
Governance Committee: Notice of Motion - System of Council Governance

Background and Context

- 1** Dr Walsh submitted a notice of motion on the governance system of the County Council. At its meeting on 19 July 2019, the Council agreed to refer the motion to the Governance Committee for consideration, before debating the motion in October. The Committee considered the motion on 9 September 2019. Dr Walsh is a member of the Committee and spoke to the item.
- 2** The committee system is a method of decision-making where a collective group of elected members meet, debate proposals and make decisions, usually in the public domain. Committees are usually politically proportionate. The Chairman of a committee would usually oversee the business of the committee, lead on agenda planning and would have a second or casting vote to resolve tied voting. Committees meet around every two months with published agendas and reports containing recommendations. This method of governance was the predominant method in local government for many years.
- 3** The Local Government Act 2000 introduced new systems of governance, including the Leader and Cabinet model for executive decision-making, which was adopted by the County Council and most other local authorities. The committee system was abolished for all but the smallest local authorities. The main aims of the new approach were to speed up decision-making and to identify individual accountable elected members for areas of responsibility and to make the system more easily understood by the public.
- 4** The County Council implemented the executive and scrutiny model in 2000 and adopted individual decision-making by the Leader and Cabinet Members, making full use of the flexibilities of the Act. The County Council also implemented a proactive scrutiny function of politically proportionate scrutiny committees to sit alongside cabinet member decision-making and provide public scrutiny of major decisions prior to their determination by a cabinet member in addition to the facility to 'call-in' decisions that had not been previously scrutinised.
- 5** The Localism Act 2011 amended the Local Government Act 2000 to enable local authorities to revert to the committee system, either if the council itself agreed this, or if a petition of at least 5% of the electorate of West Sussex was received asking the Council to change its governance arrangements. The Governance Committee considered governance options in January 2012 and was of the view that the cabinet system had a number of advantages over the previous committee system, as an efficient, fast decision-making process with clear lines of accountability that could be easily understood and that the scrutiny arrangements provided an effective mechanism for holding the executive to account and enabling all members to influence decisions as they developed.
- 6** The Leader and Cabinet executive model is still the most common governance arrangement in local government. Of the 26 two-tier county councils, two operate the committee system. Norfolk County Council went back to the committee system but has since reverted to the Leader and Cabinet executive model. One neighbouring unitary authority, Brighton and Hove City Council, uses the Committee system.

Committee discussion

- 7** In discussing the motion the Governance Committee considered a range of views on the pros and cons of the two systems. Some members felt that, while the cabinet system streamlined decision-making, Cabinet Members too often ignored the comments of select committees and Business Planning Groups rejected too many call-in requests.
- 8** Other members felt that, under the old committee system, it had often taken a long time to take decisions and there had been negotiation behind the scenes before meetings. There was also a risk with the committee system of working in silos without the benefit of cross-portfolio thinking. With the cabinet system there is a high degree of visibility provided by a combination of the Forward Plan of key decisions, which had not existed under the committee system, task and finish groups, select committee preview and decision call-in.
- 9** The majority view of the Committee was that reverting to the committee system would be a retrograde step and that it would be distracting, given other priorities, to undertake the disruption of reverting to the old system. Instead the Council should concentrate on the current review of scrutiny, to improve its effectiveness, making best use of the Forward Plan to enable an earlier preview of decisions which would improve the transparency of decision-making.

Conclusion

- 10** Having debated the motion the Committee resolved that it does not support a return to the committee system.

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Chairman of the Governance Committee

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Background Papers

None