

Name of meeting: Corporate, Governance and Audit Committee

Date: 21 January 2021

Title of report: Democracy Commission – Terms of reference for the Committee System Proposal

Purpose: The Corporate Governance and Audit (CGA) committee are asking the Democracy Commission to carry out a more detailed piece of work considering the recommendations from the report produced by the Local Government Association in relation to the proposal for a Committee System motion. The CGA committee are asked to approve the Terms of Reference for the Democracy Commission in relation to this piece of work.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	
Is it also signed off by the Service Director for Finance?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning?	
Cabinet member portfolio	Cllr Paul Davies

Electoral wards affected: All

Ward councillors consulted: Not applicable.

Public or private: Public Report

Has GDPR been considered? Yes. The report does not include any personal data that identifies a living individual.

1. Summary

- 1.1 On 26th November 2021, the Corporate, Governance and Audit (CGA) Committee agreed to ask the Democracy Commission to reconvene to carry out a more detailed piece of work considering the recommendations from the report produced by the Local Government Association. The report dated 11 November 2021 was produced following engagement with councillors in relation to the proposal for a Committee System motion.
- 1.2 The Committee is asked to re-convene Democracy Commission on the basis of a 3:2:1:1 ratio, together with an independent specialist advisor/observer.

2. Information required to take a decision

- 2.1 At the meeting on the 26th November 2021, the CGA committee considered the themes arising from the councillor engagement session on 4th November 2021, the report of the Local Government Association and the next steps for progressing the work necessary in relation to the committee system motion. It was resolved: -
 - (i) *That the Corporate Governance and Audit Committee request the Democracy Commission gather further evidence to inform future decision making.*
 - (ii) *That a draft Terms of Reference be considered at the next meeting of the Committee with a timeframe for the Democracy Commission to complete their evidence gathering.*
- 2.2 The **draft terms of reference** are as set out in Appendix A attached to this report,

3. Implications for the Council

3.1 Working with People

The Council's capacity to work effectively and to deliver all aspects of its corporate outcomes is underpinned by ensuring that it takes informed and transparent decisions with openness and accountability. The Council's choice of governance arrangements is fundamental to this. The decision-making structure of the Council should provide a framework of transparent accountability to users, stakeholders, and the wider community.

3.2 Working with Partners

No implications

3.3 Place Based Working

No implications

3.4 Climate Change and Air Quality

No implications

3.5 Improving outcomes for children

No implications

3.6 Other (e.g., Legal/Financial or Human Resources) Consultees and their opinions

There will be resource implications in supporting the Commission undertaking its work.

A review of governance arrangements will need to ensure that the recommendations are in accordance with the Localism Act 2011 and other relevant legislation, particularly the Local Government Acts and the timeframes included therein.

4 Consultees and their opinions

At the time of writing Group and Deputy Leaders have considered the draft and, it is intended for the Democracy Commission to be consulted on the Terms of Reference and timeline. Any feedback or amendments to the draft will be fed back and shared at the meeting on 21st January 2022.

5 Next steps and timelines

- 5.1 If the Terms of Reference are approved, a schedule of meetings will be set up from January 2021 onwards.
- 5.3 Following consideration of all the evidence presented, the Democracy Commission will produce a findings report, including recommendations, which will be considered by the CGA Committee.

6. Officer recommendations and reasons

- 6.1 That the Terms of Reference are approved as set out in this report at Appendix A.

7. Cabinet Portfolio Holder's recommendations

Not applicable.

8. Contact officer

Samantha Lawton, Head of Governance
Tel 01484 221000
samantha.lawton@kirklees.gov.uk

9. Background Papers and History of Decisions

AGM: 19 May 2021

[Agenda for Annual Council on Wednesday 19th May 2021, 12.30 pm | Kirklees Council](#)

Council: 8 September 2021

[Agenda for Council on Wednesday 8th September 2021, 5.30 pm | Kirklees Council](#)

Corporate, Governance and Audit: 24 September 2021

[Agenda for Corporate Governance and Audit Committee on Friday 24th September 2021, 10.00 am | Kirklees Council](#)

Corporate, Governance and Audit: 26 November 2021

10. Service Director responsible

Julie Muscroft, Service Director, Legal, Governance and Commissioning