

Council Report

Ward(s) affected: all

Report of Director of Resources

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Executive Advisory Boards (EABs) – Review of Structure and Remit

Executive Summary

Further to an officer review of the effectiveness of Executive Advisory Boards (EABs) which took place in the latter part of 2018-19, recommendations were made in respect of reconfiguring the EABs and introducing measures to strengthen the Forward Plan process. In response to these recommendations, the Council resolved to establish a councillor task and finish group to consider the recommendations and report its findings to the EABs and Council before any related decisions were made.

Having considered the group's subsequent findings, Council made some resolutions concerning work programming, the Forward Plan and the configuration of EABs. The most notable resolutions were that the existing arrangement of the two EABs be retained for the time being, whilst the Forward Plan process was strengthened pending review following the Borough Council Elections in May 2019 to ascertain whether changes to the Forward Plan process and/or EAB structure were required. This review was to be carried out within 12 months of the Elections.

As this 12-month period has elapsed, the second phase of the review is now in train and the EABs combined to meet as the Joint EAB on 9 July 2020 to consider the future structure and remit of EABs. The Joint EAB's recommendations (1) to (7) below were considered initially by the Executive on 22 September and then by the Corporate Governance and Standards Committee on 24 September. Both have commended the recommendations for adoption by the Council at this meeting.

Recommendations to the Council:

- (1) That the concept of retaining two EABs, each meeting on alternate months with the flexibility to have a balanced inter-changeable remit as appropriate to the agenda items, without the risk of losing topic continuity and expertise, and possibly ahead of Executive meetings to offer a pre-decision opportunity to make

recommendations, be agreed.

- (2) That the remit of EABs be realigned to reflect the Executive portfolios and Directorates of the Council and that, accordingly, the Place-Making and Innovation EAB be renamed as the Strategy and Resources EAB and the Community EAB be renamed the Service Delivery EAB.
- (3) That the existing Joint EAB arrangement be continued and implemented when significant and wide-ranging agenda items, such as budgetary matters, are under consideration.
- (4) That closer two-way working between the Executive and EABs, including an expectation that relevant Lead Councillors (or other Executive members in the absence of the relevant Lead Councillor) proactively attend EAB meetings and EAB Chairmen and / or Vice-Chairmen attend Executive meetings to elaborate on advice given and to receive feedback, be established and adopted.
- (5) That a clear formalised procedure of reporting EAB advice and views to the Executive and EABs receiving Executive feedback be adopted.
- (6) That, in addition to exploring relevant Forward Plan items and Corporate Plan priorities, the EABs have free range to select their own review topics on which to advise the Executive, including the establishment of task groups where considered necessary (and subject to available resources).
- (7) That the EABs receive items sufficiently in advance of determination by the Executive in order to have the opportunity to advise on, and influence, its decisions from a broader knowledge base.
- (8) That the Democratic Services and Elections Manager be authorised to make appropriate amendments to the Constitution to give effect to the above recommendations.

Reason for Recommendation:

To introduce a more efficient and effective EAB configuration and contribution.

Is the report (or part of it) exempt from publication? No

1. Purpose of Report

- 1.1 The purpose of this report is to invite the Council to consider the recommendations arising from the Joint EAB's consideration of future options for the configuration and remit of EABs. This was the second stage to an earlier review which took place during the latter part of 2018-19 and in response to previous feedback from the Local Government Association (LGA) corporate peer challenge review of December 2017 and the Council's governance reviews of recent years.

2. Background

- 2.1 The Council report of 9 October 2018, attached at Appendix 1 to this report, explains that, following a review of governance arrangements, on 7 October 2015 the Council

agreed a new hybrid approach featuring the addition of two EABs to advise and make recommendations to the Leader and Executive. This system was implemented with effect from 1 January 2016 with the recommendation that the arrangements be reviewed approximately 12 months after implementation. This 12-month review took place in the form of a seminar on 1 March 2017 to which all Councillors were invited. Having concluded that the new arrangements were at an early stage and were beginning to embed, the review reinforced the role of the EABs in advising the Executive at an early stage in respect of the formulation and development of policies and projects that would assist with the delivery of the Council's Corporate Plan priorities.

- 2.2 The LGA subsequently undertook a corporate peer challenge review of the Council and, although its final feedback report (relevant extract included in Appendix 1) contained no specific recommendations relating to organisational governance, it suggested that EABs were a work in progress and perhaps required additional time to settle into a more effective grouping whilst valuing the early stage involvement of backbench councillors in the development of decisions aligned to Corporate Plan themes. The LGA suggested that the Council should clarify the role of EABs and review ways to make their work more effective.
- 2.3 Further peer challenge review feedback observed that it was important for the Council to review ways to make the work of EABs more effective. Therefore consideration has been given to achieving this taking account of issues including difficulties with work programming, confusion around the remit of the EABs which can be blurred and overlapping, cancellation of meetings due to apparent insufficient business due to slippage and reluctance to discuss some matters at an early stage of development in a public forum. This consideration has indicated that a robust approach to programming Executive Forward Plan items to build in early opportunities for EAB input is beneficial.
- 2.4 Although the EABs have been structured around and aligned to the key themes in the Corporate Plan, the intended 2019-20 review of the Corporate Plan was delayed for approximately 18 months owing to attention and resources being diverted to the preparation and implementation of a shorter term action plan directing the response to, and recovery from, the Coronavirus pandemic emergency.
- 2.5 The first stage of the review of EABs, outlined in Appendix 1, suggested three possible options for their future structure, which are set out below, and recommended that option 1 be adopted as it offered the greatest flexibility, would solve the issues of insufficient business for two EABs and confusion as to which one to report to, and would also streamline the work programming system. The Corporate Governance and Standards Committee was broadly in agreement with the recommendation to pursue option 1 when it considered the outcome of this stage of the review at its meeting held on 20 September 2018.

Options:

1. To disband the existing EABs and establish one overarching EAB making greater use of existing powers to establish task groups to look at specific issues and projects relating to the delivery of the nine strategic Corporate Plan priorities.
2. To disband the existing EABs and establish topic based advisory boards to be commissioned directly by the Executive as and when required.

3. To make no change to the current arrangements.
- 2.6 Having considered the options, the Council resolved that, before any decision was taken in respect of the future of the EABs, a cross party task and finish group be established with the following terms of reference:
- a) to review the existing governance arrangements in relation to the Executive Advisory Boards and to discuss available options to improve those arrangements, including the proposal for a single Executive Advisory Board; and following that review
 - b) to make recommendations as appropriate to the Council at its meeting in February 2019.
- 2.7 Accordingly, a cross party task and finish group was established to consider the future of the EABs, and agreed to report its views to the two EABs and to make recommendations to the Council in February 2019.
- 2.8 In considering the task and finish group's report, the Council noted that its principal finding was that the Forward Plan process was at that time insufficiently robust to facilitate and inform EAB or Overview and Scrutiny input as many proposed decisions were entered late which hampered work programming and early involvement. However, officers have sought to strengthen this process and issues with forward planning and updating the Forward Plan were being tackled through educating senior leaders and others to plan ahead and programme their work in a more timely fashion.
- 2.9 It was suggested that resolving issues with the Forward Plan could possibly resolve the issues associated with the perceived lack of effectiveness of the EABs.
- 2.10 After consideration of the report the Council, on 26 February 2019, passed the following resolutions:
- (1) That Option 2: "*To disband the existing EABs and establish topic based advisory boards to be commissioned directly by the Executive as and when required*" be not supported and discounted as a possible future EAB governance structure.
 - (2) That the existing arrangement of the two EABs be retained for the time being whilst the Forward Plan process is strengthened pending review following the Borough Council Elections in May 2019 to ascertain whether changes to the Forward Plan process and/or EAB structure are required.
 - (3) That the review referred to in paragraph (2) above be carried out within 12 months of the Borough Council Elections.
 - (4) That the Forward Plan be included on future EAB agendas as part of the standing item on the Work Programme to facilitate better agenda planning.
 - (5) That lead councillors do not play a part in determining the Overview and Scrutiny Committee work programme at work programme meetings.

3. Second Phase of the Review

3.1 The matters referred to in resolutions 1,4 and 5 above have been adhered to and implemented, as appropriate. The second phase of the review, to be carried out within a 12-month period, referred to in resolutions 2 and 3 above, is now in train and the EABs combined to meet as the Joint EAB on 9 July 2020 to consider the future structure and remit of EABs. In order to inform the Joint EAB's deliberations, councillors' views in respect of the current effectiveness and efficiency of EABs and possible improvements to pave the way forward, were sought via a brief questionnaire which was prepared and circulated for responses. The questions and summarised responses are attached at **Appendix 3**.

3.2 Arising from the Joint EAB's considerations, the following recommendations to the Executive, the Corporate Governance and Standards Committee and the Council were agreed:

- (1) the concept of retaining two EABs, each meeting on alternate months with the flexibility to have a balanced inter-changeable remit as appropriate to the agenda items, without the risk of losing topic continuity and expertise, and possibly ahead of Executive meetings to offer a pre-decision opportunity, be pursued;
- (2) the remit of EABs be realigned to reflect the Executive portfolios and Directorates of the Council and renamed accordingly;

NB: Although the Joint EAB did not recommend names for the realigned EABs, officers are suggesting that the Place-Making and Innovation EAB be renamed as the Strategy and Resources EAB and the Community EAB be renamed the Service Delivery EAB.

- (3) the existing Joint EAB arrangement be continued and implemented when significant and wide-ranging agenda items, such as budgetary matters, are under consideration;
- (4) closer two-way working between the Executive and EABs, including an expectation that relevant Lead Councillors (or other Executive members in the absence of the relevant Lead Councillor) proactively attend EAB meetings and EAB Chairmen and / or Vice-Chairmen attend Executive meetings to elaborate on advice given and to receive feedback, be established and adopted;
- (5) a clear formalised procedure of reporting EAB advice and views to the Executive and EABs receiving Executive feedback be adopted;
- (6) in addition to exploring relevant Forward Plan items and Corporate Plan priorities, the EABs have free range to select their own review topics on which to advise the Executive, including the establishment of task groups where considered necessary (and subject to available resources); and
- (7) the EABs to receive items sufficiently in advance of determination by the Executive in order to have the opportunity to advise on, and influence, its decisions from a broader knowledge base.

- 3.3 This report and the above recommendations were considered by the Executive and the Corporate Governance and Standards Committee at their meetings held on 22 and 24 September 2020, respectively, and both have commended the adoption of the recommendations by the Council.
- 3.4 If the Council approves the first recommendation relating to the timing of EAB meetings, officers will seek to implement the changes in the current municipal year with effect from November 2020. The report on the proposed timetable of Council and Committee meetings for the 2021-22 municipal year, which this year will be presented to the Council at its December meeting, will also take into account any changes agreed to the timing of EAB meetings.

4. Legal implications

- 4.1 Section 102 (4) of the Local Government Act 1972 empowers, but does not mandate, the Council to appoint committees to advise the Executive on any matter relating to the discharge of its functions. Executive Advisory Boards are an example of such committees and were appointed, as their name suggests, specifically for this purpose.

5. Financial implications

- 5.1 There are no significant financial implications arising from this report.

6. Human Resource implications

- 6.1 It is envisaged that any changes arising from this review can be accommodated within existing staff resources.

7. Risk Management Implications

- 7.1 There are no significant risk management implications arising from this report.

8. Climate Change/Sustainability Implications

- 8.1 There are no climate change/sustainability implications arising from this report.

9. Summary of Options

- 9.1 The Council could decide to leave the current EAB configuration unchanged, follow the recommendations suggested by the Joint EAB, and endorsed by the Executive and Corporate Governance and Standards Committee, or pursue an alternative option.

10. Conclusion

- 10.1 On 9 July 2020 the Joint EAB met to pursue the second phase of the review of the effectiveness and efficiency of EABs giving thought to possible future configurations that may secure improvements and to make appropriate recommendations to the Executive, the Corporate Governance and Standards Committee and the Council. The outcome of the consideration of these recommendations is now awaited to enable possible new EAB

arrangements to be put in place with a view to introducing a more efficient and effective EAB configuration and contribution.

11. Background Papers

- [LGA Corporate Peer Challenge of Guildford Borough Council dated 5 February 2018](#)
- [Guildford Borough Corporate Plan 2018-2023](#)
- [Review of Governance Arrangements: 12 Month Review – Council report and minutes of 25 July 2017](#)
- [Review of Governance Arrangements – Council report and minutes of 7 October 2015](#)
- [Review of Governance Arrangements – Council report and minutes of 28 July 2015](#)

12. Appendices

Appendix 1: Report to Council on 9 October 2018 - Executive Advisory Boards – Proposed Review of Structure and Remit.

Appendix 2: Terms of Reference of the current Executive Advisory Boards and the Overview and Scrutiny Committee.

Appendix 3: Summary of the councillor questionnaire questions and responses.