

Wiltshire Council

Council

18 October 2016

Notice of Motion No. 37

Rethinking Wiltshire Council Governance

From Councillors Chris Caswill and Jon Hubbard

To consider the following motion received in accordance with the Council's constitution:

"Council notes the provision made in Section 21 of and Schedule 2 to the Localism Act 2011 (which amended the Local Government Act 2000) and in the Local Authorities (Committee System) (England) Regulations 2012 that provide the option for Local Authorities to adopt a committee system in place of Cabinet governance.

Council also notes that under these provisions, a Local Authority such as Wiltshire is enabled to decide how its functions, i.e. the powers given to it by central government, are delivered.

In considering this option, Council takes account of those authorities that have in recent years decided to move to a committee-based system of decision making, and the advantages that those changes are seen to have delivered. For example:

- Nottinghamshire County Council
- London Borough of Sutton (unitary authority)
- Brighton and Hove City Council (unitary authority)
- Reading Borough Council (unitary authority)
- Norfolk County Council

To quote the 2014 Local Government Information Unit (LGIU) report ¹:

"The most cited advantage (and reason for changing) is that the committee system is inherently more democratic, with more councillors directly involved in decision-making. The opposition has more say and its voice is more strongly heard."

And

"The supporters of the committee system do feel that decisions are more out in the open. Of course, especially in councils with majority administrations, important

¹ LGIU Policy Briefing "Changing to a Committee System in a New Era", 16 December 2014

decisions are taken by the political groups. This can, at times, curtail genuine discussion. However, a committee system means that there is more likelihood of fewer decisions being pre-determined and that it is worth opposition members proposing alternatives or moving amendments to decisions – which will sometimes gain support from councillors with a majority. In councils with no overall control there is no certainty about what will happen at a committee. Councils represented here did say that councillors in general were having to take on extra work so that they could contribute effectively to their committees and they needed more training. But council leaders felt this was positive, as was the need for officers to be better at forward planning.”

Council further notes that none of those Authorities moving to a committee system have wanted simply to replicate the old committee arrangements and all have introduced streamlined committee arrangements. In most cases these arrangements have either replaced Scrutiny Committees as part of a push for cost-neutrality, or reduced Scrutiny to a single committee with a clearly defined remit. From the LGIU report again:

“All of the councils insisted that they were not going back to the system pre 2000. They were, they said, building on the best of that system but also on the best of the cabinet model.”

Council recognises the benefits of this change and believes that a modern committee system would, in principle, provide more open and inclusive governance for Wiltshire, especially in its ability to engage members in the decision making process, and provide more open and transparent decision making for the public who vote for and pay for the Council.

Council also recognises that such a change cannot be made overnight, and requires careful preparation². It also recognises that it would not in any case be appropriate or democratic to introduce a new system within a few months of an ‘all-out’ election.

Council therefore resolves:

- 1. To recommend to the incoming Authority that a committee based system of decision making would in principle be preferable to a Cabinet system, for the reasons given above, and those which underpin the changes made by other Authorities**
- 2. To ask Cabinet to set up a cross party task group, in consultation with Group Leaders, to explore detailed options for how a committee system could best work for Wiltshire and what part, if any, scrutiny arrangements could usefully play within them**
- 3. That the task group and officers should be asked specifically to investigate how such a change could be introduced on a cost-neutral basis**
- 4. That the task group be asked to report in time for its conclusions to be considered by the incoming g Council at and soon after May 2017”.**

² LGIU ‘Rethinking Governance’ Guidance, January 2014