

**GOVERNANCE REVIEW WORKING GROUP held at ZOOM on MONDAY, 26
APRIL 2021 at 6.30 pm**

Present: Councillor A Coote (Chair)
Councillors J Evans, R Freeman, N Gregory, V Isham, A Khan,
P Lees and G Sell

Officers in attendance: D French (Chief Executive), B Ferguson (Democratic Services
Manager) and C Gibson (Democratic Services Officer).

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillor Criscione.

2 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 28 January 2021 were approved as a correct record.

3 REVIEW OF GOVERNANCE ARRANGEMENTS

The Chair introduced the report and invited Members to comment.

The Democratic Services Manager clarified the implications on the Constitution of the recommendation.

Councillor Freeman gave his support to the recommendation.

Councillor Sell said that the report had not shown the benefits of a Committee system and that this was a missed opportunity for greater review. He said that he welcomed the move forward but questioned whether there was a political will.

The Chair said that he recognised that this proposal was not a radical change but that it represented progress.

Councillor Khan joined the meeting at 6.39 pm.

Councillor Gregory acknowledged that this proposal was about evolution rather than revolution and gave broad support.

Councillor Evans questioned the suitability of Portfolio Holder briefings in areas where matters were highly technical. He said that he recognised that Scrutiny Committee had provided checks and balances and that he would keep an open mind about the proposed way forward.

The Chair said that he saw Portfolio Holder briefings as a method of providing assistance in many situations but recognised that in some areas, for example the Local Plan, it would not assist.

Councillor Khan apologised for his late arrival and said that he agreed with Councillor Sell's expressed views. He said that he admired the Chair's honesty. He said that he wanted a robust governance system and would be asking for three key indicators of success in order to assess any new system. He sought clarification as to how the briefings would work and said that he would like officers to be involved in any briefings.

The Chair said that his measure of success would be for there to be less argument at Council meetings, enabling a more collective approach to be taken towards decision-making. He said that he considered that any decisions re officer involvement in briefings would rest with each Portfolio Holder.

Councillor Khan said that he would like officer involvement as there was a less likely chance of things going wrong if officers were present. He re-iterated that he required clear lines of sight on the measures of success.

The Chair said that he was not convinced of the need for early officer input as it was Councillors who made the policy with officer assistance.

Councillor Isham said that how to measure success was a challenge. He said there should be a clearly documented process in place and that what had been proposed was a positive route forward.

Councillor Lees said that what had been proposed was radical, particularly as it was not happening elsewhere. She said that a Committee system of governance tended to mean that voting was along party political lines. She said that the Administration did have a will to move this area forward. She asked how quickly a draft protocol could be drawn up.

The Democratic Services Officer said that officers were looking for a road map to be provided from the meeting and that draft protocols would be drawn up as quickly as possible following any recommendation approval.

The Chief Executive said that the recognised preference was for an enhanced Cabinet system. She said that any governance system should not just rely on Portfolio Holders but was dependant on the work of all Members. She referred to this being a "hearts and minds" exercise to collectively improve relationships and to add value through engagement. She cautioned against seeing the briefings as a means of tasking officers but said that it would be useful for officers to listen to any debate; she suggested that initial briefings could involve Portfolio Holders and officers briefing members about the work that falls within the portfolio.

The Chair said that he would welcome the involvement of officers in the briefings.

Councillor Sell said that he was looking to add value to the governance process. He said that the Portfolio Holders' briefings would provide opportunities for better

communication and would also highlight areas of disagreement. He said that he hoped that Members would be constructive.

The Chair said that this provided an opportunity for Members to help each other.

Councillor Gregory said that these proposals allowed some measure of discussion and would add value. He said that he took on board the points made by Councillors Lees, Khan and Sell and recognised that the role of Opposition parties was to oppose. He said that he hoped that this would remove any misunderstandings and would clarify things and move forward.

Councillor Freeman said that there was a need to find the best system of governance. This was looking to improve the Cabinet system and was only on a trial basis.

Councillor Khan said that the involvement of officers with their technical expertise would protect the Portfolio Holders but he re-iterated that measures of success were still needed.

Some discussion then took place around the possibilities of “political gamesmanship” taking place. The Chair said that all Members needed to take each other on trust.

The Chief Executive said that the proposals were all about trust, building relationships and getting to know each other. She sought clarification whether the intention was for the briefings to be in private, probably with officers in attendance; she encouraged those on this group to act as ‘referees’ in their own political groups to ensure the aims of this group were maintained.

Members supported the view that Portfolio Holder briefings should be held in private. It was clarified that the briefings would not be for all members each time but for a ‘lead’ member from each group on that topic; briefings could therefore be made up of the Portfolio Holder, the R4U topic lead and the lead members on that topic from each group.

Councillor Sell said that all participants needed to demonstrate transparency and trust. He said this was an opportunity for some blue-sky thinking and he hoped that it would mean better opposition.

Councillor Khan said that trust, openness and honesty were required and that moving forward there was an opportunity to set the tone at the proposed briefings. He said that there would inevitably be disagreements but there was a need to disagree well.

The Chair said that there had been a lot of disrespect and lack of trust shown when he joined the Administration in 2019 but that trust would be earned through the proposed briefings.

Councillor Freeman said that trust had to be earned and was very easy to lose. He mentioned utilising “Confidence Building Measures (CBM)”.

Councillor Isham said that the proposed briefings would enable Portfolio Holders to be better informed. He also said that there also needed to be arrangements in place to find ways to call things out through self-policing meetings.

The Chair outlined the recommendation and proposed that option iii b) be taken forward to recommend to Full Council that the proposals were trialled on a 6 months' basis.

No dissent was shown.

RESOLVED:

i. To implement a trial system of Portfolio Holder briefings for all non-executive Members.

ii. To establish a protocol outlining said system to be incorporated into the Uttlesford District Council Constitution following a review of the trial.

iii. As outlined in paragraph 28 of this report, to recommend to Full Council that the proposals are trialled on a 6 months' basis before seeking the GAP Committee's approval. If Members wish to constitute the changes following the trial, a further report will be taken to GAP Committee to seek its recommendation before final approval is sought from Full Council.

Members agreed that a draft protocol would be prepared for a working group consisting of the Chair, Councillor Lees and Councillor Sell prior to Full Council.

The meeting ended at 8.12 pm.