

To: **Members of the Constitutional Sub-Committee**
Councillors: C Fitzsimmons (Chair), B Axcell,
P Bretherton, J Joyce, P Kennedy

Diana Terris
Chief Executive

Town Hall
Sankey
Street
Warrington
WA1 1UH

Constitutional Sub-Committee
Wednesday, 31 August 2011 at 4.30 pm
Tea Room, Town Hall, Warrington

Agenda prepared by Sharon Parker Councillor Services Manager Telephone:
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AGENDA

Part 1

Items during the consideration of which the meeting is expected to be open to members of the public (including the press) subject to any statutory right of exclusion.

1. **Apologies**
2. **Code of Conduct - Declarations of Interest**

Members are reminded of their responsibility to declare any personal or prejudicial interest that they have in any item of business on the agenda no later than when the item is reached.

3. **Minutes**

To receive the minutes of the meeting held on 22 March 2011

4. **Review of Executive Board and Committee Structures**

Report of Cllr R Bowden, Executive Board Member – Corporate Assignments.

5. **Executive Board and Committee Review Local Government Act 2000 and Localism Bill**

Report of the Assistant Chief Executive.



Part 2

Items of a "confidential or other special nature" during which it is likely that the meeting will not be open to the public and press as there would be a disclosure of exempt information as defined in Section 100I of the Local Government Act 1972.

Nil

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CONSTITUTIONAL SUB-COMMITTEE

22 March 2011

Present: Councillor B P Axcell (Chair)
Councillors L Dirir, C Fitzsimmons, and P Kennedy

CSC 21 Apologies

Councillor.G Welborn

CSC 22 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

CSC 23 Minutes

The Minutes of the meeting held on 8 February were signed and agreed as a correct record.

CSC 24 Warrington Borough Council Constitution - Call in Procedure

The Sub-Committee received a report of the Solicitor to the Council and Assistant Director Corporate Governance which detailed the statutory provisions relating to “Call-In” and which also described the way in which those requirements manifest themselves in Warrington Borough Council’s constitution

In considering the report Members noted that Section 21 of the Local Government Act 2000 states that Local Authority Executive arrangements must include provision for the appointment by the authority of one of more committees of the Authority to discharge Overview & Scrutiny functions.

Executive arrangements must ensure that Overview & Scrutiny Committees have the power, amongst other things, to:-

“to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Executive”.

“to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Executive”.

On the second point, members commented that general awareness of this power will be very low amongst both officers and elected members. They also commented that it would be undesirable to extend the ‘call-in’ process to most of the quasi legal decision making functions although ‘call-in’ of strategic decision making on major policy decisions might be acceptable when appropriately used.

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Members noted that the scheme of delegation allows for officer key decision making but also commented that general awareness that these decisions are subject to 'call-in' would be very low.

Members commented that greater awareness and understanding of these processes is required.

Member noted that, taken together those two powers constitute the call in activities of Overview & Scrutiny Committees and that the legislation does not provide any detail upon the mechanisms an individual authority should have to enable call in to take place and this is left as a matter for each individual authority to determine.

Members noted that within the Council's Constitution there is a chapter entitled "Overview & Scrutiny Procedure Rules which taken together provide an extensive code for the operation of the Council's Overview & Scrutiny arrangements. They will always describe the Scrutiny Committee structure, the concept of the work programme, arrangements for the compilation of agendas and the committee's role in policy review and development amongst other things. Members noted that parts 12 and 13 of the rules which deal with the Call-In Procedure specifically and "urgent decisions" in the context of Call-in.

Members noted that Rule 12.1 of Overview & Scrutiny Procedure rules states that call in should only be used in exceptional circumstances where members of the Overview & Scrutiny Committee have evidence which suggests that the decision was not taken in accordance with the principles set out in Article 12 of the Constitution (Decision Making) those principles are:-

- i) Proportionality – the action must be proportionate to decide outcome
- ii) Due consultation and the taking of professional advice from Officers
- iii) Respect for human rights
- iv) Presumption in favour of openness
- v) Clarity of aims and decide outcomes
- vi) Having considered the financial implications and any risk involved in the decision
- vii) Having explained what if any viable options were considered
- viii) Giving reasons for the decision

In considering this point members commented that the application of Rule 21 in practice was confusing and artificial – the process should be flexible and easy to understand with those calling in a decision stating their case clearly in order to defend and justify their reasons for doing so.

In discussing this point members also commented that the 'two stage' process involved in scrutinising 'called-in' decisions was artificial and unwieldy.

Members noted that when an executive decision is made by the executive board or a key decision is made by an officer with delegated authority from the executive the decision should be published normally within two clear working days of it being made. All members of the Council will be sent copies of the record of all such

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decisions within the same timescale by the person responsible for publishing the decision.

Members noted that where an executive decision is being made and has not been implemented any five or more members of an Overview & Scrutiny Committee may submit a call-in notice in writing within five clear working days after the decision was made and recorded. The notice must state the reason for exercising the call-in facility which it must be based upon the principles of good decision making set down in Article 12 of the Constitution and quoted above.

Members noted that where the decision notice is valid the decision cannot be implemented until the procedures in the Overview & Scrutiny Procedural rules have been followed. Where a valid notice is received the decision should stand and revert to the next meeting of an appropriate scrutiny body for advice.

Members noted that when it considers the call-in matter the scrutiny body may decide to offer no advice in which case the decision may be implemented. Alternatively a committee may decide to refer the matter to the full Council for advice.

Members noted that, once the Council or the relevant Overview & Scrutiny Committee has decided to offer advice or not to offer advice no further call in notices may be served in respect of that matter subject to the decision in question.

Members noted that where a matter is considered by the Council or the relevant Overview & Scrutiny Committee its advice would be submitted to the Executive Board. The Executive Board should consider the advice but should not be bound to accept it in whole or in part. The Executive Board should have sole discretion to decide on the further action to be taken in relation to the decisions in question including confirming with or without amendment, the original decision with deferment pending further consideration, or making a different decision, having taken into account the advice.

Members noted that if the relevant Scrutiny Committee indicates that it does not wish to offer any advice to the Executive then the decision can be implemented immediately.

Members noted that the ordinary call-in procedure described above shall not apply where the decision being taken by the Executive Board or other decision maker is urgent under Rule 14 of the Access to Information Procedure Rules. A decision will only be urgent if any delay would be likely to seriously prejudice the Council's or the public's interests. The record of the decision and notice by which it is made public shall state that the decision is an urgent one and therefore not subject to call-in.

Members noted that as indicated above there is little guidance in the Local Government Act 2000 upon how the call-in procedures should work and so it can be confidently stated that Warrington Council's requirements comply with Statutory Requirements.

Members noted that Perhaps the most notable feature of the rules is that members which seem to exercise call-in they must identify reasons based upon the principles

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of good decision making as set out in Article 12 of the Constitution. Consideration may be given to whether such a requirement is entirely desirable and whether it represents a stage in the procedure which is excessively complicated.

Members noted that it should be borne in mind that, in respect of Executive decisions, neither an Overview & Scrutiny Committee nor full Council, when a matter is referred to full Council, can make the decision in question in place of the Executive.

Members also discussed and asked for a further agenda item to a future meeting on the potential opportunities to open up full council meetings to public speaking and or public participation in the decision making processes.

The key issues raised at this meeting included:

- The delegation process to officers, including the application of 'call-in' needs to be clearly understood and information disseminated to both officers and members as appropriate;
- The reasons for 'call-in' need to be simplified and made easier to avoid confusion;
- The 'two stage' process operated by the Overview and Scrutiny Committees needs to be revised.

Decision: That a report be submitted to the 20 April 2011 meeting of the Corporate Audit and Governance Committee detailing the work of the Sub Committee, actions arising from this work programme and recommendations to amend the call in process in line with the discussion and comments at this meeting.

CSC 20 Date and Time of Next Meeting

The next meeting of the Sub Committee was to be held on 7 June 2011.

Signed

Dated.....

WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 15 August 2011

Report of Executive Board Member: Councillor R Bowden, Executive Board Member, Corporate Assignments

Executive Director and Report Author: Katherine Fairclough, Assistant Chief Executive

Contact Details: **Email Address:** **Telephone:**
kfairclough@warrington.gov.uk 01925 442311

Key Decision No. N/A

Ward Members: All

TITLE OF REPORT: REVIEW OF EXECUTIVE BOARD AND COMMITTEE STRUCTURES

1. PURPOSE

1.1 To inform the Executive Board of the process to review the Executive Board and Committee Structures.

2. CONFIDENTIAL OR EXEMPT

2.1 This report is not confidential or exempt.

3. INTRODUCTION AND BACKGROUND

3.1 The Leader announced at Annual Council on 23 May 2011 that a review of Executive Board and Committee structures was to take place with implementation of the new structure by May 2012.

3.2 This report reaffirms that commitment and sets out the general timetable for this and the approach to be followed. It must be noted that this is a draft timetable that may be varied to respond to the impact of the Localism Bill which is expected to receive Royal Assent in the Autumn.

3.3 It is intended that this review should be as inclusive as possible and will include a period of consultation. Stakeholders in this consultation will include all elected Members, Audit and Corporate Governance Committee, Neighbourhood Boards and other key partners such as Police, Health, Cheshire Fire & Rescue Services, Golden Gates Housing Trust, third sector agencies, etc. The outcome of the review and any proposal to change the constitution will be reported to the Audit and Corporate Governance Committee and be followed by a period of consultation with stakeholders and interested persons. The final decision upon the proposals will be made by full Council.

- 3.4 The aim of this review is to ensure that there is greater member involvement in consultation, policy development and scrutiny and that this leads to a more inclusive decision making process. It will deliver wider opportunities for member development, building skills, capacity and expertise.

It is also intended that this new approach will lead to more open and transparent decision making visible to the residents of Warrington and deliver effective governance and value for money.

This review will identify options for future structures and roles and responsibilities of the Executive Board, a proposal will be developed and this will be consulted on.

- 3.5 Councillor R Bowden will lead this review. He will be advised by the Assistant Chief Executive and the Solicitor to the Council.

4. TIMETABLE – DRAFT

- 4.1 Draft proposals will be discussed at the Constitutional Sub Committee meeting on 31 August 2011.
- 4.2 A report will be presented to the Audit and Corporate Governance Committee, 22 September 2011.
- 4.3 A full programme of consultation will take place during the Autumn (October and November).
- 4.4 The findings for this consultation and any amendments to the proposal will be reported to the Constitutional Sub Committee and Audit and Corporate Governance Committee in January 2012. This will be reported to the Executive Board on 12 March 2012 to give their views.
- 4.5 The final report on proposals will be made to Full Council on 26 March 2012.

5. FINANCIAL CONSIDERATIONS

- 5.1 Within existing resources.

6. RISK ASSESSMENT

- 6.1 A full risk log will be produced.

7. EQUALITY AND DIVERSITY/EQUALITY IMPACT ASSESSMENT

- 7.1 A full impact assessment of the option proposed will be undertaken.

8. CONSULTATION

- 8.1 Full consultation will be undertaken as part of the review.

9. REASONS FOR RECOMMENDATION

9.1 To signal the start of the review.

10. RECOMMENDATION

10.1 That the Executive Board accepts this report.

11. BACKGROUND PAPERS

N/A.

Clearance Details :				
	Name	Consulted		Date Approved
		Yes	No	
Relevant Executive Board Member	Councillor Bowden	✓		4.8.11
Leader of the Council	Councillor O'Neill	✓		4.8.11
Chief Executive	Diana Terris	✓		4.8.11
Relevant Executive Director	Katherine Fairclough	✓		4.8.11
Solicitor to the Council & Relevant Assistant Director	Ian Mason on behalf of Tim Date	✓		4.8.11
S151 Officer	Lynton Green	✓		4.8.11

WARRINGTON BOROUGH COUNCIL

CONSTITUTIONAL SUB COMMITTEE – 31 AUGUST 2011

Report of the: Executive Member for Corporate Assignments
Report Author: Councillor R Bowden
Contact Details: **Email Address:** kfairclough@warrington.gov.uk **Telephone:** 01925 442311

Ward Members: All

TITLE OF REPORT: EXECUTIVE BOARD AND COMMITTEE REVIEW

1. PURPOSE

- 1.1 To brief the Sub Committee on the proposed programme for the Executive Board and Committee review and to seek their contributions to the development of the proposals for consultation.

2. CONFIDENTIAL OR EXEMPT

- 2.1 Not confidential or exempt.

3. INTRODUCTION AND BACKGROUND

- 3.1 The Leader announced at Annual Council on 23 May 2011 that a review of Executive Board and Committee structures was to take place with implementation of the new structure by May 2012.
- 3.2 The initial aim of this review is to ensure that the Executive Board operates effectively and that the portfolio roles and responsibilities are appropriate for effective decision making. It is possible that the review will lead to a reduction in the size of the Executive Board.
- 3.3 A wider objective of the review is to ensure that there is greater Member involvement in consultation, policy development and scrutiny and that this leads to a more inclusive decision making process. Although the decision making authority of the Council would remain with the Executive Board, there is potential to seek greater involvement of Members in the development of policy, strategy and recommendations. This would require some reorganisation of the Overview & Scrutiny Committee structure and appropriate amendments to the Council Constitution and Committee Terms of Reference.

- 3.4 The scope of the review will not include the structure of the existing Regulatory and other Committees.
- 3.5 Reorganisation of the Executive Board and the Overview & Scrutiny Committee structures would provide greater openness and transparency of Council policy and decisions, to all Members, Council officers and the general public based on the Council's key priorities.
- 3.6 The enhanced role of all Members will improve consultation on key policies and decisions. Appropriate revision of the Committee system and cycle should not increase the timeframe for key decisions but allows for wider engagement with Members before those decisions are made. This is in contrast to the existing Overview & Scrutiny process, where any review or scrutiny is made after the event.
- 3.7 Enhancing the involvement of all Members provides an opportunity to widen the development of Members, building skills, capacity and expertise that will be to the benefit of the Council as a whole.
- 3.8 It is a fundamental role of the Council to provide effective leadership, governance and scrutiny. Any changes to the Executive Board and the Overview and Scrutiny Committee system must ensure that these functions remain credible, robust and provide value for money to the residents of Warrington.
- 3.9 Reorganisation may also offer some potential efficiency savings to the Council, through:
- A smaller Executive Board;
 - A streamlined scrutiny process, possibly with a single Scrutiny Committee;
 - Rationalisation of Special Responsibility Allowances (SRAs);
 - An effective Committee cycle;
 - Optimised support services from Democratic & Members Services.
- 3.10 It is noted that any reorganisation of the Executive Board and the Overview and Scrutiny functions are expected to be evolutionary rather than revolutionary. We must recognise the impending Localism Bill and the potential changes to Council governance. Any reorganisation arising from this review may therefore be a first step in longer term governance reform.

4. PROGRESS SO FAR

Executive Board Structure

- 4.1 Research of other Council structures within the sub-region and a representative 'peer group' (i.e. local authorities with similar population, demographics etc.) shows that a diverse range of models exist within Councils, each tailored to local circumstances.
- 4.2 Across these authorities, the Executive Boards vary in size from 7-10 Members. Where smaller Executive Boards are in place, the Leader and/or Deputy Leader often also have formal portfolios. Early discussions have been held with Warrington's Executive Board and they are open to hearing a wide range of views before recommending a proposal on the number and range of Executive Board portfolios.

Overview and Scrutiny (OSC)

- 4.3 Many Councils retain a number of Overview and Scrutiny Committees, generally aligned to traditional Corporate Plan priorities. Very few have moved to a single OSC, suggesting that where Executive Boards have been reduced in size, this has not been as part of a wider review as is being proposed for Warrington.
- 4.4 An outline timetable has been approved by the Executive Board; this report is attached at Appendix 4.

5. FINANCIAL CONSIDERATIONS

- 5.1 This review will be undertaken within existing resources.

6. RISK ASSESSMENT

- 6.1 A full risk assessment will be undertaken of the proposals for consultation.

7. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

- 7.1 The aim of the review is to encourage inclusive and full participation of all members. A full Equality Impact Assessment will be undertaken on any proposals taken to formal consultation.

8. CONSULTATION

- 8.1 Members comments are sought on the current Executive and Committee structures and any proposals for improvement are welcomed, particularly in relation to the effective working of any new style 'policy' or 'select' committees.

8.2 The current Council structure is attached at Appendix 1. Some indicative examples of alternative structures are attached for discussion at Appendix 2. These are based on early feedback from the initial research, which is summarised at Appendix 3.

9. REASONS FOR RECOMMENDATION

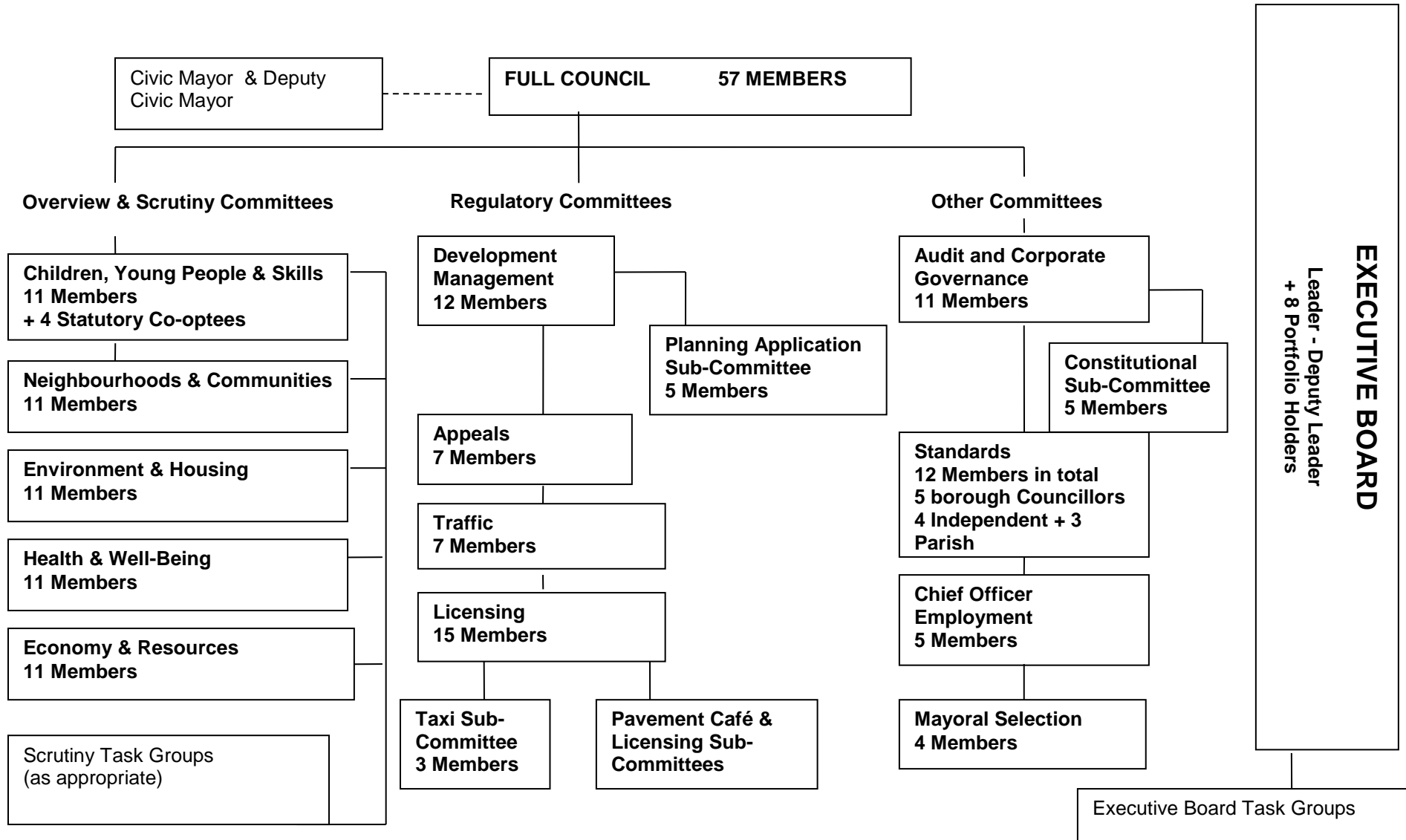
9.1 To ensure that the Constitutional Sub Committee are fully consulted and engaged in the review process.

10. RECOMMENDATION

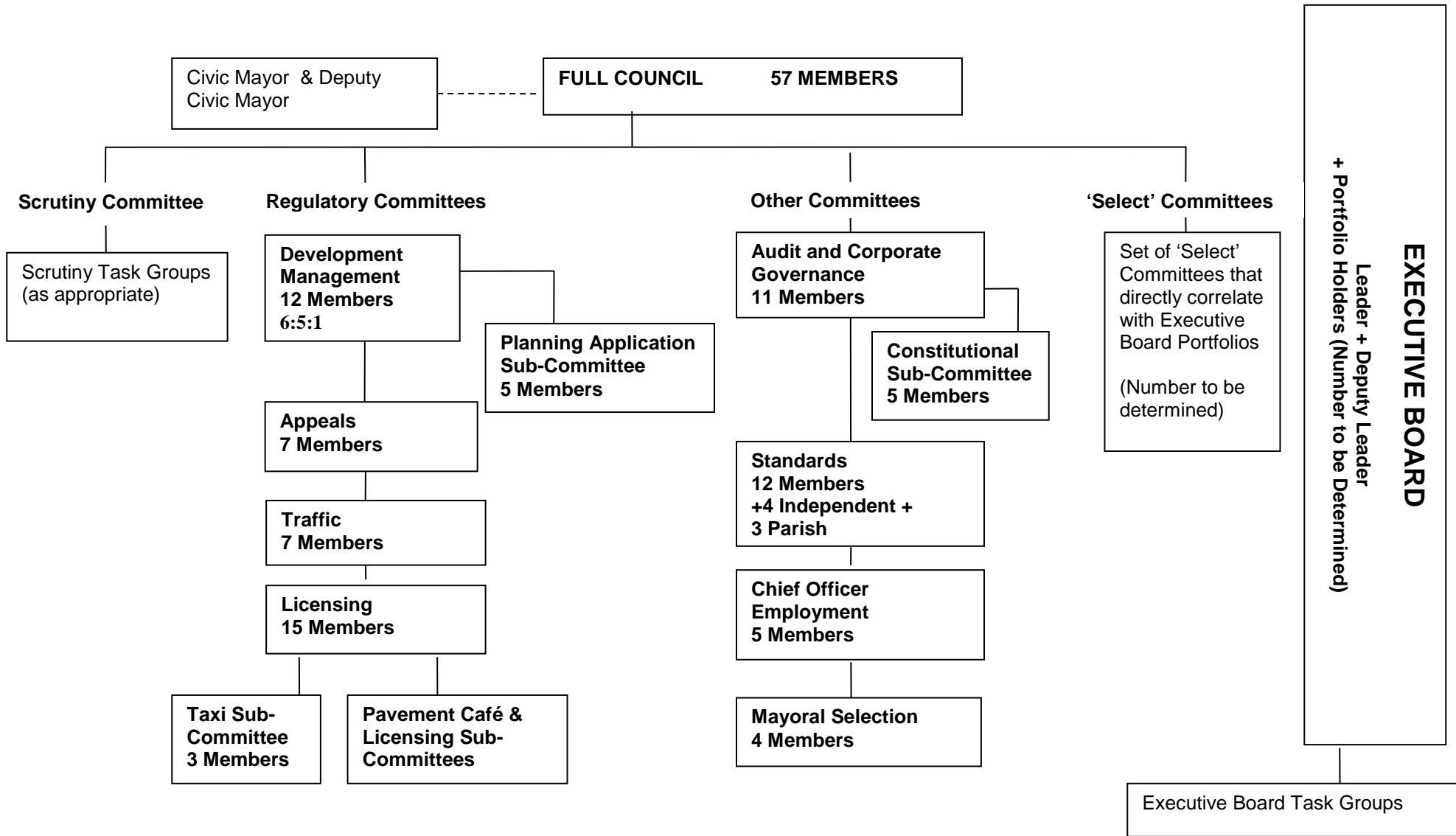
10.1 That the Sub Committee consider this report, the attached Appendices and contribute to the development of the review proposals.

11.	Clearance Details:	Name	Consulted		Date Approved
			Yes	No	
	Chair of Constitutional Sub Committee	Councillor Fitzsimmons	✓		
	SMB			✓	N/A
	Relevant Executive Director	Katherine Fairclough	✓		22.8.11
	Solicitor to the Council	Tim Date	✓		22.8.11
	S151 Officer (Deputy)	Shaer Halewood	✓		22.8.11
	Relevant Assistant Director	Tim Date	✓		22.8.11

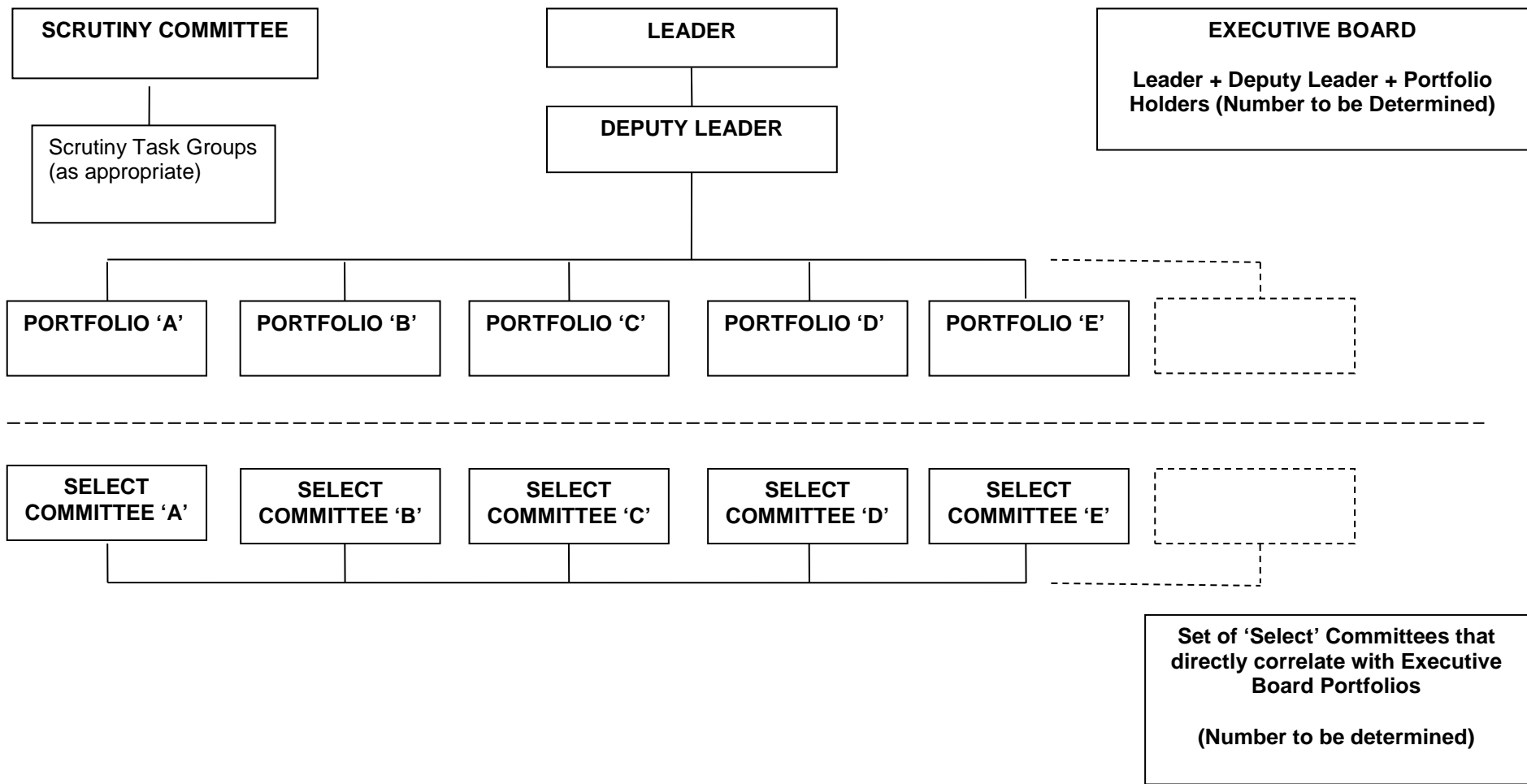
CURRENT COUNCIL & COMMITTEE STRUCTURE



POTENTIAL COUNCIL & COMMITTEE STRUCTURE



POTENTIAL COUNCIL & COMMITTEE STRUCTURE



COMPARISON OF LOCAL AUTHORITY EXECUTIVE PORTFOLIOS & COMMITTEE STRUCTURES - REGIONAL

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Bolton	8	Strategy & External Relations (Leader) Health & Corporate Resources (Deputy Leader) Children's Services & Safeguarding Regeneration, Housing & Skills Environmental Services Adult Services Cleaner, Greener, Safer Human Resources, Organisational Development & Diversity	Adult, Community Services & Children's Services Scrutiny Corporate & External Issues Scrutiny Environmental Services, Regeneration, Housing & Skills Scrutiny
Bury	10	Leader Finance Human Resources & Performance Children & Families Adult Care, Health & Housing Communities Environment & Economy Leisure, Tourism & Culture 2 x Non-Portfolio Holders	Overview Management Committee Scrutiny (Internal) Scrutiny (External)
Cheshire East	8	Leader Adult Services (Deputy Leader) Safer & Stronger Communities Environmental Services Performance & Capacity Procurement & Shared Services Children & Family Services Prosperity	Adult Social Care Scrutiny Children and Families Services Scrutiny Corporate Scrutiny Environment & Prosperity Scrutiny Health & Wellbeing Scrutiny Sustainable Communities Scrutiny

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Cheshire West & Chester	7	Leader Resources (Deputy Leader) Adult Services Prosperity (Regeneration) Culture & Recreation Community & Environment Education & Children	Corporate Scrutiny Children & Education Scrutiny Health & Wellbeing Scrutiny Public Accounts Scrutiny Safeguarding Scrutiny Locality Working Scrutiny
Halton	10	Leader Children, Young People & Families Health & Adults Transportation Neighbourhood, Leisure & Sport Community Safety Economic Development Resources Environmental Sustainability Physical Environment	Policy & Performance Boards for: Children, Young People & Families Corporate Employment, Learning, Skills & Community Environment & Urban Renewal Health Safer
Knowsley	10	Leader Neighbourhood Delivery Regeneration, Economy & Skills Health & Social Care Children & Family Services Leisure, Community & Culture Corporate & Customer Services Community Safety & Social Inclusion Human Resources Finance & Information Technology	Overview & Scrutiny Board

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Liverpool	10	Leader Finance & Resources (Deputy Leader) Education & Children’s Services Adult Social Care & Health Regeneration & Transport Environment & Climate Change Neighbourhoods Housing & Community Safety Culture & Tourism Employment, Enterprise & Skills	Overview & Scrutiny Select Committee, supported by 10 themed select committees that directly relate to the portfolios
Manchester	10	Leader 2 x Deputy Leader Adult Services Culture & Leisure Children’s Services Environment Finance & Human Resources Neighbourhood Services 1 x Non-Portfolio Holder	Children & Young People Citizenship & Inclusion Communities & Neighbourhoods Economy, Employment & Skills Health & Wellbeing Resources & Governance
Oldham	8 (+4)	External Relations & Democracy (Leader) Partnerships & Commissioning (Deputy Leader) Cooperatives & Community Development Housing, Transport & Regeneration Finance & Human Resources Adult Social Services & Health Children, Young People, Families, Leisure & Culture Neighbourhoods	Overview & Scrutiny Board Performance & Value for Money Select Committee

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Rochdale	7	Leader Corporate Services & Economic Development (Deputy Leader) Children, Schools & Families Finance Health, Adult Care & Housing Internal & Environmental Services Performance & Partnerships	Overview & Scrutiny Health Overview & Scrutiny
Salford	10	Leader Deputy Leader Adult Social Care & Health Children's Services Environment Finance & Support Services Housing Human Resources & Equalities Planning & Town Twinning Neighbourhoods, Culture & Leisure (Asylum Seekers & Refugees)	Sustainable Regeneration Neighbourhoods Health, Wellbeing & Social Care Children, Young People & Families Corporate Issues Budget
Sefton	10	Leader Children, Schools & Families Corporate Services Environmental Leisure, Culture & Tourism Services Older People & Health Performance, Governance & Commissioning Regeneration & Housing Safer Communities & Neighbourhoods Street Scene & Transportation	Children's Services Health & Social Care Performance & Corporate Regeneration & Environmental

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
St Helens	8	Corporate Services & External Affairs (Leader) Culture, Communications & Town Centre (Deputy Leader) Adult Social Care & Health Children, Young People & Learning Environmental Protection Neighbourhoods, Safer Communities & Youth Urban Regeneration & Housing	Overview & Scrutiny Commission Adult Social Care & Health Audit & Financial Monitoring Children & Young People Environment & Safer Communities Regeneration, Housing, Culture & Leisure
Stockport	10	Leader Finance (Deputy Leader) Environment Children & Young People Customer Focus Regeneration Adults & Health Leisure Transportation Communities	Adults & Communities Children & Young People Corporate Resource Management & Governance Environment & Economy Health Scrutiny Coordination
Tameside	10	Leader Deputy Leader First Deputy (Performance & Finance) Adults Services Business & Community Development Children & Families Environmental Services Learning & achievement Neighbourhoods Transport & Development	Personal & Health Services Resources & Sustainable Communities Services for Children & Young People Technical, Economic & Environmental Services

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Trafford	10	Leader Finance Economic Growth & Prosperity Safe, Strong Communities Education Highways & Transportation Environmental Services Supporting Children & Families Transformation & Resources (Deputy Leader) Adult Care, Health & Wellbeing	Overview & Scrutiny Core
Warrington	10	Leader Deputy Leader Corporate Assignments Corporate Resources & Services Children's & Young Peoples Services Highways, Transportation & Climate Change Environment & Public Protection Leisure, Community & Culture Personnel & Communications Health and Wellbeing & Adult Services	Economy & Resources Scrutiny Health & Wellbeing Scrutiny Environment & Housing Children, Young People & Skills Neighbourhood & Communities
Wigan	7	Leader Environment & Communities Adults & Health Children & Young Peoples Services Regeneration (Deputy Leader) Communication & Customers Efficiency	Adult Health & Wellbeing Scrutiny Building Stronger Communities Scrutiny Children, Young People & Families Scrutiny Economy, Environment, Culture & Housing Scrutiny Corporate Overview & Scrutiny

COMPARISON OF LOCAL AUTHORITY EXECUTIVE PORTFOLIOS & COMMITTEE STRUCTURES – PEER GROUP

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Bracknell Forest	8	Council Strategy & Community Cohesion (Leader) Finance, Resources & Assets (Deputy Leader) Planning, Transport & Economic Development Children & Young People Adult Services, Health & Housing Environment Culture, Corporate Services & Public Protection Education	Overview & Scrutiny Commission Adult Social Care Children, Young People & Learning Environment, Culture & Communities Health
Darlington	8	Leader Efficiency & Resources (Deputy Leader) Adult Social Care & Housing Children & Young People Transport Economy & Regeneration Health & Partnerships Leisure & Local Environment	Children & Young People Economy & Environment Health & Wellbeing Neighbourhood Services Resources
Derby	8	Leader Resources Planning & Environment Housing & Advice Leisure & Culture Neighbourhoods Adult Social Care & Health Children & Young People	Scrutiny Management Adult Health & Housing Safer Communities Children & Young People Neighbourhoods

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Halton	10	Leader Children, Young People & Families Health & Adults Transportation Neighbourhood, Leisure & Sport Community Safety Economic Development Resources Environmental Sustainability Physical Environment	Policy & Performance Boards for: Children, Young People & Families Corporate Employment, Learning, Skills & Community Environment & Urban Renewal Health Safer
Luton	10	Leader Finance (Deputy Leader) Regeneration Environment Children's Services Children's Social Care Housing Adult Social Care Community Engagement Leisure & Community	Overview & Scrutiny Board
Medway	10	Leader Finance (Deputy Leader) Adult Services Children's Services Children's Social Care Community Safety & Customer Contact Corporate Services Front Line Services Housing & Community Services Strategic Development & Economic Growth	Business Support Children & Adults Health & Adult Social Care Regeneration, Community & Culture

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Milton Keynes	7	Leader Economic Development & Enterprise (Deputy Leader) Children & Young People Growth & Development Transport & Highways Adult, Older Years & Health Communities, Corporate Services & Transformation	Overview & Scrutiny Management, supported by 5 themed select committees: Children & Young People Health & Community Wellbeing Safer & Stronger Communities Economic Development & Enterprise Partnership & Growth
Peterborough	10 (+1)	Leader Culture, Recreation & Strategic Commissioning (Deputy Leader) Communications Environment Capital Adult Social Care Housing, Neighbourhoods & Planning Education, Skills & University Children's Services Resources Community Cohesion & Safety	Creating Opportunities & Tackling Inequalities Environment Capital Strong & Supportive Communities Sustainable Growth Health Issues Rural Communities
Redcar & Cleveland	10	Leader Culture, Leisure, Tourism & Rural Affairs (Deputy Leader) Highways, Transportation & Planning Housing & Neighbourhood Renewal Community Protection Health & Social Wellbeing Children's Services & Education Economic Development Corporate Resources Environment	Scrutiny Board

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Stockton-on-Tees	9	Leader Adult Services & Health (Deputy Leader) Access & Communities Arts, Leisure & Culture Children & Young People Corporate Management & Finance Environment Housing & Community Safety Regeneration & Transport	Executive Scrutiny Committee, supported by 7 themed select committees that directly relate to the portfolios
Swindon	10	Leader Regeneration & Culture (Deputy Leader) Finance Council Transformation, Sustainability, Strategic Planning & Transport One Swindon, Communities & Housing Customer Services & a Safer and Stronger Borough Health & Adult Social Care Streetsmart & Parks Children's Services Leisure & Corporate Services	Scrutiny Committee Children & Young People Economic, Environmental & Sustainability Health Safer & Stronger Communities
Telford & Wrekin	9	Leader Borough Town Development & Policy (Deputy Leader) Adult & Social Care Cooperative Council & Partnership Leisure & Wellbeing Resources & Service Delivery Environment, Transport & Community Protection Housing, Regeneration & Economic Development Children, Young People & Families	Scrutiny Management Board Finance & Budget Children & Young People Cooperative & Community Health Adult Social Care

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Thurrock	8	Strategy & Finance (Leader) Environment (Deputy Leader) Education Children’s Social Care & Health Adult Social Care Housing & Regeneration Central Services Community, Culture & Leisure	Children’s Services Environment Performance & Improvement Health & Wellbeing
Warrington	10	Leader Deputy Leader Corporate Assignments Corporate Resources & Services Children’s & Young Peoples Services Highways, Transportation & Climate Change Environment & Public Protection Leisure, Community & Culture Personnel & Communications Health and Wellbeing & Adult Services	Economy & Resources Scrutiny Health & Wellbeing Scrutiny Environment & Housing Children, Young People & Skills Neighbourhood & Communities

COMPARISON OF LOCAL AUTHORITY EXECUTIVES/CABINETS

Local Authority	No. of Members
Bolton	8
Bury	10
Cheshire East	8
Cheshire West & Chester	7
Halton	10
Knowsley	10
Liverpool	10
Manchester	10
Oldham	8 (+4)
Rochdale	7
Salford	10
Sefton	10
St Helens	8
Stockport	10
Tameside	10
Trafford	10
Wigan	7
Bracknell Forest	8
Darlington	8
Derby	8
Halton	10
Luton	10
Medway	10
Milton Keynes	7
Peterborough	10 (+1)
Redcar & Cleveland	10
Stockton-on-Tees	9
Swindon	10
Telford & Wrekin	9
Thurrock	8

WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 15 AUGUST 2011

Report of Executive Board Member: Councillor Bowden, Executive Member for Corporate Assignments
Executive Director: Assistant Chief Executive
Report Author: Katherine Fairclough
Contact Details: **Email Address:** kfairclough@warrington.gov.uk **Telephone:** 01925 442311

Key Decision No.: No
Ward Members: All

TITLE OF REPORT: REVIEW OF EXECUTIVE BOARD AND COMMITTEE STRUCTURES

1. PURPOSE

- 1.1 To inform the Executive of the process to review the Executive Board and Committee Structures.

2. CONFIDENTIAL OR EXEMPT

- 2.1 Not confidential.

3. INTRODUCTION AND BACKGROUND

- 3.1 The Leader announced at Annual Council on 23 May 2011 that a review of Executive Board and Committee structures was to take place with implementation of the new structure by May 2012.
- 3.2 This report reaffirms that commitment and sets out the general timetable for this and the approach to be followed. It must be noted that this is a draft timetable that may be varied to respond to the impact of the Localism Bill which is expected to receive Royal Assent in the Autumn.
- 3.3 It is intended that this review should be as inclusive as possible and will include a period of consultation. Stakeholders in this consultation will include all elected Members, Audit and Corporate Governance Committee, Neighbourhood Boards and other key partners such as Police, Health, Cheshire Fire & Rescue Services, Golden Gates Housing Trust, third sector agencies, etc. The outcome of the review and any proposal to change the constitution will be reported to the Audit and Corporate Governance Committee and be followed by a period of consultation with stakeholders and interested persons. The final decision upon the proposals will be made by full Council.

- 3.4 The aim of this review is to ensure that there is greater member involvement in consultation, policy development and scrutiny and that this leads to a more inclusive decision making process. It will deliver wider opportunities for member development, building skills, capacity and expertise.

It is also intended that this new approach will lead to more open and transparent decision making visible to the residents of Warrington and deliver effective governance and value for money.

This review will identify options for future structures and roles and responsibilities of the Executive Board, a proposal will be developed and this will be consulted on.

- 3.5 Councillor R Bowden will lead this review. He will be advised by the Assistant Chief Executive and the Solicitor to the Council.

4. TIMETABLE – DRAFT

- 4.1 Draft proposals will be discussed at the Constitutional Sub Committee meeting on 31 August 2011.
- 4.2 A report will be presented to the Audit and Corporate Governance Committee, 22 September 2011.
- 4.3 A full programme of consultation will take place during the Autumn (October and November).
- 4.4 The findings for this consultation and any amendments to the proposal will be reported to the Constitutional Sub Committee and Audit and Corporate Governance Committee in January 2012. This will be reported to the Executive Board on 12 March 2012 to give their views.
- 4.5 The final report on proposals will be made to Full Council on 26 March 2012.

5. FINANCIAL CONSIDERATIONS

- 5.1 Within existing resources.

6. RISK ASSESSMENT

- 6.1 A full risk log will be produced.

7. EQUALITY AND DIVERSITY/EQUALITY IMPACT ASSESSMENT

- 7.1 A full impact assessment of the option proposed will be undertaken.

8. CONSULTATION

- 8.1 Full consultation will be undertaken as part of the review.

9. REASONS FOR RECOMMENDATION

9.1 To signal the start of the review.

10. RECOMMENDATION

10.1 That the Executive Board accepts this report.

11. BACKGROUND PAPERS

None.

Name	E-mail	Telephone
Katherine Fairclough	kfairclough@warrington.gov.uk	01925 442311

Clearance Details :				
	Name	Consulted		Date Approved
		Yes	No	
Relevant Executive Board Member	Councillor Bowden	✓		4.8.11
Leader of the Council	Councillor O’Neill	✓		4.8.11
Chief Executive	Diana Terris	✓		4.8.11
Relevant Executive Director	Katherine Fairclough	✓		4.8.11
Solicitor to the Council & Relevant Assistant Director	Ian Mason on behalf of Tim Date	✓		4.8.11
S151 Officer	Lynton Green	✓		4.8.11

WARRINGTON BOROUGH COUNCIL

CONSTITUTION SUB COMMITTEE – 31st AUGUST 2011

Report of : Assistant Chief Executive

Director : Katherine Fairclough, Assistant Chief Executive

Report Author: Timothy Date, Solicitor to the Council

Contact Details: Email Address: tdate1@warrington.gov.uk Telephone: 01925 442150

**TITLE OF REPORT: EXECUTIVE BOARD AND COMMITTEE REVIEW.
LOCAL GOVERNMENT ACT 2000 AND LOCALISM
BILL**

1. PURPOSE OF REPORT

1.1 To provide the Constitutional Sub Committee with a summary of the work of the Audit and Corporate Governance Committee in 2010 / 11 and to report upon the progress of the Localism Bill.

2. CONFIDENTIAL OR EXEMPT

2.1 The report does not contain confidential information.

3. INTRODUCTION AND BACKGROUND

3.1 In the course of the municipal year 2010 / 11 the Constitutional Sub Committee addressed a variety of matters relating to the Council's decision making processes and constitution. A summary of that work, presented to the Audit and Corporate Governance Committee of 20th April 2011, is attached to this report as Appendix 1.

3.2 In the context of the Leader's announcement at Annual Council on 23rd May 2011 concerning a review of executive board and committee structures, the work of the Constitutional Sub Committee in the last municipal year provides a foundation for further development of the matter.

3.3 It is particularly important for the Sub Committee to bear in mind that until the Localism Bill receives Royal Assent the requirements of the Local Government Act 2000 will remain in force. In particular the Local Authorities (Functions and Responsibilities) (England) Regulations

2000 will continue to determine the role of the Executive Board in decision making.

- 3.4 The practical impact of this is that the current Leader and Executive model of governance will have to remain in place for the time being. Nevertheless, the existing statutory framework should provide the Council with sufficient flexibility to allow greater member involvement in development of policy, strategy and recommendations.

4. LOCALISM BILL

- 4.1 The Localism Bill has yet to receive Royal Assent. The next stage in the passage of the Bill is Report Stage in the House of Lords. This is scheduled for 5th September 2011.

5. FINANCIAL CONSIDERATIONS

- 5.1 As indicated in the report of the Executive Member for Corporate Assignments the review of executive board and committee arrangements will be undertaken within existing resources.

6. RISK ASSESSMENT

- 6.1 As further indicated in the Executive Member for Corporate Assignment's report a full risk assessment will be undertaken of any substantive proposals that emerge from the review.

7. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

- 7.1 Again, a full equality and impact assessment will be undertaken on any proposals for consultation.

8. CONSULTATION

- 8.1 Comments are sought on the current executive and committee structures in the light of the information contained in this report and the report of the Executive Member for Corporate Assignments.

9. REASONS FOR RECOMMENDATION

- 9.1 To enable the Constitutional Sub Committee to make its views known in the context of work previously undertaken in municipal year 2010 / 11 recommendation.

10. RECOMMENDATION

- 10.1 That the Constitutional Sub Committee consider this report alongside that of the Executive Member for Corporate Assignments with particular reference to the ongoing requirements of the Local Government Act 2000.

10. BACKGROUND PAPERS

Contacts for Background Papers:

Name	E-mail	Telephone
Timothy Date	Tdate1@warrington.gov.uk	01925 442150

11. CLEARANCE DETAILS

	Name	Consulted		Date Approved
		Yes	No	
Assistant Chief Executive	Katherine Fairclough		<input type="checkbox"/>	
Deputy S151 Officer	Shaer Halewood		<input type="checkbox"/>	

WARRINGTON BOROUGH COUNCIL

CONSTITUTIONAL SUB COMMITTEE – 31 AUGUST 2011

Report of the: Executive Member for Corporate Assignments
Report Author: Councillor R Bowden
Contact Details: **Email Address:** kfairclough@warrington.gov.uk **Telephone:** 01925 442311

Ward Members: All

TITLE OF REPORT: EXECUTIVE BOARD AND COMMITTEE REVIEW

1. PURPOSE

- 1.1 To brief the Sub Committee on the proposed programme for the Executive Board and Committee review and to seek their contributions to the development of the proposals for consultation.

2. CONFIDENTIAL OR EXEMPT

- 2.1 Not confidential or exempt.

3. INTRODUCTION AND BACKGROUND

- 3.1 The Leader announced at Annual Council on 23 May 2011 that a review of Executive Board and Committee structures was to take place with implementation of the new structure by May 2012.
- 3.2 The initial aim of this review is to ensure that the Executive Board operates effectively and that the portfolio roles and responsibilities are appropriate for effective decision making. It is possible that the review will lead to a reduction in the size of the Executive Board.
- 3.3 A wider objective of the review is to ensure that there is greater Member involvement in consultation, policy development and scrutiny and that this leads to a more inclusive decision making process. Although the decision making authority of the Council would remain with the Executive Board, there is potential to seek greater involvement of Members in the development of policy, strategy and recommendations. This would require some reorganisation of the Overview & Scrutiny Committee structure and appropriate amendments to the Council Constitution and Committee Terms of Reference.

- 3.4 The scope of the review will not include the structure of the existing Regulatory and other Committees.
- 3.5 Reorganisation of the Executive Board and the Overview & Scrutiny Committee structures would provide greater openness and transparency of Council policy and decisions, to all Members, Council officers and the general public based on the Council's key priorities.
- 3.6 The enhanced role of all Members will improve consultation on key policies and decisions. Appropriate revision of the Committee system and cycle should not increase the timeframe for key decisions but allows for wider engagement with Members before those decisions are made. This is in contrast to the existing Overview & Scrutiny process, where any review or scrutiny is made after the event.
- 3.7 Enhancing the involvement of all Members provides an opportunity to widen the development of Members, building skills, capacity and expertise that will be to the benefit of the Council as a whole.
- 3.8 It is a fundamental role of the Council to provide effective leadership, governance and scrutiny. Any changes to the Executive Board and the Overview and Scrutiny Committee system must ensure that these functions remain credible, robust and provide value for money to the residents of Warrington.
- 3.9 Reorganisation may also offer some potential efficiency savings to the Council, through:
- A smaller Executive Board;
 - A streamlined scrutiny process, possibly with a single Scrutiny Committee;
 - Rationalisation of Special Responsibility Allowances (SRAs);
 - An effective Committee cycle;
 - Optimised support services from Democratic & Members Services.
- 3.10 It is noted that any reorganisation of the Executive Board and the Overview and Scrutiny functions are expected to be evolutionary rather than revolutionary. We must recognise the impending Localism Bill and the potential changes to Council governance. Any reorganisation arising from this review may therefore be a first step in longer term governance reform.

4. PROGRESS SO FAR

Executive Board Structure

- 4.1 Research of other Council structures within the sub-region and a representative 'peer group' (i.e. local authorities with similar population, demographics etc.) shows that a diverse range of models exist within Councils, each tailored to local circumstances.
- 4.2 Across these authorities, the Executive Boards vary in size from 7-10 Members. Where smaller Executive Boards are in place, the Leader and/or Deputy Leader often also have formal portfolios. Early discussions have been held with Warrington's Executive Board and they are open to hearing a wide range of views before recommending a proposal on the number and range of Executive Board portfolios.

Overview and Scrutiny (OSC)

- 4.3 Many Councils retain a number of Overview and Scrutiny Committees, generally aligned to traditional Corporate Plan priorities. Very few have moved to a single OSC, suggesting that where Executive Boards have been reduced in size, this has not been as part of a wider review as is being proposed for Warrington.
- 4.4 An outline timetable has been approved by the Executive Board; this report is attached at Appendix 4.

5. FINANCIAL CONSIDERATIONS

- 5.1 This review will be undertaken within existing resources.

6. RISK ASSESSMENT

- 6.1 A full risk assessment will be undertaken of the proposals for consultation.

7. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

- 7.1 The aim of the review is to encourage inclusive and full participation of all members. A full Equality Impact Assessment will be undertaken on any proposals taken to formal consultation.

8. CONSULTATION

- 8.1 Members comments are sought on the current Executive and Committee structures and any proposals for improvement are welcomed, particularly in relation to the effective working of any new style 'policy' or 'select' committees.

8.2 The current Council structure is attached at Appendix 1. Some indicative examples of alternative structures are attached for discussion at Appendix 2. These are based on early feedback from the initial research, which is summarised at Appendix 3.

9. REASONS FOR RECOMMENDATION

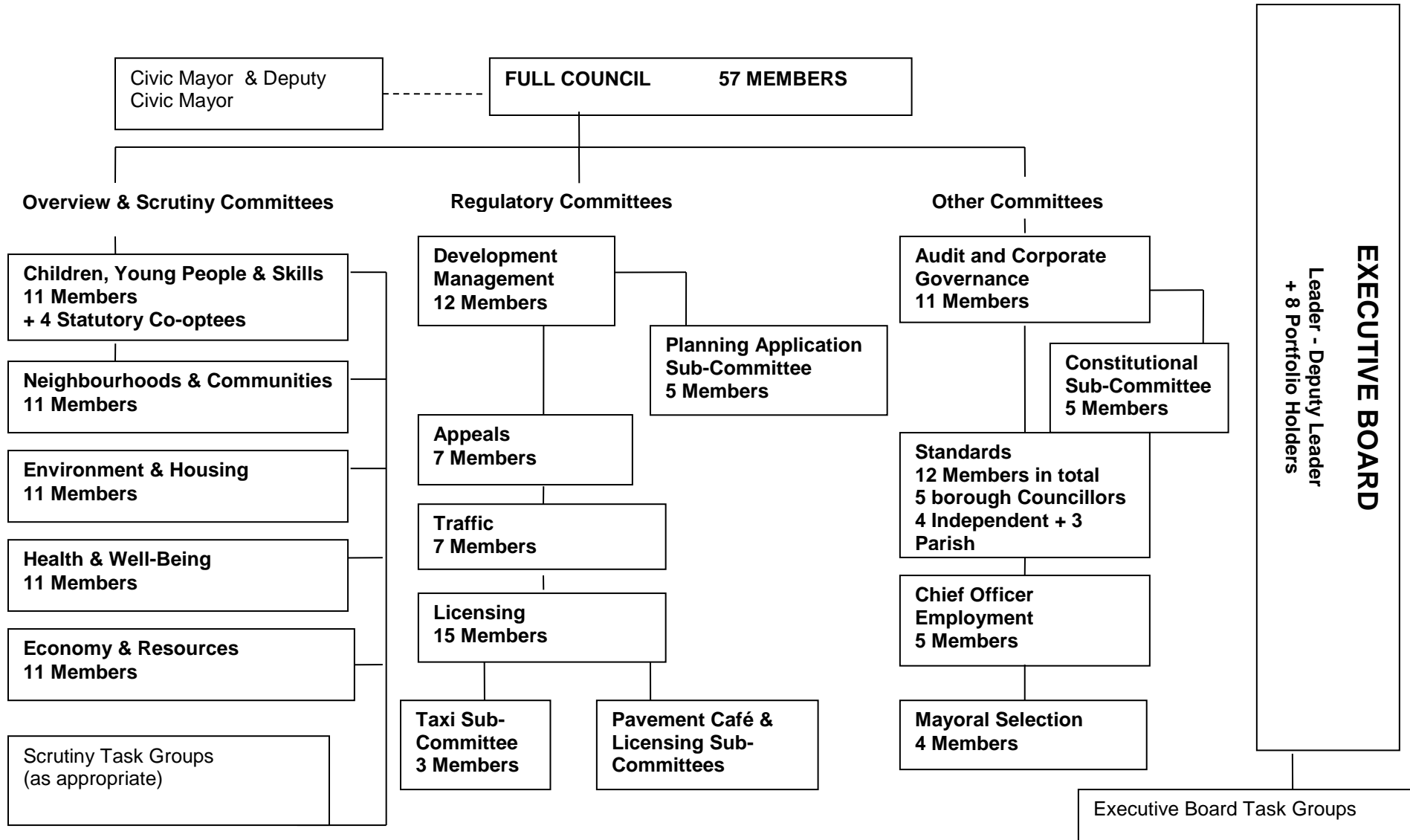
9.1 To ensure that the Constitutional Sub Committee are fully consulted and engaged in the review process.

10. RECOMMENDATION

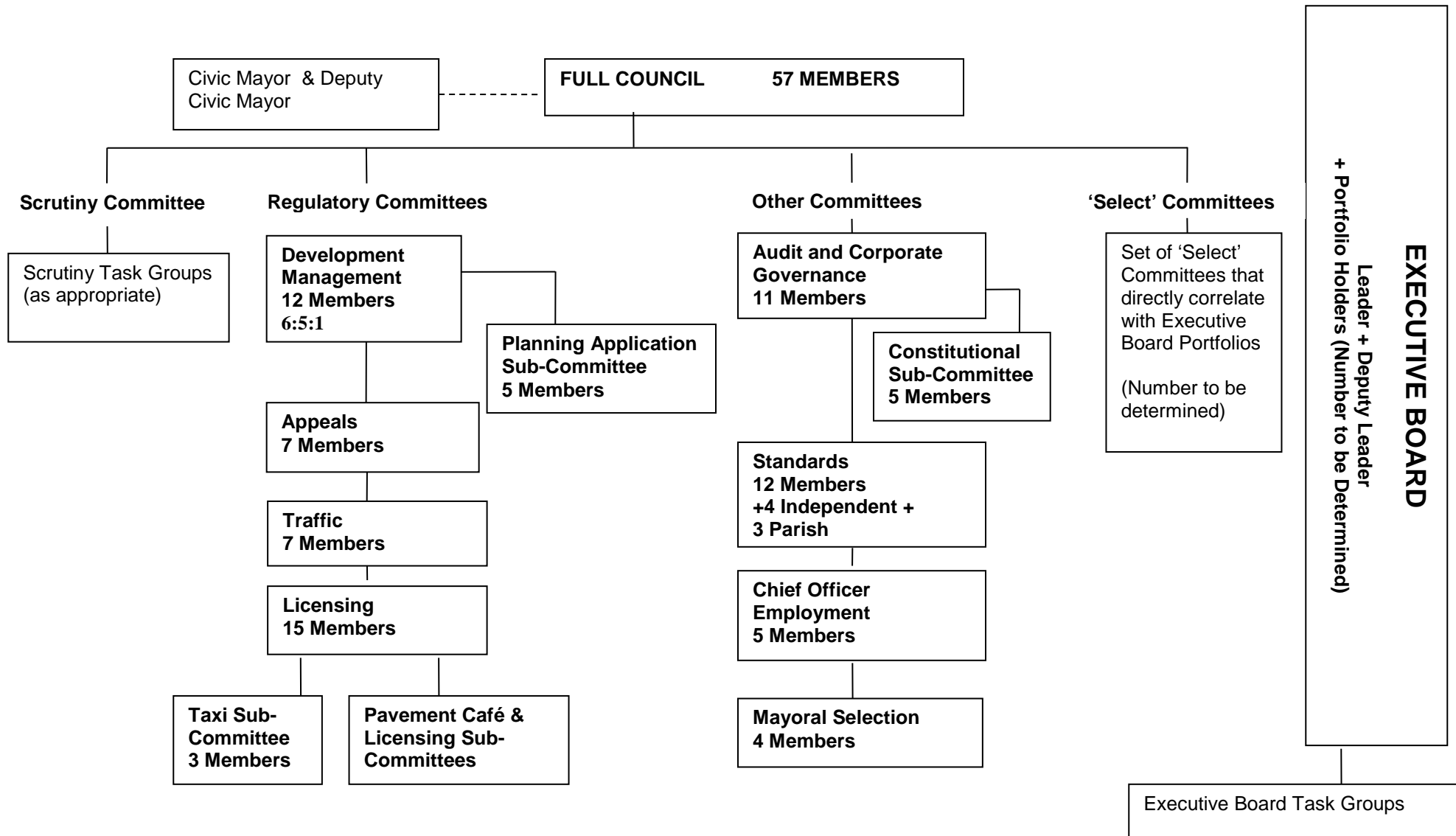
10.1 That the Sub Committee consider this report, the attached Appendices and contribute to the development of the review proposals.

11.	Clearance Details:	Name	Consulted		Date Approved
			Yes	No	
	Chair of Constitutional Sub Committee	Councillor Fitzsimmons	✓		
	SMB			✓	N/A
	Relevant Executive Director	Katherine Fairclough	✓		22.8.11
	Solicitor to the Council	Tim Date	✓		22.8.11
	S151 Officer (Deputy)	Shaer Halewood	✓		22.8.11
	Relevant Assistant Director	Tim Date	✓		22.8.11

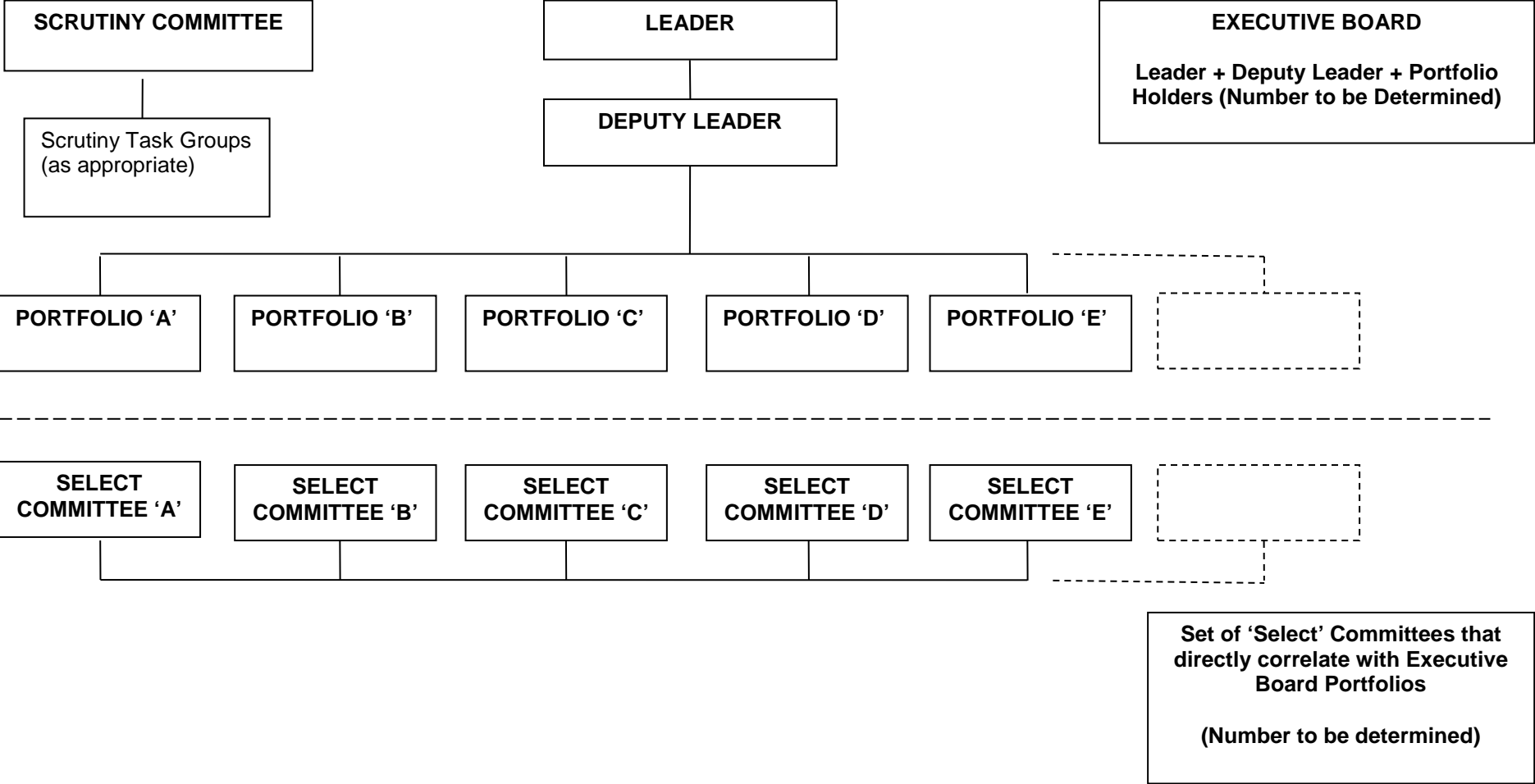
CURRENT COUNCIL & COMMITTEE STRUCTURE



POTENTIAL COUNCIL & COMMITTEE STRUCTURE



POTENTIAL COUNCIL & COMMITTEE STRUCTURE



COMPARISON OF LOCAL AUTHORITY EXECUTIVE PORTFOLIOS & COMMITTEE STRUCTURES - REGIONAL

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Bolton	8	Strategy & External Relations (Leader) Health & Corporate Resources (Deputy Leader) Children's Services & Safeguarding Regeneration, Housing & Skills Environmental Services Adult Services Cleaner, Greener, Safer Human Resources, Organisational Development & Diversity	Adult, Community Services & Children's Services Scrutiny Corporate & External Issues Scrutiny Environmental Services, Regeneration, Housing & Skills Scrutiny
Bury	10	Leader Finance Human Resources & Performance Children & Families Adult Care, Health & Housing Communities Environment & Economy Leisure, Tourism & Culture 2 x Non-Portfolio Holders	Overview Management Committee Scrutiny (Internal) Scrutiny (External)
Cheshire East	8	Leader Adult Services (Deputy Leader) Safer & Stronger Communities Environmental Services Performance & Capacity Procurement & Shared Services Children & Family Services Prosperity	Adult Social Care Scrutiny Children and Families Services Scrutiny Corporate Scrutiny Environment & Prosperity Scrutiny Health & Wellbeing Scrutiny Sustainable Communities Scrutiny

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Cheshire West & Chester	7	Leader Resources (Deputy Leader) Adult Services Prosperity (Regeneration) Culture & Recreation Community & Environment Education & Children	Corporate Scrutiny Children & Education Scrutiny Health & Wellbeing Scrutiny Public Accounts Scrutiny Safeguarding Scrutiny Locality Working Scrutiny
Halton	10	Leader Children, Young People & Families Health & Adults Transportation Neighbourhood, Leisure & Sport Community Safety Economic Development Resources Environmental Sustainability Physical Environment	Policy & Performance Boards for: Children, Young People & Families Corporate Employment, Learning, Skills & Community Environment & Urban Renewal Health Safer
Knowsley	10	Leader Neighbourhood Delivery Regeneration, Economy & Skills Health & Social Care Children & Family Services Leisure, Community & Culture Corporate & Customer Services Community Safety & Social Inclusion Human Resources Finance & Information Technology	Overview & Scrutiny Board

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Liverpool	10	Leader Finance & Resources (Deputy Leader) Education & Children’s Services Adult Social Care & Health Regeneration & Transport Environment & Climate Change Neighbourhoods Housing & Community Safety Culture & Tourism Employment, Enterprise & Skills	Overview & Scrutiny Select Committee, supported by 10 themed select committees that directly relate to the portfolios
Manchester	10	Leader 2 x Deputy Leader Adult Services Culture & Leisure Children’s Services Environment Finance & Human Resources Neighbourhood Services 1 x Non-Portfolio Holder	Children & Young People Citizenship & Inclusion Communities & Neighbourhoods Economy, Employment & Skills Health & Wellbeing Resources & Governance
Oldham	8 (+4)	External Relations & Democracy (Leader) Partnerships & Commissioning (Deputy Leader) Cooperatives & Community Development Housing, Transport & Regeneration Finance & Human Resources Adult Social Services & Health Children, Young People, Families, Leisure & Culture Neighbourhoods	Overview & Scrutiny Board Performance & Value for Money Select Committee

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Rochdale	7	Leader Corporate Services & Economic Development (Deputy Leader) Children, Schools & Families Finance Health, Adult Care & Housing Internal & Environmental Services Performance & Partnerships	Overview & Scrutiny Health Overview & Scrutiny
Salford	10	Leader Deputy Leader Adult Social Care & Health Children's Services Environment Finance & Support Services Housing Human Resources & Equalities Planning & Town Twinning Neighbourhoods, Culture & Leisure (Asylum Seekers & Refugees)	Sustainable Regeneration Neighbourhoods Health, Wellbeing & Social Care Children, Young People & Families Corporate Issues Budget
Sefton	10	Leader Children, Schools & Families Corporate Services Environmental Leisure, Culture & Tourism Services Older People & Health Performance, Governance & Commissioning Regeneration & Housing Safer Communities & Neighbourhoods Street Scene & Transportation	Children's Services Health & Social Care Performance & Corporate Regeneration & Environmental

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
St Helens	8	Corporate Services & External Affairs (Leader) Culture, Communications & Town Centre (Deputy Leader) Adult Social Care & Health Children, Young People & Learning Environmental Protection Neighbourhoods, Safer Communities & Youth Urban Regeneration & Housing	Overview & Scrutiny Commission Adult Social Care & Health Audit & Financial Monitoring Children & Young People Environment & Safer Communities Regeneration, Housing, Culture & Leisure
Stockport	10	Leader Finance (Deputy Leader) Environment Children & Young People Customer Focus Regeneration Adults & Health Leisure Transportation Communities	Adults & Communities Children & Young People Corporate Resource Management & Governance Environment & Economy Health Scrutiny Coordination
Tameside	10	Leader Deputy Leader First Deputy (Performance & Finance) Adults Services Business & Community Development Children & Families Environmental Services Learning & achievement Neighbourhoods Transport & Development	Personal & Health Services Resources & Sustainable Communities Services for Children & Young People Technical, Economic & Environmental Services

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Trafford	10	Leader Finance Economic Growth & Prosperity Safe, Strong Communities Education Highways & Transportation Environmental Services Supporting Children & Families Transformation & Resources (Deputy Leader) Adult Care, Health & Wellbeing	Overview & Scrutiny Core
Warrington	10	Leader Deputy Leader Corporate Assignments Corporate Resources & Services Children's & Young Peoples Services Highways, Transportation & Climate Change Environment & Public Protection Leisure, Community & Culture Personnel & Communications Health and Wellbeing & Adult Services	Economy & Resources Scrutiny Health & Wellbeing Scrutiny Environment & Housing Children, Young People & Skills Neighbourhood & Communities
Wigan	7	Leader Environment & Communities Adults & Health Children & Young Peoples Services Regeneration (Deputy Leader) Communication & Customers Efficiency	Adult Health & Wellbeing Scrutiny Building Stronger Communities Scrutiny Children, Young People & Families Scrutiny Economy, Environment, Culture & Housing Scrutiny Corporate Overview & Scrutiny

COMPARISON OF LOCAL AUTHORITY EXECUTIVE PORTFOLIOS & COMMITTEE STRUCTURES – PEER GROUP

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Bracknell Forest	8	Council Strategy & Community Cohesion (Leader) Finance, Resources & Assets (Deputy Leader) Planning, Transport & Economic Development Children & Young People Adult Services, Health & Housing Environment Culture, Corporate Services & Public Protection Education	Overview & Scrutiny Commission Adult Social Care Children, Young People & Learning Environment, Culture & Communities Health
Darlington	8	Leader Efficiency & Resources (Deputy Leader) Adult Social Care & Housing Children & Young People Transport Economy & Regeneration Health & Partnerships Leisure & Local Environment	Children & Young People Economy & Environment Health & Wellbeing Neighbourhood Services Resources
Derby	8	Leader Resources Planning & Environment Housing & Advice Leisure & Culture Neighbourhoods Adult Social Care & Health Children & Young People	Scrutiny Management Adult Health & Housing Safer Communities Children & Young People Neighbourhoods

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Halton	10	Leader Children, Young People & Families Health & Adults Transportation Neighbourhood, Leisure & Sport Community Safety Economic Development Resources Environmental Sustainability Physical Environment	Policy & Performance Boards for: Children, Young People & Families Corporate Employment, Learning, Skills & Community Environment & Urban Renewal Health Safer
Luton	10	Leader Finance (Deputy Leader) Regeneration Environment Children's Services Children's Social Care Housing Adult Social Care Community Engagement Leisure & Community	Overview & Scrutiny Board
Medway	10	Leader Finance (Deputy Leader) Adult Services Children's Services Children's Social Care Community Safety & Customer Contact Corporate Services Front Line Services Housing & Community Services Strategic Development & Economic Growth	Business Support Children & Adults Health & Adult Social Care Regeneration, Community & Culture

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Milton Keynes	7	Leader Economic Development & Enterprise (Deputy Leader) Children & Young People Growth & Development Transport & Highways Adult, Older Years & Health Communities, Corporate Services & Transformation	Overview & Scrutiny Management, supported by 5 themed select committees: Children & Young People Health & Community Wellbeing Safer & Stronger Communities Economic Development & Enterprise Partnership & Growth
Peterborough	10 (+1)	Leader Culture, Recreation & Strategic Commissioning (Deputy Leader) Communications Environment Capital Adult Social Care Housing, Neighbourhoods & Planning Education, Skills & University Children’s Services Resources Community Cohesion & Safety	Creating Opportunities & Tackling Inequalities Environment Capital Strong & Supportive Communities Sustainable Growth Health Issues Rural Communities
Redcar & Cleveland	10	Leader Culture, Leisure, Tourism & Rural Affairs (Deputy Leader) Highways, Transportation & Planning Housing & Neighbourhood Renewal Community Protection Health & Social Wellbeing Children’s Services & Education Economic Development Corporate Resources Environment	Scrutiny Board

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Stockton-on-Tees	9	Leader Adult Services & Health (Deputy Leader) Access & Communities Arts, Leisure & Culture Children & Young People Corporate Management & Finance Environment Housing & Community Safety Regeneration & Transport	Executive Scrutiny Committee, supported by 7 themed select committees that directly relate to the portfolios
Swindon	10	Leader Regeneration & Culture (Deputy Leader) Finance Council Transformation, Sustainability, Strategic Planning & Transport One Swindon, Communities & Housing Customer Services & a Safer and Stronger Borough Health & Adult Social Care Streetsmart & Parks Children's Services Leisure & Corporate Services	Scrutiny Committee Children & Young People Economic, Environmental & Sustainability Health Safer & Stronger Communities
Telford & Wrekin	9	Leader Borough Town Development & Policy (Deputy Leader) Adult & Social Care Cooperative Council & Partnership Leisure & Wellbeing Resources & Service Delivery Environment, Transport & Community Protection Housing, Regeneration & Economic Development Children, Young People & Families	Scrutiny Management Board Finance & Budget Children & Young People Cooperative & Community Health Adult Social Care

Local Authority	Executive Board	Executive Board Portfolios	Overview & Scrutiny Structure
Thurrock	8	Strategy & Finance (Leader) Environment (Deputy Leader) Education Children’s Social Care & Health Adult Social Care Housing & Regeneration Central Services Community, Culture & Leisure	Children’s Services Environment Performance & Improvement Health & Wellbeing
Warrington	10	Leader Deputy Leader Corporate Assignments Corporate Resources & Services Children’s & Young Peoples Services Highways, Transportation & Climate Change Environment & Public Protection Leisure, Community & Culture Personnel & Communications Health and Wellbeing & Adult Services	Economy & Resources Scrutiny Health & Wellbeing Scrutiny Environment & Housing Children, Young People & Skills Neighbourhood & Communities

COMPARISON OF LOCAL AUTHORITY EXECUTIVES/CABINETS

Local Authority	No. of Members
Bolton	8
Bury	10
Cheshire East	8
Cheshire West & Chester	7
Halton	10
Knowsley	10
Liverpool	10
Manchester	10
Oldham	8 (+4)
Rochdale	7
Salford	10
Sefton	10
St Helens	8
Stockport	10
Tameside	10
Trafford	10
Wigan	7
Bracknell Forest	8
Darlington	8
Derby	8
Halton	10
Luton	10
Medway	10
Milton Keynes	7
Peterborough	10 (+1)
Redcar & Cleveland	10
Stockton-on-Tees	9
Swindon	10
Telford & Wrekin	9
Thurrock	8

WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 15 AUGUST 2011

Report of Executive Board Member: Councillor Bowden, Executive Member for Corporate Assignments
Executive Director: Assistant Chief Executive
Report Author: Katherine Fairclough
Contact Details: **Email Address:** kfairclough@warrington.gov.uk **Telephone:** 01925 442311

Key Decision No.: No
Ward Members: All

TITLE OF REPORT: REVIEW OF EXECUTIVE BOARD AND COMMITTEE STRUCTURES

1. PURPOSE

- 1.1 To inform the Executive of the process to review the Executive Board and Committee Structures.

2. CONFIDENTIAL OR EXEMPT

- 2.1 Not confidential.

3. INTRODUCTION AND BACKGROUND

- 3.1 The Leader announced at Annual Council on 23 May 2011 that a review of Executive Board and Committee structures was to take place with implementation of the new structure by May 2012.
- 3.2 This report reaffirms that commitment and sets out the general timetable for this and the approach to be followed. It must be noted that this is a draft timetable that may be varied to respond to the impact of the Localism Bill which is expected to receive Royal Assent in the Autumn.
- 3.3 It is intended that this review should be as inclusive as possible and will include a period of consultation. Stakeholders in this consultation will include all elected Members, Audit and Corporate Governance Committee, Neighbourhood Boards and other key partners such as Police, Health, Cheshire Fire & Rescue Services, Golden Gates Housing Trust, third sector agencies, etc. The outcome of the review and any proposal to change the constitution will be reported to the Audit and Corporate Governance Committee and be followed by a period of consultation with stakeholders and interested persons. The final decision upon the proposals will be made by full Council.

- 3.4 The aim of this review is to ensure that there is greater member involvement in consultation, policy development and scrutiny and that this leads to a more inclusive decision making process. It will deliver wider opportunities for member development, building skills, capacity and expertise.

It is also intended that this new approach will lead to more open and transparent decision making visible to the residents of Warrington and deliver effective governance and value for money.

This review will identify options for future structures and roles and responsibilities of the Executive Board, a proposal will be developed and this will be consulted on.

- 3.5 Councillor R Bowden will lead this review. He will be advised by the Assistant Chief Executive and the Solicitor to the Council.

4. TIMETABLE – DRAFT

- 4.1 Draft proposals will be discussed at the Constitutional Sub Committee meeting on 31 August 2011.
- 4.2 A report will be presented to the Audit and Corporate Governance Committee, 22 September 2011.
- 4.3 A full programme of consultation will take place during the Autumn (October and November).
- 4.4 The findings for this consultation and any amendments to the proposal will be reported to the Constitutional Sub Committee and Audit and Corporate Governance Committee in January 2012. This will be reported to the Executive Board on 12 March 2012 to give their views.
- 4.5 The final report on proposals will be made to Full Council on 26 March 2012.

5. FINANCIAL CONSIDERATIONS

- 5.1 Within existing resources.

6. RISK ASSESSMENT

- 6.1 A full risk log will be produced.

7. EQUALITY AND DIVERSITY/EQUALITY IMPACT ASSESSMENT

- 7.1 A full impact assessment of the option proposed will be undertaken.

8. CONSULTATION

- 8.1 Full consultation will be undertaken as part of the review.

9. REASONS FOR RECOMMENDATION

9.1 To signal the start of the review.

10. RECOMMENDATION

10.1 That the Executive Board accepts this report.

11. BACKGROUND PAPERS

None.

Name	E-mail	Telephone
Katherine Fairclough	kfairclough@warrington.gov.uk	01925 442311

Clearance Details :				
	Name	Consulted		Date Approved
		Yes	No	
Relevant Executive Board Member	Councillor Bowden	✓		4.8.11
Leader of the Council	Councillor O'Neill	✓		4.8.11
Chief Executive	Diana Terris	✓		4.8.11
Relevant Executive Director	Katherine Fairclough	✓		4.8.11
Solicitor to the Council & Relevant Assistant Director	Ian Mason on behalf of Tim Date	✓		4.8.11
S151 Officer	Lynton Green	✓		4.8.11

WARRINGTON BOROUGH COUNCIL

CONSTITUTION SUB COMMITTEE – 31st AUGUST 2011

Report of : Assistant Chief Executive

Director : Katherine Fairclough, Assistant Chief Executive

Report Author: Timothy Date, Solicitor to the Council

Contact Details: Email Address: tdate1@warrington.gov.uk Telephone: 01925 442150

**TITLE OF REPORT: EXECUTIVE BOARD AND COMMITTEE REVIEW.
LOCAL GOVERNMENT ACT 2000 AND LOCALISM
BILL**

1. PURPOSE OF REPORT

1.1 To provide the Constitutional Sub Committee with a summary of the work of the Audit and Corporate Governance Committee in 2010 / 11 and to report upon the progress of the Localism Bill.

2. CONFIDENTIAL OR EXEMPT

2.1 The report does not contain confidential information.

3. INTRODUCTION AND BACKGROUND

3.1 In the course of the municipal year 2010 / 11 the Constitutional Sub Committee addressed a variety of matters relating to the Council's decision making processes and constitution. A summary of that work, presented to the Audit and Corporate Governance Committee of 20th April 2011, is attached to this report as Appendix 1.

3.2 In the context of the Leader's announcement at Annual Council on 23rd May 2011 concerning a review of executive board and committee structures, the work of the Constitutional Sub Committee in the last municipal year provides a foundation for further development of the matter.

3.3 It is particularly important for the Sub Committee to bear in mind that until the Localism Bill receives Royal Assent the requirements of the Local Government Act 2000 will remain in force. In particular the Local Authorities (Functions and Responsibilities) (England) Regulations

2000 will continue to determine the role of the Executive Board in decision making.

- 3.4 The practical impact of this is that the current Leader and Executive model of governance will have to remain in place for the time being. Nevertheless, the existing statutory framework should provide the Council with sufficient flexibility to allow greater member involvement in development of policy, strategy and recommendations.

4. LOCALISM BILL

- 4.1 The Localism Bill has yet to receive Royal Assent. The next stage in the passage of the Bill is Report Stage in the House of Lords. This is scheduled for 5th September 2011.

5. FINANCIAL CONSIDERATIONS

- 5.1 As indicated in the report of the Executive Member for Corporate Assignments the review of executive board and committee arrangements will be undertaken within existing resources.

6. RISK ASSESSMENT

- 6.1 As further indicated in the Executive Member for Corporate Assignment's report a full risk assessment will be undertaken of any substantive proposals that emerge from the review.

7. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

- 7.1 Again, a full equality and impact assessment will be undertaken on any proposals for consultation.

8. CONSULTATION

- 8.1 Comments are sought on the current executive and committee structures in the light of the information contained in this report and the report of the Executive Member for Corporate Assignments.

9. REASONS FOR RECOMMENDATION

- 9.1 To enable the Constitutional Sub Committee to make its views known in the context of work previously undertaken in municipal year 2010 / 11 recommendation.

10. RECOMMENDATION

- 10.1 That the Constitutional Sub Committee consider this report alongside that of the Executive Member for Corporate Assignments with particular reference to the ongoing requirements of the Local Government Act 2000.

10. BACKGROUND PAPERS

Contacts for Background Papers:

Name	E-mail	Telephone
Timothy Date	Tdate1@warrington.gov.uk	01925 442150

11. CLEARANCE DETAILS

	Name	Consulted		Date Approved
		Yes	No	
Assistant Chief Executive	Katherine Fairclough		<input type="checkbox"/>	
Deputy S151 Officer	Shaer Halewood		<input type="checkbox"/>	