

Governance Committee

25 January 2016 – At a meeting of the Committee held at County Hall, Chichester.

Present:

Mrs Arculus (Chairman), Mr Barnard, Mr Brown, Mr Burrett, Ms Goldsmith, Mr G L Jones, Mr Lanzer, Mrs Mullins and Dr Walsh.

Mr Acraman was also in attendance for the report of the Electoral Review Panel.

Part I

Declarations of Interest

134. In accordance with the code of conduct, in relation to item 13, Pooling of Fund Investment, personal interests were declared by Mr Burrett as a deferred member of the West Sussex Pension Scheme, Mr Lanzer as a member of the Scheme and Mrs Mullins and Mr G Jones as being in receipt of a local authority pension.

Minutes of the Governance Committee

135. Resolved – that the minutes of the meeting held on 23 November 2015 be approved as a correct record and that they be signed by the Chairman.

Changes to Corporate Leadership

136. The Committee considered a report by the Director of Law, Assurance and Strategy containing a proposal for recommendation to the County Council that the post of Chief Operating Officer, which encompassed that of Transformation Director, should be deleted and that the post of Chief Executive be re-instated (copy appended to the signed minutes). Members were informed that the Corporate Leadership Team would otherwise be unchanged from that the Committee approved in September 2014 but that there were some additional adjustments to accommodate the redistribution of operational roles currently reporting to the Chief Operating Officer which the Committee was asked to approve.

137. The Committee welcomed the proposal to re-establish the post of Chief Executive and asked that the report to Council be made consistent in always referring to the post as 'Chief Executive'. Members acknowledged that the transformation period had resulted in a high turnover of senior management and hoped that a greater degree of stability would now be achieved. It highlighted that arrangements should be put in place for an existing member of the Leadership Team to act up as Interim Chief Executive if there was a delay in the new Chief Executive coming into post.

138. Resolved –

- (1) That it be recommended to the County Council that the post of Chief Executive be re-established as Head of the Paid Service and that the post of Chief Operating Officer be deleted;

- (2) That the senior officer roles set out in paragraph 2 of the report be confirmed and relevant changes made to the scheme of officer delegation, as set out at Appendix 2 to the report;
- (3) That an Appointing Committee be established to appoint to the post of Chief Executive Officer, subject to confirmation by the County Council;
- (4) That proposed changes to the Council's Standing Orders, as set out in paragraph 3.3 of the report, be recommended to the County Council for approval;
- (5) That the Scheme of Delegation be amended and other changes to the Constitution be made by the Director of Law, Assurance and Strategy provided they are necessary for and consistent with the changes that are approved; and
- (6) That the Director of Law, Assurance and Strategy be asked to make appropriate arrangements for an Interim Chief Executive to be appointed from within the existing leadership team should the Chief Operating Officer leave the organisation before the new Chief Executive comes into post.

Electoral Review of West Sussex

139. The Committee considered a report by the Director of Law, Assurance and Strategy on the electoral review of West Sussex together with a copy of the Boundary Commission's recommendations (copies appended to the signed minutes). Members were informed that the Local Government Boundary Commission for England had published its draft recommendations on new electoral arrangements for the County Council. The draft recommendations proposed that 70 county councillors should be elected to West Sussex County Council in future, one fewer than the current arrangements. This was based on taking one seat from Adur and all other district areas retaining the same number of county councillors. The recommendations also proposed new electoral divisions across the county. The Committee was asked to consider a report from the Electoral Review Panel which set out the County Council's proposed response to the Commission.

140. The Committee welcomed the work of the Panel and accepted its recommendations on Adur, Arun, Horsham and Worthing. It supported a minor textual change to the recommendation on Chichester, to better describe a major building scheme at Graylingwell in Chichester. It considered the Panel's recommended scheme for Crawley, which built on the County Council's previous submission for a radically new scheme for the area to improve electoral equality. It acknowledged that this proposal did not have full consensus, but agreed that it should be accepted as the Panel had recommended it by majority.

141. At the invitation of the Chairman, Mr Barrett-Miles addressed the Committee and asked that it support a different proposal for the Burgess Hill area as he was concerned that the Panel's proposal in support of the Commission's proposal did not work well with defined community boundaries within the area. The Committee recognised that it was a difficult area to balance electoral equality and community identity, but concluded that the Panel's work had been thorough and that its recommendation should be accepted. It suggested though that the proposed

'Hassocks and Victoria' division should be renamed 'Hassocks and Burgess Hill South' and that the 'Burgess Hill Town' division should be renamed 'Burgess Hill North' to better reflect the areas covered by those divisions. Mr Barrett-Miles was advised that he could submit a personal submission to the Commission.

142. Resolved – That the proposed response to the consultation contained in the Appendix to the report be approved, subject to the addition of clarity about the Graylingwell development in Chichester and the recommended renaming of two Burgess Hill divisions to 'Burgess Hill North' and 'Hassocks and Burgess Hill South'.

Update on the work of the Independent Remuneration Panel

143. The Committee noted that the Independent Remuneration Panel (IRP) had met on 7 January 2016 to begin its work of reviewing the Members' Allowance Scheme. It had considered the work undertaken by the IRP in 2008-10 and spoken to the Chairman, the Leader and the UKIP Group Leader about their views on the current scheme and any review. Following this, the IRP had set out an initial plan of action, which would focus on a paper consulting all members around March 2016. The Committee hoped that the Chairman and group leaders could meet with the IRP before the survey was issued and that consultation would be included as part of the wider member survey planned by the Member Development Group and that.

144. Resolved – That the position be noted.

Council Procedures – Written Questions and Cabinet Member Question Time

145. At its last meeting, the Committee had asked for work to be done on two aspects of procedures at County Council meetings. Members were informed that a survey had been undertaken on written questions in line with the Committee's wishes and the Committee was asked to consider the results as set out in a report by the Director of Law, Assurance and Strategy (copy appended to the signed minutes). A proposed amendment to Standing Orders had also been prepared to clarify the Cabinet Member Question Time process around reporting on major topics considered by Select Committees.

146. The Committee noted that there was no clear mandate from the survey to change the current arrangements for written questions and agreed that the present arrangements should be confirmed. Members highlighted that written questions should be proportionate and that officers could ask the Director of Law, Assurance and Strategy and the Chairman to reject any written questions that would take a disproportionate amount of time to answer. The amendment to clarify the Cabinet Member Question Time process was supported.

147. Resolved –

- (1) That the present arrangements for the number of written questions and provision for supplementary questions be confirmed; and

- (2) That the proposed change to Standing Orders regarding Cabinet Member Question Time as set out in paragraph 3.2 to the report be endorsed for approval by the County Council.

Distribution of Summons and Agendas

148. The Committee considered a report by the Director of Law, Assurance and Strategy on change to the distribution of summons and agendas (copy appended to the signed minutes). Following recent changes in legislation, the Committee was asked to endorse changes to Standing Orders for recommendation to the County Council to allow members to choose how they receive summons and agendas in future. The options were for members to continue to receive all papers in hard copy at their home address, collect hard copies from County Hall or receive agendas by email only to their County Council email address.

149. The Committee agreed that the proposed changes would provide increased flexibility for members and the proposals should therefore be supported.

150. Resolved –

- (1) That the proposed flexibility for how members receive any summons and agenda for meetings be supported; and
- (2) That the proposed change to Standing Orders set out in paragraph 2.3 of the report be endorsed for approval by the County Council.

Pay Policy Statement 2016/17

151. The Committee considered a report by the Director of Workforce, Organisational Development and Delivery Support on the Pay Policy Statement 2016/17 (copy appended to the signed minutes). Members were reminded that the Localism Act requires the County Council to produce a Pay Policy Statement which had to be approved by the full Council. The report outlined amendments required to the statement which the Committee was asked to endorse for recommendation for approval by the Council at its meeting on 19 February 2016.

152. The Committee was supportive of the outlined amendments but asked for a definition of senior management grade structures to be circulated. It also asked if the lowest and highest paid salaries could be published alongside other data and requested that the term 'tax avoidance' should be renamed 'tax arrangements'.

153. Resolved –

- (1) That the proposed revisions to the Pay Policy Statement, as set out in Appendix 1 to the report and subject to the amendments requested in minute 152 be endorsed for recommendation to the County Council; and
- (2) That the County Council be recommended that authority to approve any subsequent changes to the wording of the Pay Policy Statement relating to changes to:
 - legislation regarding exit payments in the public sector;

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- the authority's approach to withholding incremental progression for staff on Chief Officer and Hay pay grades; and
- changes to the corporate leadership structure (as set out at Appendix 3)

be delegated to the Director of Law, Assurance and Strategy.

Date of Next Meeting

154. The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 14 March 2016.

Exclusion of Press and Public

155. Resolved - That under Section 100(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I, of Schedule 12A, of the Act by virtue of the paragraphs specified under the items and that, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.