Leader & Cabinet); and
- Council can form overview and scrutiny arrangements in a way that best suits it


There is a wide range of governance arrangements within the executive form

Wirral Council Governance 4th September 2019 

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Leader & Cabinet executive arrangements *common arguments for and criticisms against*

+ efficient decision making and delivery and thus speed of reaction to changing circumstances or requirements in a business like way;	– power and knowledge concentrated in too few hands;
+ clear lines of responsibility and transparency;	– under-utilised and disempowered councillors beyond Leader and Cabinet;
+ clear leadership of the Council;	– lack of political proportionality or sufficient cross-party decision working;
+ clear separation between decision makers and those holding to account; and	– lack of transparency and decisions taken 'behind closed doors'.
+ easier partnership working.	

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4(b) What are the options? – Committee System

- The Council and committees says who and how it can make a decision, being:
 - Council;
 - Committee or sub- committee; or
 - an officer
- subject to rules about decision-making (proportionality, publication and evidence*) from law and standing orders
*e.g., Members' notices of motions for debate at Council resolve to 'believe' and 'feel' or 'recommend' as now
- Council can adopt an overview and scrutiny function or not

There is also a wide range of governance arrangements within the committee form

Wirral Council Governance 4th September 2019 **WIRRAL**

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Committee system *common arguments for and criticisms against*

<ul style="list-style-type: none"> + all Members have the opportunity to be directly involved in decision making; + decisions are made through politically balanced Committees; + the resulting greater cross-party debate leads to better decision making and consideration of all alternatives; + all decisions are made in a public meeting (unless exempt). 	<ul style="list-style-type: none"> – opaque decision-making with early application of the 'whip' interfering with accountability, considering all options and deliberations only after listening to all evidence and genuine debate; – no individual responsibility and accountability and the role of a Leader is less clear; – Committees lead to silo working and poor external engagement; – much higher costs in officer support and administration; and – slow decision making and the resulting requirement for officer decision making at a higher level.
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Forms of governance: Options for governance arrangements within each form

Executive of governance

Strong 'mayoral' individual decisions

Aligned 'hybrid' cabinet

Streamlined 'hybrid' committee

Traditional committees and council ratification of decisions

Committee form of governance

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Example 'hybrid' governance arrangements compared

<u>STRATEGIC DECISION MAKING</u>	<u>DECISION DEVELOPMENT AND REVIEW</u>	<u>REGULATORY</u>
CABINET	OVERVIEW AND SCRUTINY COMMITTEES	REGULATORY
Cabinet portfolios align to officer directorates or clear cross-cutting outcomes Limited or no single member decisions Decisions made on recommendation wherever possible.	Overview and Scrutiny Committees to mirror officer directorates (or Cabinet portfolios) to: (i) influence and shape service delivery. (ii) make recommendations to cabinet (iii) scrutiny and review (including external partnerships, health, etc). Separate Scrutiny Committee for Call-ins	Employment Planning (decisions) Licensing* General Purposes Standards & Constitutional Audit
POLICY & RESOURCES COMMITTEE	OPERATIONAL COMMITTEES	<u>REGULATORY ?</u>
Committee member portfolios align to officer directorates or clear cross-cutting outcomes No single member decisions and reflects political balance Decisions made on recommendation wherever possible by the P&R 'executive' style committee	The 'operational committees' mirroring officer directorates (or clear cross-cutting outcomes) to: (i) influence and shape service delivery. (ii) make recommendations to P&R Committee but also make decisions in limited areas (iii) scrutiny and review functions (including external partnerships, health, etc).	Employment (P&R Sub-Committee) Planning Licensing* General Purposes Standards & Constitutional Audit

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5. What form of governance do you prefer?

- The Working Group has considered the various options, advantages/disadvantages and mitigations and **narrowed the options for further consideration to two**
- These are for discussion tonight
- It is hoped that the Standards and Constitutional Oversight Committee will opt for one preferred form of governance to put to Council on 14th October
 - leaving time for development and implementation at next May's annual meeting if a change is agreed

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(A) More open Leader and Cabinet arrangements

Retaining Leader and Cabinet executive arrangements - but only with new constitutional rules to increase engagement and openness of decision making, including:

- exchanges cross-party and by ward members within meetings;
- improved policy framework by full Council;
- inclusion of policy development groups and/or formal advisory committees; and
- consider no individual Member decisions or, if so, make no such decisions made in private.

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Example of Open Executive Governance

Leader and Cabinet

“The Leader with the Cabinet Members comprises the Executive, meeting in public to make decisions...”

Policy Advisory Committees

“Each Committee is able to consider and make recommendations on the functions of the Council that are the responsibility of the Cabinet Member(s) for matters within the Committees remit. They also consider and either endorse or make recommendations on statutory Key and significant decisions to be taken by the Cabinet Members either collectively or individually.” [15-19]

Policy Development/Advisory Group

Cross-party Members, chaired by the Cabinet Member and meeting as a working group, to be briefed and to develop policy proposals to put to a Policy Advisory Committee or the Cabinet that are the responsibility of the Cabinet Member under their portfolio. [5-9]

Overview and Scrutiny

“The Scrutiny Committee(s) investigates issues affecting the Council and residents and makes recommendations to support the improvement of council services.” [10-16]

Select Committees

“The Scrutiny Committee investigates issues affecting the Council and residents and makes recommendations to support the improvement of council services.” [4-9]

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(B) Streamlined Committee system

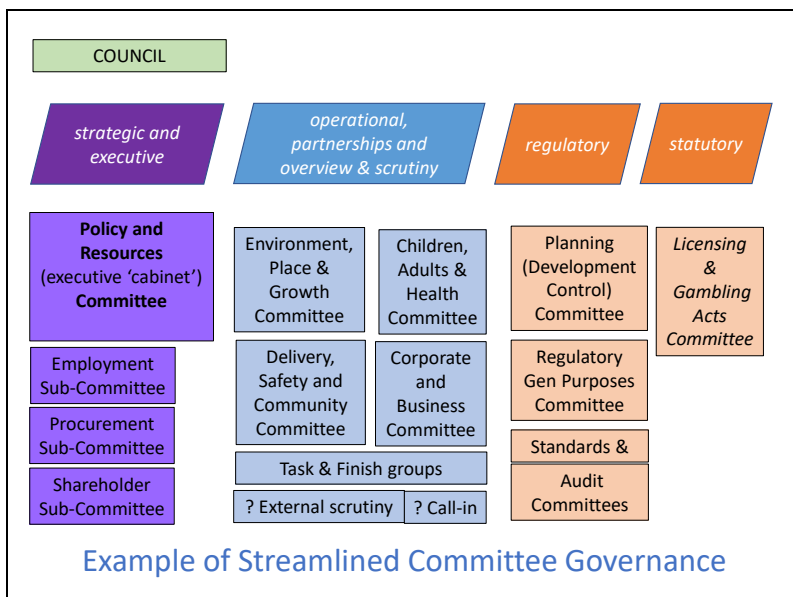
Moving to a Committee system - but only if streamlined arrangements, reflecting a modern executive style of committee, so as:

- to retain accountability and reactivity to business of the Council;
- include a formal Leader of the Council; and
- which may either include the overview and scrutiny function
 - Within the remit of all committees or
 - additionally retain specific committees for external bodies and for call-in

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6(a) If retaining executive arrangements, what do you need to think of next?

- How should individual executive decisions be made and administered
- Pre-decision requirements on reports, consultation access, etc?
- In public or private?
- Public access to time and place?
- How should cabinet meetings be run?
- Overview and scrutiny review: should the O&S structure be based on existing officer directorates, functional areas or strategic priorities to best provide pre-decision scrutiny?
- How should chairs, subject matter, task and finish be selected and resourced?
- How should call-in be administered?

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6(b) If moving to a committee system, what do you need to think of next?

- How do you wish to determine the overall structure of a new Committee system? How much delegation should be given from P&R/Cabinet committee to the operational and policy committees and should their structure be based on existing officer directorates, functional areas or strategic priorities?
- Do you wish to retain a split in respect of regulatory functions, eg planning development control separated from planning policy?
[Separate statutory Licensing Act Committee required]
- Do you wish to retain dedicated Committees for Employment, General Purposes, or Constitutional and Standards?
- The size of committees and impact on political balance?
- Do you wish to retain any Overview & Scrutiny arrangements: none, comprehensive or external & call-in?
- Can we get the changes ready for May?

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DISCUSSION

Cabinet or Committees? What kind of which?

4th September 2019



Wirral Governance Review Working Party 2019

Report to Standards and Constitutional Oversight Committee

1. In May of 2019, The Standards and Constitutional Oversight Committee were tasked with a review of Wirral Council's governance arrangements.
2. A working party was to convene at regular intervals to be led by the Chair, Cllr Cox, in collaboration with cross party spokes, and the Director of Governance and Assurance.
3. This was to conclude with a recommendation on changes that could be made to the current form of governance. It quickly became apparent that the current form is viewed by members as an unsatisfactory system.
4. The most powerful points, that came up again and again, were around the areas of transparency, accountability and credibility. Members on all sides of the Council believe that decision making is seen as far too opaque and distant to local residents, and this had to change.
5. There is a perception by Members that too many 'single member decisions' are taken by cabinet members, and indeed by the leader, behind 'closed doors'. This led to a general consensus that too many 'bad decisions' are being made - be they ill-conceived or rushed - and not enough meaningful scrutiny was undertaken.
6. Scrutiny is seen as a box ticking exercise rather than having any real teeth, or genuinely being able to hold the executive to account. All of this led to the impression of a lack of transparency.
7. Members embarked on a fact finding mission into what options were available to us. Special thanks is given to Phil McCourt and Vicki Shaw in their support of this process.
8. Various options were explored, and the merits and disadvantages discussed at length. It was decided that a directly elected mayoral system would place more control in the hands of one individual, to an even greater extent than the current 'strong leader model', and this would not be something the committee would pursue.
9. Numerous variations of cabinet systems and the committee-based systems were investigated. It was identified by members, at an early stage, that whilst both systems had their merits, we must keep a focus on what we were trying to achieve from a variation / change of governance form, namely achieving the afore mentioned transparency, accountability and credibility.

10. It was also a common theme that Members didn't feel that they were being used to their full potential. Whilst scrutiny was all well and good, it seemed impotent. Members would prefer to be genuinely involved in decision making, on behalf of their residents, not just scrutinising decisions.
11. There is a feeling amongst some Members that circa 55 members were effectively 'surplus to requirement' with the cabinet being the only councillors actually being utilised, and this is something that needed to be addressed.
12. Another important point that was raised was the politically competitive nature of Wirral Borough Council. Wirral is highly contested in many wards, and this can make the current form of governance too confrontational at times.
13. As the working groups progressed, its members scrutinised other systems of Governance elsewhere. An example of a 'hybrid' executive model from Kent County Council was examined. Whilst it was agreed that this was an improvement on our 'strong leader model', the committee consensus was that it did not go far enough in addressing the main issues with our governance model. Dilution of the sometimes 'combative political culture' and encouraging collaborative working was not inbuilt in the system, involvement of all members was not maximised, and transparency & accountability could still be improved.
14. Whilst it exhibited some good governance practice, it was essentially an executive with 'beefed up' scrutiny system. It was also commented that many of the attractive characteristics, innate to this system, could easily be implemented by the current administration, should they wish.
15. Some members expressed their interest in different examples of the committee system. One suggested that it is a natural choice for those who favour 'bottom up decision-making and collaborative working rather than top down combative politics.'
16. One thing that was unanimous was the need for any committee-based option to be streamlined. The system would need to provide for the ability for emergency decision making, whilst ensuring major decisions were debated fully in public at committees. Scrutiny would be 'in-built' into the committee format. It must also ensure that cross functional departmental working continued / was improved. This could be achieved by limiting the number of committees. Some members thought around 6 would be the optimal number to be able to cover all functional areas.
17. There was also agreement that there should be an overarching committee (sometimes referred to as 'Policy & Resources Committee') which would have oversight of operational committees and also provide further scrutiny.
18. Call in would also need to be considered.
19. The committee were keen to provide all 66 members with as much information as possible, and to hear their comments on our progress. To this end the Chair called for a 'all member workshop'.

20. Various opinions where heard.
21. One member raised the issue of the potential costs involved in any changes to the current governance system. One member believed the extra cost would be justified if it meant the council behaved in a more transparent and democratic manner. Another member commented that the Director of Governance and Assurance has stated on various occasions that our current constitution is not fit for purpose, and that costs / officer time to rewrite this will be incurred either way.
22. Comments were made around who the 'port of call' would be for outside bodies or who would be the 'lead member' if certain situations arose, as a cabinet member is currently. It was explained that it was envisaged that the chair of the committee for that business area would be analogous to that role.
23. Some members were explicit in their wish to see a committee system instated. It is reasonable to say that all members, even those not so bold as to suggest a change of governance form be enacted, believed further changes to increase transparency needed to happen and would be welcome.
24. Some members were dismissive of the idea of more delegated powers to officers, believing it should be the elected members who should bear the responsibility of major decision making, as it is they who can be removed from office by the public, not officers.
25. Comments were made that if we change the Governance form, we need to ensure we get it right.
26. Subsequently, a further meeting of the chair and spokes was convened. This final workshop led to this report being produced. All the evidence, including that accrued at the all member workshop, was again reviewed.
27. **Again, the pros and cons of the options presented were debated. With all this in mind, the consensus of the Working Party was to make a proposal to the Standards Committee, to be convened September 26th 2019, that a vote be held, at that said Committee, on a formal proposal to council that Wirral Borough Council formally move to a committee-based system. The structure of that system, and the implementation timetable, to be finalised at the first possible convenience, and to be led by the Director of Governance and Assurance.**
28. Focus is to be given to the operational cost of a new system of governance. Particularly, to ensure any overall member responsibility costs do not increase beyond the current expenditure.

Cllr Tony Cox
Chair