

REPORT TITLE: AMENDMENTS TO THE CABINET STRUCTURES

20 MARCH 2017

REPORT OF The Leader: Cllr. Caroline Horrill;

Contact Officer: Howard Bone Tel No: 01962 848 552 Email
hbone@winchester.gov.uk

WARD(S): ALL

PURPOSE

To amend the Cabinet Committee structures to improve the governance of major development projects and streamline decision making to assist in the delivery of the Council's major development projects.

RECOMMENDATIONS:

1. To approve the amended structure of the Cabinet Committees.
2. To approve the terms of reference for the Cabinet Committees.
3. To note that the meetings will occur as and when decisions are required from the respective Cabinet Committees.

IMPLICATIONS:1 COUNCIL STRATEGY OUTCOME

- 1.1 As part of the outcome delivering an entrepreneurial approach to efficient public services this report contributes towards the measure '*Review of internal governance to promote greater flexibility and responsiveness of decision making*'.

2 FINANCIAL IMPLICATIONS

- 2.1 None.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 This report includes a set of terms of reference for the new Cabinet Committees that provides for the maximum delegation from Cabinet to the Cabinet Committees. Clear terms of reference and delegation are required to clarify the decision making process and ensure the lawfulness of decisions.

4 WORKFORCE IMPLICATIONS

- 4.1 The existing Democratic Services Team will be able to support these Committees on the expected frequency of meetings.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None.

6 CONSULTATION AND COMMUNICATION

- 6.1 The Leader of the Liberal Democrat Group has been consulted on the proposals.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 None.

8 EQUALITY IMPACT ASSESSEMENT

- 8.1 None.

9 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property</i>	n/a	n/a
<i>Community Support</i>	n/a	Specific Cabinet Committees will have an agenda only on the single project item and so enable

Risk	Mitigation	Opportunities
		greater focus on that project
<i>Timescales</i>		Ability to make swifter decisions by the Cabinet Committees Remove reports being referred to Cabinet so providing clarity of decision making as well as reducing reports being re-approved by Cabinet
<i>Project capacity</i>		Ability for project teams to get decisions more quickly by going to the respective Cabinet Committee
<i>Financial / VfM</i>	n/a	n/a
<i>Legal</i>	n/a	n/a
<i>Innovation</i>	n/a	n/a
<i>Reputation</i>		Greater focus on specific decisions for major projects should provide greater accountability. Full delegation to the sub-committees will provide faster decision making and improve the likelihood of meeting project timescales
<i>Other</i>	n/a	n/a

10 SUPPORTING INFORMATION:

Background and rationale

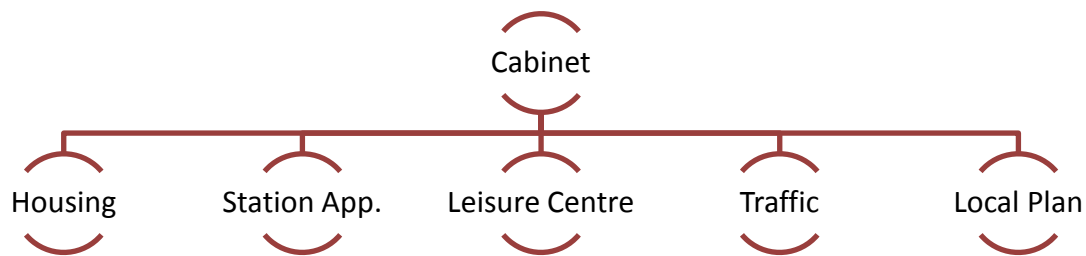
- 10.1 The Cabinet currently has a four Cabinet Committees; Housing, Major Projects, Local Plan and Traffic & Parking. The Cabinet (Housing) Committee meets regularly, whilst the others meet on a more ad-hoc basis.
- 10.2 In addition, there are various Informal Policy Groups (IPGs). The purpose of an IPG is to provide Portfolio Holders with an engagement mechanism as major policy is formulated. The memberships of IPGs are cross-party, and reflect the broad political balance of the Council. One IPG is looking at a

proposed Supplementary Planning Document for the Central Winchester Regeneration area. IPGs have no decision-making powers, but their reports can be considered by Cabinet or a Cabinet Committee as appropriate, where decisions are required. This Report does not propose any changes to the use and operation of IPGs.

- 10.3 The new Cabinet has reviewed the current structure and proposed some amendments to the Cabinet Committees per the below. The rationale for this is to allow for:
- a) Full delegation to the Cabinet Committees to allow them to make the same level of decisions as Cabinet itself and prevent reports being referred back to Cabinet;
 - b) To move all of the Cabinet Committees to meet on an ad-hoc basis. This is to allow for those meetings to make decisions when required rather than receive updates and 'for information' items;
 - c) To ensure that Cabinet, and Members, are kept up to date with the current project status, quarterly reports will come to the Cabinet in 2017-18 summarising other key corporate information (including finance and progress against the Council Strategy).

Proposed Cabinet Committees

- 10.4 The proposed new Cabinet Committee structure is per the below.



- 10.5 It is proposed to keep the Central Winchester Regeneration Informal Policy Group (and the Independent Review of Silver Hill IPG) separate from the new Committees.

- 10.6 In due course, when adopted, it is proposed that the Cabinet (Major Projects) Committee would be disbanded. It is also proposed that no further meetings of the Bar End Forum would take place, as the proposed Cabinet (Leisure Centre) Committee would be the principal body to receive input from the public on the Project. However, officers will continue to engage with local residents on issues relevant to them.
- 10.7 The new Cabinet Committees (Station Approach and Leisure Centre respectively) will utilise the terms of reference included in Appendix A.

Membership

- 10.8 The Leader is able to make appointments to Cabinet Committees. Normal practice would be for such appointments to be announced at a Cabinet meeting and recorded in the Minutes.
- 10.9 The Leader has proposed that membership of the Cabinet (Station Approach Project) Committee be Cllrs Humby, Miller and Godfrey (Cllr Humby to be engagement lead).

11 OTHER OPTIONS CONSIDERED AND REJECTED

- 11.1 Retain the current structure of Cabinet Committees. This is rejected on the basis that it does not allow as great focus on delivering the project than by dealing with the highly significant projects on a separate basis. The current structure, especially in respect of the major projects sub-Cabinet, can often have for information papers rather than allowing for decision making.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

CAB2642 – January 2015 – Establishment of a Cabinet (Major Projects) sub-committee

Other Background Documents:-

None

APPENDICES:

Appendix A – Draft Terms of Reference for new Cabinet Committees.

Appendix A – Terms of Reference

Cabinet ([] Project) Committee

Delegated Matters

- 1.1. To oversee the implementation of the [####] Project and to ensure that it meets the objectives established by Cabinet, and in particular:
 - to exercise those financial management and procurement powers of Cabinet set out below in respect of the Project;
 - to agree the Project Plan and monitor progress of the project against that Plan including key milestones
 - to agree progression to the next stages of design as set out in the Project Plan;
 - to ensure effective actions are in place to address key risks;
 - to consider and agree methods of consultation and engagement;
 - to consider and agree a communication strategy .
- 1.2. To exercise the following powers of Cabinet under the Financial Procedure Rules in respect of the Project:-
 - approval of schemes under Financial Procedure Rule 6.4 – authority to release expenditure for capital schemes;
 - approval of a capital or revenue virement or supplementary capital or revenue estimate up to £250,000, subject to the requirement to give The Overview and Scrutiny Committee the opportunity to call in any such approvals in excess of £100,000;
 - approval of final cost for capital schemes under Financial Procedure Rule 7.12.
- 1.3. To exercise the following powers of Cabinet under the Contract Procedure Rules in relation to procurement contracts for works, goods, software or services in connection with the Project:-
 - approval of price/quality evaluation criteria;
 - approval of short-listing procedures, short-list selection and approved lists of contractors, including the authorisation of any departures from Contract Procedure Rules;
 - award of Contract.
- 1.4. To consider and approve the submission of planning applications to the Local Planning Authority to take forward the Project.
- 1.5. To agree any land disposals (including, sales, leases and grants of easements) at best consideration or where the undervalue does not exceed £100,000, to take forward the Project.

- 1.6. To agree any land acquisitions (including acquisitions of freehold/leasehold land, and easements) to take the Project forward, within the budget allowed for the Project.

Referred Matters

To advise Cabinet on:

- 1.7. Any proposals in which the limitations set out above in the Delegated Matters would be exceeded.

To advise Cabinet and Council on:

- 1.8. Approval of a capital or revenue virement or supplementary capital or revenue estimate over £250,000,