

COUNCIL MEETING – 23RD FEBRUARY 2012

Extract from the Minutes of the Constitution Committee Meeting on 26th January 2012

50 CHESHIRE EAST GOVERNANCE ARRANGEMENTS - LOCALISM ACT 2011

The Committee considered a report on the options available to the Council to review its governance arrangements under the Localism Act 2011.

Council at its meeting held on 15 December 2011, had referred the following Notice of Motion, submitted by Councillor D Brickhill, to the Constitution Committee for consideration:

‘In view of the obvious and continued failure of the Cabinet system, as evidenced by their inability, for a second year running, to manage their budget, letting it overrun by a predicted £16,000,000, with the resultant reductions of reserves to a dangerously low level, this Council instructs its Constitution Committee to prepare the necessary amendments to bring about a proven successful system of governance, similar to the earlier committee systems of the successful predecessor Councils, to begin from the start of the 2012/13 financial year.’

The Localism Act allowed Councils to choose to return to the ‘committee system’ of governance. 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.

In order to change governance arrangements, a local authority would be required to pass a resolution at Council. It was anticipated that arrangements could then only be changed with effect from an Annual Council meeting. The precise details of the process were not yet known and would be contained in regulations to be issued by the Secretary of State.

Although a number of authorities had expressed an interest in exploring alternative arrangements to the Executive/ Scrutiny model, all were awaiting further advice from government as to how this could be achieved. That advice was not expected to be issued until the spring of 2012.

The Corporate Scrutiny Committee had considered this matter at its meeting on 10th January 2012 and had recommended the appointment of a Joint Member Working Group on a 6:2:1:1 basis to investigate in detail all available options to review governance arrangements under the Localism Act 2011. It was proposed that the Group begin to meet on a provisional basis subject to ratification by Council.

RESOLVED

That subject to ratification by Council, and in concurrence with the recommendations of the Corporate Scrutiny Committee

- (1) a Joint Member Working Group be appointed consisting of 10 Members on a 6:2:1:1 basis, to comprise Members of the Corporate Scrutiny Committee and the Constitution Committee, at least one Member representing 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;
- (2) the Joint Member Working Group meet initially on a provisional basis;
- (3) appointments to the Joint Member Working Group be pursued through the group whips; and
- (4) the Chairman and Vice-Chairman of the Joint Member Working Group be appointed at its first meeting.