

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Corporate Scrutiny Committee**
held on Tuesday, 10th January, 2012 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor J P Findlow (Chairman)
Councillor D Newton (Vice-Chairman)

Councillors G Barton, G Baxendale, B Burkhill, S Corcoran, W S Davies,
F Keegan, B Moran, G Wait, D Neilson and D Topping

161 **ALSO PRESENT**

Councillor D Brickhill

162 **OFFICERS PRESENT**

Caroline Elwood – Borough Solicitor
Lisa Quinn – Director of Finance and Business Services
Mark Nedderman – Senior Scrutiny Officer

163 **MINUTES OF PREVIOUS MEETING**

Resolved – That the minutes of the meeting held on 25 November 2011 be confirmed as a correct record and signed by the Chairman.

164 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

165 **PUBLIC SPEAKING TIME/OPEN SESSION**

There were no Members of the public present at the meeting who wished to speak.

166 **CHESHIRE EAST GOVERNANCE ARRANGEMENTS - LOCALISM ACT 2011**

The Committee considered a report of the Borough Solicitor outlining options available to the Council to review its governance arrangements in accordance with the Localism Act 2011.

Although this matter had been included within this Committees work programme for some months, Council on 15 December had referred a Notice of Motion containing a recommending that the Council should introduce a Committee based governance structure, submitted by

Councillor D Brickhill, to Constitution Committee for consideration and report. The report was also due to be considered by that Committee on 26 January 2012.

The Localism Act 2011 proposed to devolve greater powers to councils and neighbourhoods and to give local communities more control over housing and planning decisions.

In addition, the Act allowed Councils to choose to return to the 'committee system' of governance and also allowed referenda to be held for elected mayors in certain authorities.

So far, there had been little additional information released by the government to guide authorities as to the options likely to be available to return to a committee based structure or to any variation of hybrid models which would retain some kind of Overview and Scrutiny function.

Any return to a Committee based system or a hybrid model involving decision making committees to replace the current Executive arrangements would have to have regard to secondary legislation which was expected to follow which would provide detail about delegation of powers although the latest information available indicated that further guidance was not expected to be issued until April 2012.

In summary, the Act required all authorities to operate governance arrangements in one of 3 forms:

- Executive arrangements (either Leader, cabinet and scrutiny or executive mayor, cabinet and scrutiny);
- Committee system
- Another prescribed arrangement (where a local authority submits a proposal to the Secretary of State for a different form of governance, which the Secretary of State must then approve).

The Committee was informed that authorities operating Executive arrangements would be required continue to have at least one Scrutiny Committee. Authorities operating under a committee system may have one or more scrutiny committees.

RESOLVED –

- (a) That a Joint Member Working Group be created comprising members of this committee and the Constitution Committee, consisting of 10 Members (on a 6:2:1:1 basis) the working group to include at least one member from each of the political groups represented on the Council, at least one Member to represent the Council's Regulatory Committees and one Member of the Cabinet, with a view to investigating in detail all available options to review governance arrangements under the Localism Act 2011;

- (b) That the Joint Member working group meet initially on a provisional basis subject to ratification by Council on 23 February 2012.
- (c) That appointments to the Joint Member Working Group be pursued through the group whips.
- (d) That the Chairman and Vice Chairman of the Joint Working group be appointed at its first meeting.

167 **WORK PROGRAMME PROGRESS REPORT**

The Committee reviewed the work programme for 2011/2012.

RESOLVED – That the report be received.

168 **FORWARD PLAN - EXTRACTS**

The Committee considered items listed in the current forward plan.

RESOLVED – That the Forward Plan be received and noted.

The meeting commenced at 2.00 pm and concluded at 2.55 pm

Councillor J P Findlow (Chairman)