

Committee Report

ISLE OF WIGHT COUNCIL

Meeting	AUDIT AND GOVERNANCE COMMITTEE
Date	29 APRIL 2024
Title	ISLE OF WIGHT COUNCIL GOVERNANCE ARRANGEMENTS
Report of	CHIEF EXECUTIVE

EXECUTIVE SUMMARY

1. At the Annual Meeting of the Council on 17 May 2023 the Council considered a motion by Councillor Brodie that a Future Governance Working Group (“the FGWG”) be established “to make recommendations to Full Council [in] January 2024 regarding moving to a Committee system of governance...”. The motion was referred to Cabinet by Full Council.
2. Cabinet recommended to Full Council at their meeting of 19 July 2023, that Councillor Brodie’s motion should be referred to the Audit and Governance Committee. Full Council considered and resolved at that meeting, to agree an amended motion from Councillor Brodie in the following terms:

“THAT Full Council agrees to establish a politically proportionate 'Future Governance Working Group' to make recommendations to Full Council January 2024 via the Audit and Governance Committee regarding moving to a Committee system of governance (including the future Committee structure, decision-making powers, etc.). The intention being to recommend for approval a formal resolution to that meeting to bring about such a change in governance with effect on and from the Annual Council 2024. The Future Governance Working Group shall consist of ten councillors, namely any 3 councillors from the Alliance Group, any 4 councillors from the Conservative Group, any 1 councillor from the Empowering Islanders Group, any 1 councillor from the Liberal Democrat Group, and any 1 non-aligned councillor, plus staff support. Its terms of reference are to develop a new Committee system of governance for the Isle of Wight Council and to make recommendations for its implementation to Full Council. In so doing, the Future Governance Working Group shall, amongst other things, consider how other local authorities have made a transition back to the Committee system of governance model and what lessons can be learnt from that experience, and shall consider examples of best practice, to inform those recommendations.

3. The Future Governance Working Group, chaired by Cllr Brodie was established, met, and set up sub-groups of the Future Governance Working Group to inform their work and future recommendations to Full Council on the motion. These sub-groups considered:
 - i. Changes to a committee system elsewhere
 - ii. Views of our senior officers/colleagues and elsewhere
 - iii. Possible structures of a committee system
 - iv. Cabinet based alternatives to committees.
4. At the conclusion of the Future Governance Working Group's deliberations in November 2023, the Audit and Governance Committee at its meeting on 11th December 2023 received a report from Cllr Brodie as chair of the working group, in which it was determined that the working group would recommend to Full Council that it moves towards the introduction of a committee system with effect from May 2024.
5. Full Council at its meeting of 17 January 2024 resolved to note the recommendations of the Future Governance Working Group and that the working group would now work with the Monitoring Officer and senior officers on constitutional and other changes required with a progress report being provided to Full Council in March 2024.
6. As agreed, Full Council received a progress report, via the Audit and Governance Committee on 20th March 2024.
7. On 12th March 2024, Corporate Scrutiny Committee undertook a review of the proposed new governance arrangements and made observations, (see section on scrutiny committee's view section and appendices). The chair of the Future Governance Working Group responded to scrutiny on all the points raised.
8. This report sets out the options for the Council to consider for the future Governance of the Council, bearing in mind the work undertaken and recommendations made by the Future Governance Working Group.
9. There are in essence three available models of governance Councils can follow. These are:
 - a mayor and cabinet
 - a leader and cabinet
 - or the committee system of governance.
10. The options range from the status quo to other models of governance requiring a formal section 9KC resolution in accordance with the Local Government Act 2000.
11. The Council could seek to make a change to its current governance model either through a referendum or through a Council resolution. Should the Council approve a new model of governance, this report also seeks approval for the implementation date of any changes to the current governance model that Council may wish to approve.

RECOMMENDATIONS

That Full Council considers the governance options outlined in the report and resolves either to:

- A. Make no changes to the current governance arrangements and retain the executive model, with Leader and Cabinet form of governance (no change option) **OR**
- B. It considers a changed form of the current Leader and Cabinet model **OR** to cease operating the existing Leader and Cabinet model of Governance and
- C. It resolves to move to a Mayor and Cabinet **OR**
- D. It resolves to move to a Committee system of governance. This is the preferred option of the Future Governance Working Group, and if C or D it:
 - i. passes a resolution under Section 9KC of the Local Government Act 2000 (“9KC”) to make a change to its governance arrangements and move to the preferred option.
 - ii. agrees the date on which the change in governance arrangements will be implemented, which could be either:
 - a) the Annual Council meeting on 15th May 2024 **OR**
 - b) the Annual Council in May 2025.
 - iii. It agrees and adopts the frequency of meetings in the table at paragraph 90 (scenario 5 in **Appendix 3**)
 - iv. It considers the risks associated with a change in governance arrangements outlined in the risk section of this report and at **Appendix 4** of this report.
 - v. It instructs officers, as soon as practicable after passing the resolution to comply with the publication requirements under Section 9KC (b) and to secure that copies of a document setting out the provisions of the arrangements that are to have effect following the resolution are available at its principal office for inspection by members of the public, and published in one or more newspapers circulating in its area a notice with the information specified in Section 9KC (b).
 - vi. Notes that should Full Council pass a formal resolution under Section 9KC, to change the model of governance, a change cannot be made for 5 years, without a referendum.
 - vii. Instructs Audit and Governance Committee to conduct a review of the changed governance system, commencing within six months of implementation with a view to recommending improvements to Full Council as soon as practicable.

viii. Notes that should Full Council resolve to make any governance changes an updated constitution, will be brought to Full Council at the relevant annual council for approval.

ix. Notes that should any governance changes be approved that impact on members roles and responsibilities, an updated, interim Member remuneration scheme will be brought for approval at a relevant council meeting.

E. If the Council resolves to move to the preferred option, it further resolves that:

i. That the appointed Leader of the Council will chair the Policy, Resources and Finance Committee and It agrees and adopts the Committee system Framework at **Appendix 1, or**

ii. That the appointed Leader of the Council will be appointed to the Policy, Resources and Finance Committee and it will be chaired by a councillor appointed to that role and section 2 of Appendix 1, relating to the Leader's role is amended to reflect any necessary changes approved by Council.

BACKGROUND

12. The Local Government Act 2000 brought about fundamental changes to the way local authorities were governed and made decisions. Prior to implementation of this legislation, Full Council as parent body delegated powers to committees; sub committees and officers. The main decision-making committees were politically balanced.

13. The then government's White Paper, 'Modern Local Government: In touch with the People' (1998), argued that separating executive functions would have advantages in terms of efficiency, transparency, and accountability.

14. It was argued that there would be better transparency because it would be clear to the public who was responsible for many of the more important decisions impacting them. This would be because decision-making would not, according to the White Paper, be dissipated within sometimes opaque committee structures. Formal scrutiny was to be central to this executive model as a check and balance to the extensive powers given to the executive.

15. The White Paper was followed by legislation. The Local Government Act 2000 introduced alternative forms of governance. All councils except small district councils with a population of 85k or below, had to adopt either the Leader and Cabinet, elected Mayor with a Cabinet or elected Mayor with office manager model. The new governance models allowed for certain non-executive functions, often the quasi-judicial functions to be discharged by politically balanced committees. These included for example, Planning, Licensing and Audit and Governance Committees.

16. In recent years there has been a reconsideration of the governance arrangements and further legislation have made changes. The Localism Act 2011 gives councils a wider choice in their governance arrangements and allows councils, amongst other models to implement a committee form of governance.

The current position

17. The Localism Act 2011 introduced statutory provisions into the Local Government Act 2000 (“LGA 2000”). Chapter 1, Section 9B permits councils to have the following models of governance:

- i. Cabinet (for legal purposes referred to as executive arrangements but more widely known as Cabinet) arrangements or,
- ii. A committee system, or
- iii. Prescribed arrangements

18. The above options, allow for the following:

- i. The Status quo, no change option – (**executive**) Leader and Cabinet.
- ii. Change to a hybrid form of (**executive**) Leader and Cabinet governance.
- iii. Change its form of (**executive**) to an elected Mayor and Cabinet.
- iv. Change its form of governance to a **Committee** System.
- v. Propose a novel and different form of governance to the Secretary of State. As there are no current proposals to put to the secretary of state, this is not a realistic option at this stage.

Executive arrangements

19. Section 9C of the LGA 2000 identifies the type of executive arrangements for councils. The executive model may consist of:

- (a) an elected mayor of the authority, and
- (b) two or more councillors of the authority appointed to the executive by the elected mayor.

20. Such an executive model is referred to in this Part as a **mayor and cabinet executive**.

21. **Or** the executive model may consist of:

- (a) a councillor (referred to in this part as the executive leader) elected as leader of the cabinet (executive) by the authority, and
- (b) two or more councillors of the authority appointed to the cabinet (executive) by the Leader. This is the model that the Council currently operates.

22. This model requires the Council to, in addition, operate cross-party, politically balanced committees. These include committees undertaking non-executive functions for example, Planning, Licensing, Audit and Governance and Appointments and Employment Committees.
23. The executive model of governance requires the operation of one or more scrutiny committees. Scrutiny acts as an important counterbalance to the powers of the executive and is made up of cross-party politically balanced committee/s. As well as having the power to Call In cabinet (executive) decisions for review by the cabinet, scrutiny can and does a lot of value-added work by adding capacity to the cabinet (executive), engaging the wider councillor community, engaging other stakeholders, and helping in the process of policy development.
24. Some Councils allow the Leader of the executive to delegate executive powers to individual Cabinet members so that these members can make individual decisions within their remit. Some councils have structured executive decision-making only by Cabinet collectively. Some councils have variations, where the Leader only can make individual decisions, often the larger Key decisions. These arrangements are often contained within constitutional rules; the Leader's scheme of delegations and supported by an officer scheme of delegations.

Status Quo - No Change Option

25. The Council could decide to make no changes to its current model of governance. This is the leader and cabinet model with scrutiny committees and other operating committees. This model has been in operation as the council's governance model since 2001. The system is considered by some, to have worked well during the periods of time where there was a one clear political party majority. However, in more recent times, the landscape for local politics has become much more fragmented. The elections in 2013 and 2021 returned a no overall control Council. There has been an increase in the number of independent candidates standing for election which has resulted in alliances being formed to secure overall control to serve as the administration. That situation has over the period of the last twelve months become more fragmented as councillors have moved away from membership of that alliance, with new groups being established, an increase in the number of Liberal Democrat councillors elected together with single representatives of aligned and non-aligned groups.
26. This means that while there is still an administration that operates the Leader and Cabinet model of governance, the no-overall control situation means that there are challenges for effective decision making under this model of governance. This is particularly apparent where recommendations are made by Cabinet to Full Council on matters reserved for Full Council, such as budget setting. A recent example is the significant political "noise" around the February 2024 Full Council budget setting meeting, which saw the Cabinet's recommended budget not being carried and superseded by the Conservative and Empowering Islanders' budget amendment. Similar happened in 2022. The nature of decision-making under this model and current circumstances is also such that there can be strong disagreement to cabinet decisions from other political or aligned groups which can impact negatively on decision making processes that are not considered to be efficient or cost effective.

27. Given the disparate number of groups (four in total plus one single aligned and one non-aligned councillor) this has also led to a sense of frustration for councillors who do not feel that they have sufficient opportunity to fully represent the views of their constituents and that which allows them to inform strategy and policy decisions for the Council from the current Leader and Cabinet model of governance. While there is opportunity to participate in all the other business committees, including that of policy and scrutiny, there is a belief that this is insufficient to have real opportunity to influence decisions that are important to the Island's communities.
28. It does need to be acknowledged though that no one governance model is necessarily better than the other. The Centre of Governance and Scrutiny outline the importance of values and culture in addressing some of the perceived failures of governance models. In their words: "*A focus on structure risks missing opportunities to think about cultures and values.*" [Centre for Public Scrutiny - Musical Chairs](#) .
29. Whilst the cultural and values points are acknowledged, and that the political make-up of the Council may change in the future along more traditional party lines, the Future Governance Working Group were broadly of the view that to continue with the existing model, given many of the problems outlined above, would only serve to exacerbate a difficult situation and negatively impact effective decision-making for the council. A more consensual approach, engaging councillors fully in various parts of the decision-making process would work better for the fragmented politics that currently and are likely to exist going forwards. Therefore, having carefully considered the benefits and disbenefits of the current Leader and Cabinet model and having acknowledged that any change in governance model would bind the Council for 5 years (without a referendum) the Future Governance Working Group did not support retention Leader Cabinet model of governance.

Hybrid Executive arrangements

30. It is permissible with the executive model of governance to design variations in the make-up of the executive. Some councils follow what has become to be known as hybrid executive models of the Executive and this can be achieved without the need for a formal resolution to change its governance model of Section 9KC as set out in the Local Government Act 2000.
31. This form of executive can be structured in various ways along a spectrum whilst keeping within the legal framework of the executive model. Changes would need to be carefully drafted into the Council's constitution to enable a chosen hybrid model to operate effectively. There are examples of different iterations and innovations from other councils as they have tried in their context, to address some of the perceived weaknesses of their executive model of governance. Like all governance models, this form of governance has its advantages and disadvantages.
32. An example of a Council considering implementing hybrid executive arrangements is Bromsgrove District Council. The Council is proposing to do this by introducing protocols to embed more collegiate working; introducing Cabinet Advisory Panels; improve communication with councillors; Introduce a Memorandum of Understanding between all political group leaders. The [Bromsgrove District Council](#) meeting papers provides more information on the approach being considered.

33. Other models allow for cross party committees (overview and scrutiny) to consider issues in detail and to recommend decisions to Cabinet which can in effect be rubber stamped by Cabinet. Other iterations allow for the involvement of non-executive councillors through Cabinet advisory bodies. The [Rethinking Council Governance](#) report of the Centre for Governance and Scrutiny makes reference to these considerations.
34. A hybrid Executive model would keep significant decision-making powers with the Cabinet or individual members of Cabinet, the detail depending on how the Council structured this model. Cross-party committees, whether scrutiny committees or cabinet advisory committees would not have the formal decision-making powers of the executive. They would act, in effect, as pre-decision-scrutiny committees and would recommend decisions to the executive who could decide to “ratify” these decisions. Whilst the research is relatively old (2012) the [Centre for Governance and Scrutiny](#) outline their scepticism on the effectiveness of this aspect of the model. They state:
- “However, when committee decisions take the form of mere recommendations which are then “ratified” by a cabinet, or individual cabinet members, their force and influence will inevitably be diminished – particularly as committee sessions will often be held so close to the making of the decision as to make altering that decision difficult, without implementation delays.”*
35. Hybrid executive models can be designed to allow for greater involvement of non-cabinet councillors in the debate and consideration of strategy and policy decisions. However, it remains that the final decision maker will be cabinet or individual cabinet members. As set out above, with many disparate political groups that make up the council, there are difficult challenges identified for effective, representative decision-making which can play out negatively in public meetings. There is the need for more consensual decision making to be secured. Therefore, whilst a hybrid model could be designed to mitigate some of the difficulties in decision making, this approach is not considered sufficient to address the concerns that exist for Isle of Wight councillors to be able to fully participate in important decision-making; to represent the views of their electorates and for especially contentious decisions to be dealt with effectively.

Elected Mayor and Cabinet Form of Executive

36. The Council may choose to change its form of executive arrangement, from the Leader and Cabinet model to that of elected Mayor and Cabinet.
37. Under Section 9C of new Part 1A of the Local Government Act 2000 this option consists of a directly elected Mayor, and a Cabinet composed of between two and nine councillors appointed by the elected Mayor. The decision to move to an elected Mayor form of executive can be made following a referendum that supports change but changes to the law now allow the Council to move to this model of governance by council resolution without a referendum. However, should the Council wish to progress this as an option then implementation of such a model will need to be post an election process and will fit best with Council elections scheduled for next May 2025.

38. The advantage of this model is that there is direct election of a political leader by the electorate and therefore there is a direct link to the leadership of place and the priorities that are important to the Island's communities. It affords very clear and focussed strategic leadership for setting a vision and direction for the Council and transparency and accountability for decision making. The mayor in this form of governance does not have additional executive powers granted to them and it has many similarities with the cabinet form of governance. In this model the key decision-making powers will rest with a select group of councillors and the elected Mayor. This model, in decision-making terms has a lot of similarities to the council's current leader and cabinet model. Given the perceived problems at the Isle of Wight Council with the executive model, primarily arising from the political make-up of the Council, such a model of governance would not address the issues the Isle of Wight Council has with its decision-making challenges.
39. More widely, the evidence suggests that this form of governance has not found support from the relevant electorate. The majority of referendums on creating elected mayors have resulted in 'no' votes. As of May 2023, 14 local authorities have elected mayors and cabinet models. Of the councils that the government required to run a referendum most were rejected by the electorate.¹ In 2005, the Isle of Wight also voted conclusively against the option of a directly elected mayor.

Committee model of Governance

40. The Committee form of governance means the arrangements made by a local authority, in accordance with:
- (a) Part 6 of the Local Government Act 1972, and
 - (b) Part IA of the Local Government Act 2000
41. In this model, Full Council agrees the Policy and Budget Framework and certain mandated decisions either because they need to be made by Full Council by law or out of local choice. Full Council acts as the most senior decision-making body and delegates powers to a number of Service Committees. These committees can be structured in many ways around council functions.
42. The officer/member relationship would continue as currently between officers and cabinet members, except that this would now be with chairs of politically proportionate committees. It is important to acknowledge that under this model of governance, individual councillors are unable, legally, to make formal binding decisions, this power will rest with the relevant committees; Full Council and officers through delegations (as now).
43. This report outlines the Future Governance Working Group's recommendations which propose that the service committees, if the committee form of governance model is adopted, follow very closely the current cabinet/portfolio responsibilities.
44. Committees that currently operate and which make non-executive decisions, for example regulatory committees will continue to operate under this model.

¹ House of commons library Research Briefing 26 July 2023 By Mark Sandford

45. Under this model there is no legal requirement to have an independent scrutiny committee or committees although the Council could as a matter of choice establish them. The [Centre for Governance and Scrutiny](#) advocate for separate scrutiny committees in this model of governance. However, separate scrutiny meetings would impact on the financial model and costs of change as scrutiny meetings would need to be administered and serviced. This is ultimately a matter of local choice whether to form a scrutiny committee or committees.
46. If no specific scrutiny committee is established, this model does allow for committees themselves to undertake scrutiny within their terms of reference. The Future Governance Working Group were of the view that due to the political proportionate nature of each of the committees that there would be sufficient opportunity for councillors to contribute their different points of view as part of the decision making process and would lead to better decisions being made as an outcome whilst recognising that there remained an important element of scrutiny to be undertaken in the delivery of those decisions and to accommodate an appropriate separate element of the meeting for this purpose.
47. More specifically, even in the committee form of governance the Council will retain responsibility for certain mandatory external statutory Scrutiny functions. These functions relating to health; crime and disorder and flood risk.
48. These mandatory obligations could be discharged through the relevant service committees as part of their remit. This is the model being recommended by the Future Governance Working Group and which has been drafted into the committee system framework at Appendix 1.
49. The committee form of governance allows greater participation from different political groups and the make-up of the committees follow political balance rules.
50. However, there are potential disadvantages in that the decision-making can be slower and the accountability for decision-making may be unclear. The Future Governance Working Group considered these issues in more detail and their deliberations are contained below.
51. Pulling this all together the Council has the following options:
 - i. To retain its current form of Executive governance. This is a no change option (no requirement for a 9KC resolution) or
 - ii. Consider changes to its current executive model whilst retaining the Executive model (no requirement for a 9KC resolution) or
 - iii. Resolve to move to a Mayor and Cabinet Executive
 - iv. Resolve to move to a committee form of governance composed of politically balanced memberships.

52. A number of Councils, ranging from Unitary to District Councils have used the powers under the Localism Act 2011 to move to the Committee system of governance designed around their particular local need (Island context is set out in paragraphs 25 and 26). It is necessary therefore, in determining any change to governance arrangements that careful examination is given to the options open to the Council in its decision-making arrangements that will reflect and best serve effective decision making for the Council. As set out earlier in this report, the changing nature in the make of this council, the existing arrangements are considered by elected members to no longer a model that serves the Council well.
53. It is suggested that councils are increasingly exploring new models of governance provided for by the Localism Act 2011, to reflect the changing landscape of local government each with its own strengths depending on the particular context of a council.
54. The Centre for Governance and Scrutiny state:

“With more councils under no overall control and more being regularly contestable (i.e., changing hands between parties regularly). Under these circumstances it seems to be the case that leader-cabinet councils look less attractive to some, and the promises made of the more “consensual” committee system model appear a better fit.” and

“We don’t believe, however, that any one governance model is intrinsically better than any other. Any of the prevailing models – Mayoral, committee, leader/cabinet or a hybrid form – can be made to work. Structures are important and can influence and inform behaviour. But culture – how people are predisposed to behave and think, depending on their roles – is arguably more critical. Without the right attitudes, values and behaviours being in place, a system which looks exceptional on paper could be found wanting in practice. Equally, a governance system which might be robust and effective in one council could be inadequate if transposed wholesale into another authority” [Re-thinking Council Governance refers.](#)

The Council’s internal consideration of possible change

55. The Future Governance Working Group was politically proportionate and therefore allowed a conduit through which the views of each representative group could contribute. Each sub-group established was led/supported by members of the Future Governance Working Group.
56. The Chair of the Future Governance Working Group reported that everyone on the working group had the opportunity to research examples of changes and decisions not to change elsewhere. More generally, the Chief Executive offered some valuable input through Cllr Quirk, the latter also spoke to retired officers elsewhere including another council. Cllrs Garratt and Churchman provided the framework for the recommended future structure of the Council. Cabinet-based alternatives were looked at but did not command majority support.
57. At its meeting in September 2023 there were update reports from the above subgroups and consideration was given to Cabinet alternatives to Committees including consideration of hybrid Cabinet systems.

58. At its 16 October 2023 meeting updates were provided on discussions between members of the Future Governance Working Group with senior officers and discussions with one other Local Authority.
59. One member provided an analysis of the advantages and disadvantages of the various models of governance having taken a view from various sources including from Council colleagues and the Local Government Association. A summary of these advantages and disadvantages is set out below:

Advantages:

- i. **Specialisation:** Committees allow Council members to specialise in the specific areas such as finance, planning or social services, leading to more informed decision making.
- ii. **Inclusivity:** Committees can involve a broader range of voices and perspectives as they often include members from different political parties and backgrounds.
- iii. **Oversight:** Committees provide oversight and scrutiny, helping to ensure transparency and accountability in local government.
- iv. **Expertise:** They allow for the development of expertise over time, as committee members become well-versed in their respective policy areas.
- v. **Efficient Workload:** Committees can handle a variety of issues simultaneously, making it possible for councils to manage their workload effectively.

Disadvantages:

- i. **Decision Delays:** The committee system can lead to slower decision-making processes, as issues may need to go through multiple committee stages before reaching a final decision. When decisions require approval from multiple committees, there is a greater potential for gridlock or disagreement, especially if committees have conflicting priorities or partisan divisions.
- ii. **Complexity:** A proliferation of committees can make the local government structure more complex, potentially leading to confusion for the public.
- iii. **Bureaucracy:** In some cases, committees can become bureaucratic, with lengthy meetings and administrative overheads. A committee system can be less efficient in managing resources and staff as different committees may duplicate efforts or lack co-ordination, leading to inefficiencies in the allocation of resources.
- iv. **Partisanship:** Despite the intention of inclusivity, committees can still be influenced by political party dynamics potentially leading to partisan decision-making.

- v. **Lack of Accountability:** The committee system might dilute accountability, as responsibility can be diffused among multiple committees, making it unclear who is ultimately responsible for specific decisions.
 - vi. **Difficulty in Achieving Consensus:** In a committee system, achieving consensus among committee members can be challenging, potentially leading to watered-down or compromised decisions that do not fully address pressing issues.
60. The risk section of this report considers how disadvantages may be mitigated and detailed in full in Appendix 4. At the conclusion of the Future Governance Working Group's deliberations having considered member views, its members voted to recommend to Full Council that the Council moves to a committee form of governance.
61. The Audit and Governance Committee at its meeting of [11 December 2023](#) received a report from Cllr Brodie as chair of the working group, outlining the Future Governance Working Group's deliberations. The clear recommendation from the Future Governance Working Group was to move to a committee form of governance. This was influenced by the context of the Council, given that it currently is and at the 2013 election was a no overall control council. This was articulated by Cllr Brodie in his report to the Audit and Governance Committee in December 2023.
62. The Council has set up an officer project group to structure and drive any changes to support Council to implement any mandated changes. The Group meets weekly and is sponsored by the Chief Executive and supported by specialist legal advisers.
63. Member input has continued through the Future Governance Working Group which has met on a fortnightly basis since 7 February 2024.
64. The Future Governance Working Group have worked with senior officers and specialist external legal experts to develop and shape a proposed Committee system of governance for the council. The architecture document outlining the design principles of any proposed new committee system is attached at appendix 1.

Design Principles of a possible Committee system

65. Service committees will be set up by virtue of Pat VI of the Local Government Act 1972 and Part 1A of the Local Government Act 2000. The legal requirement is that unless there is unanimity otherwise, the committees must be politically balanced, and their composition must reflect the overall political makeup of the Council.
66. The pace required to move to a new model of governance by 15 May 2024, should that be the wish of full council, does create some risks and the need for compromises to mitigate these risks are considered within the risk section of this report and are also set out in the risk matrix at appendix 4.(see section on Risk below and the risk matrix in appendix 4).

67. To prepare for a tight implementation of this model, specialist external legal advisors have supported the drafting to an amended constitution. The constitution does not technically need to be approved at this stage. The constitution is in an advanced preparation stage and will be ready for adoption at the Annual Council on 15 May 2024, should Full Council determine that a committee form of governance is to be adopted from that date. The amended constitution will operate with the minimal changes required to ensure a smooth and lawful transition to the new model. The constitution will therefore need a more comprehensive review commencing within 6 months of any new model becoming operational.

Service Committees

68. Committees under this model of governance will have decision-making powers within their terms of reference. These Committees will be set up by the parent body, Full Council and their composition and functions can be changed by Full Council.

69. These committees will only make decisions on issues within their terms of reference and delegations granted to them by Full Council. Decisions will need to be made within the budget and policy framework set out by the Full Council.

70. The Policy, Resources and Finance committee under this model will have an overarching responsibility and the most senior committee under this model of governance.

71. It must be acknowledged at the outset that if the Committee form of governance is chosen, with an implementation date of 15 May 2024, this will mean that a restricted approach would have to be adopted to the nature of changes made, and some compromise accepted as a result, compared to what might be achieved by a comprehensive review. Only necessary changes will be proposed to the constitution to make the model work and to enable compliant decision-making from the implementation date. Suggested changes have followed very closely the current cabinet portfolios, so each service committee follows these as closely as possible. It is proposed that should the committee form of governance be adopted a review process will commence within six months from implementation with a backwards look to apply any learning from the operation of the model and a forward look to see how the model can be improved and refined.

72. The committees proposed are as follows:

- i. Policy, Resources and Finance Committee
- ii. Children's Services, Education and Skills
- iii. Adult Social Care, Public Health, and Housing
- iv. Economy, Regeneration, Transport and Infrastructure
- v. Environment and Community Protection

73. The terms of reference for all the committees are contained in Appendix 1. Together with a mapping of the functions of the Council to the service committees.

74. As well as the above, the current committees will continue. These are: Planning, Licensing, Audit and Governance, Appointments and Employment, Appeals, (including sub-committees), Harbour Committee, Investigatory and Disciplinary Committee, IOW Pension Fund Committee and Local Pension Board.

Role of the Leader

75. If the Council intends to operate a committee system of governance, the Leader and Deputy Leader have no formal legal powers and duties vested in them under the Local Government Act 1972 or the Local Government Act 2000. However, in practice, all local authorities need to appoint a Leader and each Leader will hold the most significant elected councillor role within the Council. The Council's leader will be the political/elected head, the focus for policy direction and community development and the chief advocate and ambassador for the Island. Under a committee system, there is no legal requirement for a Leader.
76. It should be borne in mind that Full Council determines the number and scope of service committees and determines the political proportionality of those committees. Groups then appoint individuals to those seats as allocated. Full Council also elects chairs of committees save that in most Policy, Resources and Finance committee models, that committee is chaired by the Leader who is appointed by Full Council in the knowledge that they would also be the chair of the Policy, Resources and Finance Committee.
77. It is this, that provides the Leader with both the recognition and authority to discharge their role in a committee system, and a reason why that model is both used elsewhere to good effect and recommended by officers in this report as a suitable and effective form of governance for the Council.
78. The Future Governance Working Group having considered the point about the role of the Leader and its linkage to the Policy, Resources and Finance Committee and having taken advice from officers were unable to reach consensus that this was the model to be recommended. The Conservative and Empowering Islanders are of the view that the role of the leader and role of the chair of the Policy, Resources and Finance committee are fundamentally different, thus requiring different skillsets and which would also relieve the demands placed upon the role of the Leader. The Future Governance Working Group therefore have asked that Full Council considers the options for who chairs the Policy, Resources and Finance Committee.
79. Officers have undertaken to map decisions taken by Full Council and Cabinet between the period 1 February 2023 and 31 January 2024 to that of the proposed committees, together with the commencement of mapping the anticipated decisions that will need to be taken over the next twelve months, to allow as far as is possible to consider the required frequency of Committees. Whilst it was the intention to keep any proposal cost-neutral, it is important to acknowledge that there will be a certain level of learning by experience and a further review will inform structures and costs at future council meetings. The preferred approach to frequency of meetings is set out in paragraph 90 and referenced in recommendation D (IV).

80. Officers have also prepared an outline of the political proportionality arrangements with the proposed new committee structure which has been distributed to the Future Governance Working Group to allow for consideration as to the changes that this will bring to the political influence of decision making as well as to assess any risks associated with filling committee places.
81. The schedule of committee meetings for the whole year will ultimately be agreed by the Full Council at the Annual Council meeting.

CORPORATE PRIORITIES AND STRATEGIC CONTEXT

Economic Recovery and Reducing Poverty

82. There are no direct implications arising from this report on the council's approach to economic recovery and reducing poverty. Indirect impacts are linked to the reasons that the Council is considering a change, in that should a move to a committee system be agreed, there will be greater inclusivity for councillors in decision making process.

Impact on Young People and Future Generations

83. There are no direct implications arising from this report on the council's approach to young people and future generations. Indirect impacts may arise linked to the reasons that the Council is considering a change, in that should a move to a committee system be agreed, there will be greater inclusivity for councillors in the decision-making process.

Corporate Aims

84. At the heart of the council's corporate plan 2021 – 2025 are the core values of being community focussed; working together; being effective and efficient and being fair and transparent. The Council has been subject to a period of a no overall control administration and is made up of four representative parties or groups and one single aligned and one non-aligned. As set out earlier in this report, this is increasingly challenging for council decision making processes in that with a minority group leader and cabinet system in operation. It is considered that decisions are not being made that fully represents the aspirations of Island residents through involvement of their elected councillors in shaping and participating in decisions. It also has the effect that many councillors feel excluded and unable to fully represent the views of their electorates in key strategy and policy decisions that affect them.
85. It is acknowledged that the current Leader and Cabinet model does allow some wider councillor participation in decision-making. However, this is through non-executive committees, for example regulatory committees and through Scrutiny committees. The Executive under this model is responsible for most of the decisions within the Budget and Policy framework set by Full Council and these can be made without the involvement of wider councillor community i.e., those outside the Executive. The role of scrutiny can be limited in this model because they do not have direct decision-making powers. By proposing a change in the council's

governance arrangements from the current Leader and Cabinet model to that of a Committee system, the introduction of politically proportionate committees will not only allow for greater representation of those views, and real participation in decision making, it provides a means by which the range of skills, experience, and expertise that councillors bring can be fully utilised for the benefit of the Island.

86. No one form of governance can be considered to be better than another, each having its own set of pros and cons. The committee system will not automatically resolve the perceived ability for all councillors to shape decisions as these committees will be made on a politically balanced basis. This means that the majority on the group would carry decisions. However, the disparate political make-up at the Isle of Wight Council would benefit from greater participation of the various groups on decision-making committees.

CONSULTATION/ENGAGEMENT

87. As set out in the update report at the Full Council meeting on 20 March 2024, there is no formal statutory duty for the Council to undertake public consultation in proposing a change in governance arrangements. Engagement with members of the public, elected members of the Isle of Wight Council together with town, parish and community councils is however considered to be a valuable aspect of gathering information to add context. The engagement strategy activities have been undertaken and has included the delivery of:

- A dedicated inbox for anyone whether they be a member of the public, an elected member, partner organisation or a member of staff can provide feedback, ask questions, or present items for consideration. The future governance working group have been provided with the feedback received since inception to help with their thinking.
- Two briefing sessions have been held with town, parish, and community councils, designed to provide an overview of the options open to the Council in its governance arrangements, the proposals to introduce a committee system and opportunity for clarification on any aspect of the proposals.
- A public engagement event to raise awareness of the proposed move towards a committee system and how it is anticipated to be of benefit for the council, and what the key changes would be.
- Three briefing sessions for elected members prior to their extraordinary meeting on 1 May 2024 to raise awareness and better understanding the potential models of governance and considerations that will need to be taken account of in deciding whether to make a formal resolution to make a change to governance arrangements.
- Two briefing sessions for staff to raise awareness of the proposals and to consider the practical aspects of implementation if a decision is taken to proceed with a change in governance arrangements.
- A dedicated Council website page has been created to provide as much information as possible on the proposed changes, and which now includes a

series of frequently asked question, in light of the feedback and comments received on the work to date. An information leaflet has also been prepared and made available via press release and distribution to town, parish, and community councils to keep people informed.

88. It was also reported to Full Council in March 2024, that there is statutory duty for the Council in its role as employer, to consult with any employees affected by the changes, particularly where any proposed changes will alter their terms and conditions or contractual requirements of employment. Thus far, the considerations undertaken by the future governance working group have not presented any specific changes that would trigger the need for any such formal consultation to be initiated or indeed has identified the need for any redundancy procedures to be instigated. In the main, a change in governance arrangements in simple terms means that there is no direct impact other than a different approach to working arrangements and is a matter of cultural change. Should change be agreed, post implementation, there may well be further considerations to take account of and will be undertaken in line with council policy and procedures. The Council’s main recognised trade union has been made aware of the proposed changes and those staff directly affected by them have been kept informed of developments as they arose.

SCRUTINY COMMITTEE VIEW

89. Corporate Scrutiny considered the potential move to a Committee form of governance at its meeting on 12 March 2024. Corporate Scrutiny’s observations and the chair of the Future Governance Working Group’s comments are attached as appendix 2.
90. Observations arising from the consideration of this report at Audit and Governance on 29 April 2024 will be reported to Full Council on 1 May 2024 through separate cover.

FINANCIAL IMPLICATIONS

91. To assess the financial implications of the proposals, a unit cost methodology was applied to existing arrangements, and proposed arrangements. The unit costs were then multiplied by numbers of meetings across a range of scenarios to test the financial impact across key direct cost area’s such as democratic services, facilities, and officer support. The unit costs were compiled in conjunction with relevant staff discussions including some time recording. Details on the scenarios is included in appendix 3. The Future Governance Working Group after deliberation have recommended the adoption of scenario 5 contained within that appendix and which for ease is replicated below.

Scenario 5	Full Council	Policy, Resources & Finance	Childrens, Education & Skills	Adult Social Care, Public Health & Housing	Economy, Regeneration, Transport & Infrastructure	Environment & Community Protection	Total
Frequency per year	6	9	6	6	6	6	39

92. Although the financial margins in the model are of a less material value, there is a risk that after a certain point the ability to absorb any additionality becomes unachievable and an additional resource (commitment to additional staffing budget) would be required. This cannot be determined until full detail on meetings, timings, and support requirements becomes more definitive.
93. Within the model, councillor allowances are assumed to be contained within the existing budget envelope. Whilst it is acknowledged that the service committees will have chairs and vice-chairs, the role of a chair is different from the role of a Cabinet member who would have a greater personal responsibility so the financial value for the role may be less than a cabinet member. This area also remains a risk as roles and responsibilities are defined and ultimately recommendations made by the Independent Remuneration Panel.
94. There are potential for some one-off costs in relation to the proposal, in particular possible technical training (estimated at £4,000). Provision for this is to be allocated against the existing 2024/25 members training budget, other costs may become applicable depending on the complexity and pace of transition.
95. The intention is that any change of governance system from the current Cabinet model shall be cost neutral and therefore designed so that it can be contained within the current budget. If there are any additional resource requirements resulting from additional staffing costs for example, once the practical operational experience becomes available, this will need to be offset by an identified reduction in other budgets to deliver a fully funded new governance system.
96. If additional resource does result, liaison with the Section 151 officer would be required to determine the appropriate route of consideration, through possibly an in year 2024/25 budget amendment, or consideration as part of the 2025/26 budget setting process.
97. To deliver against Full Council's intention to seek a recommendation for a formal resolution to bring about a change in governance with effect from Annual Council 2024, it has been necessary to engage additional specialist governance officer support/advice to allow for the required constitutional changes to be made in readiness to meet the potential for an early implementation date. This capacity was not available internally without disruption to existing council business needs. This was commissioned from a recognised procurement framework and while it is not possible at the time of publication of this report, it is anticipated that the spend will be in the region of £25,000. Funding for this purpose was allocated from the Chief Executive's baseline budget for 2023/24.

LEGAL IMPLICATIONS

98. Statutory provisions to implement a different model of governance have been discussed extensively within the body of this report.
99. The Localism Act 2011 inserted Part 1A into the Local Government Act 2000 ("LGA 2000") and all the key provisions relating to the available governance models are found here.

100. Section 9B of the LGA 2002 outlines the permitted forms of governance for Councils. These are:
- i. “executive arrangements”; or
 - ii. “a committee system”, or
 - iii. “prescribed arrangements”.
101. Section 9K LGA 2000 provides that a local authority may change from one form of governance to another.
102. S.9KA LGA 2000 allows a local authority operating executive arrangements to vary those arrangements to provide for a different form of executive.
103. S.9KB LGA 2000 allows an authority operating executive arrangements to vary the arrangements so they differ from the existing arrangements but still provide for the same form of executive.
104. S.9KC LGA 2000 states that:
- (1) *A resolution of a local authority is required in order for the authority to make a change in governance arrangements.*
 - (2) *states that as soon as practicable after passing such a resolution a local authority must:*
 - (a) *secure that copies of a document setting out the provisions of the arrangements that are to have effect following the resolution are available at its principal office for inspection by members of the public, and*
 - (b) *publish in one or more newspapers circulating in its area a notice which—*
 - i. *states that the authority has resolved to make a change in its governance arrangements,*
 - ii. *states the date on which the change is to have effect,*
 - iii. *describes the main features of the change,*
 - iv. *states that copies of a document setting out the provisions of the arrangements that are to have effect following the resolution are available at the authority's principal office for inspection by members of the public, and*
 - v. *specifies the address of the authority's principal office.*
105. This is a mandatory requirement in order to implement any agreed changed governance arrangements.
106. Should Full Council agree changes resulting in formal change under a Section 9KC resolution, officers will ensure that the Council complies with the statutory publicity requirements.
107. S.9L LGA 2000 deals with implementation of a change in governance arrangements and, in a case where a local authority intends to go from operating executive arrangements to operating a committee system.

108. S.9L(4) LGA 2000 limits the relevant time when the change can take effect to either:

a) The first annual meeting of the local authority to be held after the resolution to make the change in governance has passed, or

b) A later annual meeting of the local authority specified in that resolution.

109. The above section has the effect of only enabling a change in governance model to be implemented from the annual council meeting, although the resolution to make a change can be made at any Full Council meeting.

110. Further to Section 9KC. The local authority may not pass another resolution that makes a change in governance arrangements of a kind mentioned in subsection (3) ("Resolution B") before the end of the period of 5 years unless triggered by a referendum.

EQUALITY AND DIVERSITY

111. The Council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

112. The Council has considered any potential impacts through an equality impact assessment, shown at Appendix 5. The Council's assessment is that implementation of any of the options contained in the report does not, at this stage cause any disproportionate impact on any of the protected characteristics. However, the Council will monitor any new arrangements and review these as part of the post-implementation period.

OPTIONS

113. There are in effect the following options for Full Council which are outlined in the formal recommendations in this report. The body of the report outlines the relevant options together with strengths and weaknesses of each option.

Option 1: To retain its current form of executive Governance. This is a no change option (no requirement for a 9KC resolution) (see recommendation A) **or**

Option 2: Consider changes to its current executive model whilst retaining the executive model (no requirement for a 9KC resolution) (see recommendation B) **or**

Option 3: Resolve to move to a Mayor and Cabinet Executive (see recommendation C) **or**

Option 4: To move to a committee form of governance composed of politically balanced memberships (see recommendation D)

114. If Full Council agrees to move to a committee or mayor and cabinet form of governance, the options for implementation are:

Option 5: Implementation from Annual Council in May 2024 (see recommendation D (ii) a) or

Option 6: Implementation from Annual Council in May 2025 (see recommendation D (ii) b)

RISK MANAGEMENT

115. The risks for a change in governance arrangements for the council, are in the main considered to be those associated with the timescale for implementation should Full Council determine to proceed with a change to its governance arrangements. The decision to make such a change is, in the main a procedural one, and must be undertaken in accordance with the law and its stipulated requirements to determine a change to take effect. There must be a formal Section 9KC resolution, which demonstrates that there has been **an agreement by** councillors to instigate a change, having had due regard to the options open to them in making such a decision and for members to be satisfied that they have sufficiently considered them to make an informed decision based on the information available to them. There are also statutory duties in respect of publication of the new scheme proposals prior to any constitutional amendments being made to implement them.
116. The methodology adopted by the Future Governance Working Group, endorsed by Full Council, has been to consider a possible early implementation date of May 2024. Preparations have therefore been undertaken based on the minimum necessary legal requirements to enable such a change to take place. Full Council during its discussion and debate at both its meeting of 17 January 2024 and 20 March 2024 indicated that a move towards a committee system would resolve what is considered to be a weakness in its current governance arrangements. and in doing so, an urgent move to a change in approach to decision making from May 2024 will further improve that situation. However, some members did raise concerns about the risks arising from the speed of change.
117. It is acknowledged that there are risks associated with an urgent change in governance as there have not been opportunities to test any potential new governance arrangements through shadow arrangements. However, whilst this is not risk free the risks have been mitigated by procuring specialist legal support and capacity to advise the Council and to draft key documents such as the constitution and the changes to the model have been minimised so that the service committees will align to the cabinet portfolios as much as possible and minimal changes to the constitution will be made to enable the model to operate legally. A more comprehensive review of the constitution and the operation of the model will be considered in around six months after change is approved.
118. The main risk with the delivery of a change in governance arrangements for the Council by May 2024 remains that of organisational capacity to adequately prepare all the components necessary to assist in the smooth operation of a new set of governance arrangements which will be unfamiliar to many staff and councillors. Councillors will also need to be assured that they feel sufficiently

confident that they are or will be adequately prepared to fulfil their duties in the operation of a new system of governance. To mitigate this risk, a project plan was put in place and remains an operational roadmap to direct the required activities necessary to prepare as far as is reasonably practical for new arrangements to take effect, and additional capacity/expertise has been brought in to assist with the development of the required governance changes.

119. However there remains a risk with working at pace to deliver a change. Councillors should be satisfied that there will be limitations as to what can be achieved to deliver a new set of arrangements as is set out in this report. The new Constitution that will take effect will allow for the minimum requirements to be in place to facilitate the operation of a committee system. It will not however be a full re-write or address aspects of change/improvement that have already been identified. This will be addressed post any decision to make a change and will also be both a reflective review of the experience gained from operation and a forward-looking view as to potential changes that would be of benefit to the council.
120. Early introduction of a new model will mean that there has been limited opportunity to trial new arrangements and establish a clear understanding of the operational aspects of delivery. To mitigate this, a considerable amount of work has been undertaken to map and anticipate required future business decisions; frequency and length of meetings to conduct such business and the statutory and ordinary scrutiny duties that will be required to be performed, matched against available resources both from officer and councillor perspective. These can however only ever be indicative, until the practical and operational elements can be fully understood, unless shadow arrangements have been put in place to assist with the full understanding of resource and operational requirements.
121. There is a risk that in determining the required number of and length of meetings necessary to facilitate business needs within existing resources may not transpire into workable arrangements in practice. This will need to be kept under close review should an implementation date of May 2024 be determined.
122. There is also the potential for our public to be confused about the changes and what they will mean to them and how the Council is to be operated going forward. A communications and engagement plan is in place as set out earlier in this report to ensure that the changes are carefully communicated to members of the public, our partner organisations, and other stakeholders and that there is appropriate opportunity for engagement in the process.
123. Members will also need to consider what the implications are for not making a change to governance arrangements and opting for the status quo. It is evident that the current model of Executive Leader and Cabinet decision making is one that has its disadvantages in the current position of no-overall political control and as at present four separate representative groups and one single aligned and one non-aligned councillor. It can mean the outcome of decision-making voting will remain unpredictable where matters are for Full Council decision. The nature of decision-making under this model and current circumstances is also such that there can be strong disagreement to cabinet decisions from other political or aligned groups which serves to disrupt decision making processes and is draining on officer resources in their management, thus leading to decision-

making processes that are not considered to be efficient or cost effective. If the status quo is to be retained, then it will be necessary for councillors to determine ways in which cross chamber working can be secured to allow for greater participation and engagement of all elected councillors.

124. Evidence from other local authorities that have instigated such a governance model change have afforded a minimum period of twelve months from the point of passing a Section 9KC resolution to implementation to allow for all the considerations and preparations to take place efficiently and effectively. This allows for all members to be fully engaged in the preparation of the constitutional changes necessary for a change in governance arrangements; refresh elements that require improvement; member and officer familiarisation with new operating procedures through shadow committees.
125. This approach, however, does not guarantee that there will be no imperfections and constitutional amendments and improvement remain an on-going aspect of council. To achieve that ambition, it will be necessary to limit the number of constitutional changes it makes to those which are essential to the introduction of a committee system and to proceed with limited councillor engagement at the initial stage. Councillors will therefore need to accept that much of the current constitutional provisions will remain unchanged and that there will be no opportunity for full engagement in the design of the changes necessary. If a Section 9KC resolution is passed and a change date of May 2024 agreed, there will need to be the instigation of a formal review of constitutional provisions which will take account of experience in the operation of the new system as well as to address the “snagging” list of amendments that are already set to be reviewed.
126. A change to a committee system will introduce a system of decision making that will be new to many councillors and officers. There will be no opportunity to operate shadow committees and as such there is a likelihood that sufficient knowledge and experience cannot be gained by the point of implementation and there is potential for mistakes to be made. Training and information giving sessions will be undertaken as far as is reasonably possible prior to implementation for staff and officers and that will continue post implementation. This will be a learning experience in which there will need to be tolerance of potential unintended mistakes to be made. The committee calendar for the year will also need to be reviewed, with a new set of dates to be determined to accommodate a new committee structure. It is important therefore that there is understanding from everyone involved that current planned diary dates may by necessity be changed.
127. In the light of these issues, it has to be acknowledged that there are risks in implementing a change on 15 May 2024, but there are also advantages to early implementation in that the potential benefits of moving to what is seen as a more consensual and participatory decision-making process will start to be realised this year rather than being deferred for a further twelve months (or later). If the Council resolves in favour of Option 4, then securing these potential advantages in early course will therefore be a factor to weigh in the balance, against the risks, in making the further choice between Option 5 and Option 6.
128. A full risk matrix is set out in Appendix 4.

EVALUATION

129. This report has outlined a number of options available to the Council should it wish to change its model of governance. These range from making no change and continuing with the current Executive model of governance to more comprehensive change options outlined in the recommendations in this report.
130. The work to consider options for the governance was member led by the Future Governance Working Party supported by an officer project board composed of senior officers and specialist support, including external legal support. Scrutiny did consider the potential change in governance and made observations which have been considered and have been responded to by the Future Governance Working Party.
131. The body of the report has outlined the various available models; the advantages and disadvantages of each one and the risks associated with change. This has been assessed from various sources including what some other councils have done or are planning to do to change their governance models.
132. The recommended option from the Future Governance Party is that the Council moves to a committee form of governance. This in their broad view will enable more consensual participation from all councillors in important decision-making which the current model does not fully support. It is anticipated that this would address some of the problems arising from the fragmented political make-up of the current council.
133. As well as risks arising generally from change and more specifically from the level and scope of change a new model of governance will bring, there is also timing risk. Should Full Council determine that the change should be implemented from annual Council on 15 May 2024 that will bring additional risk. However, officers, supported by the Future Governance Working group, have suggested minimal changes to the constitution at this stage to enable the model to be implemented and the design principles of the service committees have followed very closely the current Cabinet portfolio responsibilities. There are also potential advantages to moving to an earlier implementation date because the current fragmented politics impacts on effective decision-making and a new model may address some of the concerns and problems of the current model of governance.
134. A later implementation in May 2025 has the advantages in that there will be more time for councillors and officers to run shadow arrangements, provide a more fundamental constitutional review and enable a backwards review and to apply lessons learn. This would be balanced with the disadvantages of running the current model as set out above.
135. It is outlined in the report that should the Council resolve to pass a Section 9KC resolution to move to a different form of governance, this can only be implemented lawfully from an Annual Council meeting and any such new model cannot be lawfully changed for 5 years, without a referendum supporting change.
136. The risks, legal implications and financial implications are covered comprehensively in the body of the report.

APPENDICES ATTACHED

- 137. Appendix 1- Committee system framework.
- 138. Appendix 2 – Corporate Scrutiny recommendations and response of the Chair of the Future Governance Working Group.
- 139. Appendix 3 – Financial Modelling
- 140. Appendix 4 - Risk matrix
- 141. Appendix 5 – Equality Impact Assessment

BACKGROUND PAPERS

- 142. [Bromsgrove District Council](#)
- 143. [Centre for Governance and Scrutiny](#)

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