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To: MEMBER OF THE STRATEGY & RESOURCES
COMMITTEE
Councillors Elias (Chair), M.Cooper (Vice-Chair), Botten,
Bourne, Caulcott, Davies, Duck, Langton, Lee, Milton,
Pursehouse and Sayer

for any enquiries, please contact:
customerservices@tandridge.gov.uk
01883 722000

Substitute Councillors: Bloore, Jecks, Lockwood and Orrick

C.C. All Other Members of the Council

7 August 2020

Dear Sir/Madam

STRATEGY & RESOURCES COMMITTEE MONDAY, 17TH AUGUST, 2020 AT 7.00 PM

The agenda for this meeting of the Committee to be held in the Council Offices, via Zoom is set out below. If a member of the Committee is unable to attend the meeting, please notify officers accordingly.

Should members require clarification about any item of business, they are urged to contact officers before the meeting. In this respect, reports contain authors' names and contact details.

If a Member of the Council, not being a member of the Committee, proposes to attend the meeting, please let the officers know by no later than noon on the day of the meeting.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Elaine Jackson', written over a light grey rectangular background.

Elaine Jackson
Acting Chief Executive

AGENDA

1. Minutes of the meeting held on the 28th July 2020 (Pages 3 - 8)

To confirm as a correct record and to note that, regarding Minute 76 (Strategic Plan) the Local Government Association has since confirmed that, following an investigation of other potential data sources, the 2011 census is still the most up to date source for statistics about travelling to work. Officers therefore confirm that, based on currently available evidence, it is correct to say that most (working age) residents travel to work outside the District by car.

2. Apologies for Absence (if any)

3. Declarations of Interest

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:

- (i) any Disclosable Pecuniary Interests (DPIs) and / or
- (ii) other interests arising under the Code of Conduct

in respect of any item(s) of business being considered at the meeting. Anyone with a DPI must, unless a dispensation has been granted, withdraw from the meeting during consideration of the relevant item of business. If in doubt, advice should be sought from the Monitoring Officer or his staff prior to the meeting.

4. To deal with questions submitted under Standing Order no. 29(1.2)

5. Independent review of governance (Pages 9 - 48)

6. Local Government Reorganisation (Pages 49 - 56)

TANDRIDGE DISTRICT COUNCIL

STRATEGY & RESOURCES COMMITTEE

Minutes and report to Council of the virtual meeting of the Committee held on the 28th July 2020 at 7.00 p.m.

PRESENT: Councillors Elias (Chairman), M. Cooper (Vice Chairman), Botten, Bourne, Caulcott, Davies, Duck, Langton, Lee, Milton, Pursehouse and Sayer.

ALSO PRESENT: Councillors Allen, Bloore, Connolly, Farr, Fitzgerald, Lockwood, Mills, Morrow, Ridge, Swann, and N. White.

71. MINUTES

The minutes of the meeting held on the 9th July 2020 were approved as a correct record.

COMMITTEE DECISIONS *(Under powers delegated to the Committee)*

72. DISCRETIONARY HOUSING PAYMENTS POLICY

A report was presented to inform the Committee about recent expenditure from the Discretionary Housing Payments (DHP) budget and to seek approval for an updated policy for the administration of DHPs.

The report explained the intended purpose of DHP's, namely to provide Housing Benefit claimants with further financial assistance in situations where a local authority considers that additional help with housing costs is required. Each council received a grant from the Government for DHPs and had the option to pay up to two and a half times in excess of the grant allocation. Information was provided regarding:

- the amount of grant received by TDC in recent years, together with the total permitted and actual levels of expenditure; and
- a summary of all claims received in recent years.

In response to a Member's question, the Committee was advised that the Council's expenditure on DHPs in 2019/20 amounted to £141,709 (as per the table in 2.5 of the report) and that the £129,994 quoted in the table at 2.7 was incorrect.

The Council's DHP policy had been in place since March 2015 and a proposed updated version was considered. It had not been deemed necessary to recommend any significant changes, other than to improve layout and formatting.

RESOLVED – that:

- A. the current position regarding Discretionary Housing Payment applications and payments be noted; and
- B. the updated policy attached at Appendix A to the report be adopted and approved for publication.

73. REVIEW OF THE COUNCIL TAX SUPPORT SCHEME

The Council had continued to adopt the Government's 'default' Council Tax Support Scheme (CTSS) since the abolition of the former national Council Tax Benefit regime in 2013. The Committee considered a report which identified the potential merits of amending the Authority's current CTSS and explained the statutory requirements for consulting with relevant parties regarding any proposed changes.

In April 2021, the Council's benefit system provider would be changing from Capita to Northgate. The report explained the background to this arrangement, together with the associated financial advantages of making any changes to the CTSS in 2021/22 as opposed to delaying them for a further year.

RESOLVED – that:

- A. a public consultation exercise be undertaken between August and October 2020 regarding potential amendments to the Authority's Council Tax Support Scheme; and
- B. a further report be submitted to the Committee's meeting on the 24th November 2020 regarding proposed amendments to the Scheme (for 2021/22) in light of the consultation findings.

74. BUDGET MONITORING 2020/21

A Council-wide budget monitoring report for 2020/21, using data for the period 1st April to 30th June 2020, was presented. Members were advised that the current forecast General Fund overspend for 2020/21 had reduced to £1,870,750 (compared with the £2,576,727 overspend projection reported to the previous meeting). This was in light of recent confirmation that a grant of £120,000 would be forthcoming as part of the Government's Covid-19 support programme for local authorities. The current projection also reflected a £500,000 reduction in the Local Plan budget.

The Housing Revenue Account was now forecast to be £142,300 underspent at year end. The projected underspend on the capital programme had increased to £102,370,800. Commentary was also provided on the latest cash flow position.

RESOLVED – that the Council's overall financial position be noted.

75. INDEPENDENT REVIEW OF THE COUNCIL'S GOVERNANCE

This review had been conducted by the Centre for Public Scrutiny (CfPS) and had been informed by interviews with senior Members and Officers, and documentary evidence. The review had culminated in a report with recommendations for improving the Council's governance, a copy of which was presented to the Committee. The report acknowledged that certain recommended actions were already underway, namely the introduction of regular Group Leader meetings, the development of a strategic plan, and the drafting of a set of protocols to support policy making and to help clarify roles and relationships.

The report made a number of recommendations, including:

- actions relating to information access and sharing, e.g. increased provision of Member briefings and Member working groups; continuation of Group Leaders' meetings; and reconvening meetings of the Standards Committee; and

- changes to the remit and focus of the Strategy & Resources and Overview & Scrutiny Committees and full Council.

The Officer commentary accompanying the report confirmed the Council's initial response to the review to date, including briefings for Members and senior Officers which enabled attendees to question the report's author, Ed Hammond. The Standards Committee had met on the 21st July 2020 and Member development sessions had been delivered by the Local Government Association.

The Committee was advised that work was underway to develop new processes for the identification / drafting of committee reports; protocols for signing off minutes and for decision-making relating to planning (among other topics); and a fortnightly briefing note for Members. Further Member development sessions were also being planned. Officers intended to work with Members to develop detailed plans to address all remaining recommendations of the review.

Councillor Elias proposed from the Chair that, in place of the recommendations within the officers' covering report:

“That the Committee resolves to refer consideration of the Independent Review of Governance to a specially convened meeting of the Standards Committee, such meeting to be held as soon as possible.”

Upon debating the matter, Councillor Botten proposed that Councillor Elias' motion be amended by the replacement of 'Standards Committee' with 'Strategy & Resources Committee'. This was agreed.

RESOLVED – that consideration of the Independent Review of Governance be referred to a specially convened meeting of the Strategy & Resources Committee, such meeting to be held as soon as possible.

76. STRATEGIC PLAN

Work had begun in January 2020 to develop a strategic plan for the Council, including workshops with Members and Officers to explore potential priorities, informed by analysis of local demographic, economic and social information. Meetings had also taken place with stakeholders and partners to understand their perspectives and hopes for the District. This work was paused in mid-March due to COVID-19 but, in order to progress the matter, Group Leaders came together in July to review progress and identify priorities for action. The independent review of governance (Minute 75 above) had highlighted the need for the Council to define a clear set of priorities / objectives to provide clear direction to Officers and to ensure that scarce resources were targeted where they are most needed.

Arising from the above, a draft strategic plan had been developed. This was presented to the Committee, together with a covering report. The report highlighted the current context of:

- the impact of the Covid-19 pandemic upon the local government sector; and
- the opportunity for the Council to make a positive contribution in response to the Government's forthcoming White Paper on recovery and devolution and to drive a bid for a unitary authority in the east of the county in the interests of local residents and businesses.

The proposed strategic plan contained the following high-level priority outcomes, underpinned by actions, to be achieved by working in partnership with other public-sector agencies and businesses within the District and beyond:

- 1) **Building a better Council** – making the Council financially sustainable and providing residents with the best possible services;
- 2) **Making Tandridge a good place to live and work** - with homes, open spaces and infrastructure that meet local needs now and into the future;
- 3) **Supporting economic recovery in Tandridge** – from lockdown to growth that everyone benefits from;
- 4) **Becoming a greener, more sustainable District** – tackling climate change.

During the debate, Councillor Sayer proposed that the first sentence of the third paragraph of the introduction to the strategic plan be amended to:

“Although close to London, we are a very rural district, with almost 94% covered by Green Belt. ~~Many residents commute into London and enjoy living in a District~~ Most residents travel to work by car to areas outside of Tandridge District but enjoy living in the District with beautiful green spaces and a large number of listed buildings and conservation areas.”

This was evidenced by statistics within the 2011 census. Potential sources of more current data to help substantiate the amendment were suggested. In this respect, it was agreed that officers should seek the most up to date sources of data available to inform the next version of the strategic plan.

Councillor Caulcott proposed an alternative description for Priority 2, namely “*Creating the homes, infrastructure and environment we need, both now and in the future*”.

Members also expressed the view that different parts of the strategic plan should be owned by the respective Policy Committees as appropriate. Councillor Botten proposed an amendment to this effect.

The plan would be kept under review to ensure appropriate flexibility in response to changing circumstances.

RESOLVED – that this first version of the draft strategic plan be approved, subject to:

- (i) the first sentence of the third paragraph of the introduction being amended to:

“Although close to London, we are a very rural district, with almost 94% covered by Green Belt. ~~Many residents commute into London and enjoy living in a District~~ Most residents travel to work by car to areas outside of Tandridge District but enjoy living in the District with beautiful green spaces and a large number of listed buildings and conservation areas.”

- (ii) Priority 2 being amended to:

“*Creating the homes, infrastructure and environment we need, both now and in the future*”

- (iii) all four Policy Committees being able to own and monitor delivery of relevant parts of the strategic plan which fall within their respective terms of reference; and
- (iv) an updated version be submitted to a future meeting, informed, as far as practicable, by up to date and accurate data.

77. PERFORMANCE AND RISK

In light of the emerging strategic plan, a report was considered with proposals to hold workshops for members of each Policy Committee to identify the committees' key strategic performance indicators and associated targets. Once these indicators and targets were confirmed, reports would be submitted to each committee, including, on an exception basis, information on actions being taken to address any indicators where performance was off-target.

The report also proposed a new approach to risk identification, analysis and reporting. This would involve extracts from the corporate risk register being brought to future meetings of the Committee for review. Officers would also seek to ensure that the risk analysis submitted to Members was presented in light of the most up-to-date information.

RESOLVED – that the report be noted and that the following comments be taken into consideration:

- (i) risk ratings should help inform future priorities in terms of identifying areas of activity the Council should focus on, given on-going resource constraints; and
- (ii) risks rated amber (as well as red) should be reported to relevant committees for review.

78. COMMUNITY GOVERNANCE REVIEW – CATERHAM VALLEY PARISH COUNCIL

A report was considered regarding the Parish Council's wish to increase the number of its seats from six to ten. Legislation required such changes to be based on the outcome of community governance reviews, to be conducted in accordance with statutory guidance, including:

- setting terms of reference;
- consulting with parishioners and other stakeholders on draft proposals; and
- taking representations into account.

Community governance reviews could be initiated by a petition, the District / Borough Council itself or, as in this case, a request from a Parish Council.

The report included a provisional timetable and processes for a community governance review of Caterham Valley Parish Council which could culminate in ten Parish Councillors being elected at that Council's next scheduled election in May 2021.

However, the Committee concluded that it would be premature to proceed with a community governance review at the present time in light of the imminent White Paper on recovery and devolution. Members were mindful that the White Paper was likely to trigger the establishment of unitary authorities in place of the present 'two-tier' system which could, in turn, strengthen the case for a Town Council to cover Caterham and possibly, surrounding areas.

RESOLVED – that further consideration of the matter be deferred until greater clarity emerges from the forthcoming devolution White Paper in terms of the implications of the possible establishment of unitary authorities.

79. FREEDOM LEISURE

The Committee resolved that webcasting be terminated for this item as it would otherwise involve the likely disclosure of exempt information as defined in the paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972 (*“Information relating to the financial or business affairs of any particular person, including the authority holding that information”*).

The Committee received a verbal update following recent discussions with representatives of Freedom Leisure regarding the scope for its facilities within the District to reopen. It was acknowledged that a special meeting of the Committee might be required to resolve the matter, rather than wait until the next scheduled meeting on 22nd September 2020.

The following Councillors declared non-pecuniary interests in respect of this matter:

- (i) Councillor Bloore (member of Freedom Leisure - user of the de Stafford leisure centre)
- (ii) Councillor Connolly
- (iii) Councillor M. Cooper (his wife and daughter are members of Freedom Leisure)
- (iv) Councillor Morrow (member of Freedom Leisure - user of the de Stafford leisure centre)

Rising: 9.21 p.m.

REPORT TO THE STRATEGY & RESOURCES COMMITTEE – 17th AUGUST 2020 AGENDA ITEM 5	
INDEPENDENT REVIEW OF GOVERNANCE	
Report of:	Lidia Harrison - Head of Legal Services and Monitoring Officer lharrison@tandridge.gov.uk - 01883 732740
ELT Lead:	Elaine Jackson - Acting Chief Executive ejackson@tandridge.gov.uk - 01883 732717
Purpose of report:	To inform Members of the outcome of the independent review of the Council's governance conducted by the Centre for Public Scrutiny and next steps to address its findings.
Publication status:	Unrestricted
Recommendations:	That the Committee A. discusses and notes the findings of the independent review of the Council's governance; B. endorses the statement by Group Leaders as set out at section 3.2; C. requires to see a separate Implementation Plan by September 1st that addresses the review's recommendations, with dates and owners for each activity; and D. agrees to review progress against this Plan.
Appendices:	Appendix 'A' - Tandridge DC Governance review final report (Centre for Public Scrutiny)
Background papers defined by the Local Government (Access to Information) Act 1985	None

1. Background

1.1 An independent review of the Council's governance has been conducted by the Centre for Public Scrutiny (CfPS). The review was informed by:

- Interviews carried out with a selection of senior Members and Officers in January 2020;
- A detailed review of documentary evidence.

1.2 Work to complete the review was delayed by the COVID-19 pandemic: a written report setting out findings and recommendations for action has now been received by the Council.

2. Findings of the review

2.1 The report identifies four core, long-standing issues which have weakened the Council's overall governance position relating to leadership, workforce, politics and finances. The review recommends actions to support stabilisation and achieve improvement which the Council should take in relation to the following themes:

- i) beginning to build a foundation of trust on which longer-term actions can be built;
- ii) pursuing a different dynamic around attitudes, behaviours and values;
- iii) developing a clearer understanding of respective roles and responsibilities for Members and Officers;
- iv) bringing consistency and transparency on the basics of how decisions are made and how they are held to account;
- v) developing more awareness, ownership and management of risk.

2.2 The report notes that a number of recommended actions are already underway:

- the introduction of regular Group Leader meetings;
- the development of a new Strategic Plan;
- the drafting of a new set of protocols to better support policy-making and the clear identification of roles and relationships.

2.3 The report recommends technical changes to the way that processes and systems operate, including actions relating to information access and sharing. These include:

- increased provision of Member briefings;
- increased use of Member working groups;
- continuation of Group Leaders' meetings;
- re-establishment of the Standards Committee.

2.4 The report recommends changes to the remit and focus of Strategy and Resources Committee, Overview and Scrutiny Committee and full Council, including:

- i) ensuring that Strategy and Resources committee focuses on long-term improvement, ownership of the Strategic Plan and complex cross-cutting issues escalated from other committees;
- ii) revising the focus of Overview and Scrutiny Committee, with a strengthened focus on audit and cross-council financial matters;
- iii) developing opportunities for better substantive discussion of matters of local importance at full Council.

2.5 The report highlights in boxes areas where specific actions by the Council are considered to be necessary. These actions can be summarised as:

- Using the Annual Governance Statement to manage and champion the stabilisation and improvement of the Council's governance;
- Tightening up existing systems and procedures;
- Taking action to ensure that members' motivations and objectives are better understood by their peers and by officers;
- Members to sign up to the same values framework as officers;
- Creating a proportionate member development programme including training on the fundamentals of good governance (which should also be provided for officers);
- Amending rules of procedure for Full Council to reflect modern practice;
- Recasting the scrutiny committee, strengthening its audit functions and enabling scrutiny of cross-council financial matters;
- Strategy and Resources Committee to take direct ownership of the Council's long-term improvement;
- Developing a clearer understanding of members' roles, including the role of parties in opposition and ensuring that councillors lead on strategy and officers lead on operational matters;
- Making improvements to officer-level governance;
- Supporting early member involvement in policy development;
- Confirming the information about strategic council performance and corporate activity members should receive;
- Identifying a proportionate and responsive way for member queries to be addressed;
- Developing a corporate risk framework and register, with appropriate member ownership and associated training for members and officers.

3 The Council's response to the review

3.1 Briefings for all Members and senior Officers have been held, offering an opportunity to question and receive clarification from the report's author, Ed Hammond.

3.2 Leaders of the Council's four Groups have agreed the following statement:

As Group Leaders, we recognise that the Council is in a difficult position. The ongoing Covid-19 crisis presents us with significant difficulties which are exacerbated by the existing, deep-set issues about governance. These issues are not new and have been present in the Council for some time. The response and solution to these issues must lie with us acting collectively as leaders of each of the Council's political groups, working with the Council's senior officers. What we have in common is the desire to see local people served and supported by the work that both Members and Officers do together as a Council: we are committed to working together to address the issues.

3.3 In addition to the actions already underway outlined in section 2.2 above, the Council has also:

- i) commissioned Member development sessions, delivered by the Local Government Association, to support Members' understanding of the respective roles and responsibilities of members and officers;
- ii) commissioned a workshop for senior Members and Officers, also delivered by the Local Government Association to consider further how to work effectively in a council which is in No Overall Control;
- iii) reconvened the Standards Committee, which met on 21 July and considered, among other matters, an enhanced member development programme.

3.4 Work is currently underway to:

- i) develop a new process for development of reports for Committees which will ensure:-
 - appropriate ownership and signoff of reports;
 - advance notice of forthcoming reports via an externally-published forward plan, enabling members and the public to be appropriately involved in policy development;
 - an appropriate template for officer reports to ensure all appropriate information is included;
- ii) develop protocols for the signoff of minutes and on decision-making relating to planning (among other topics);
- iii) plan Member development sessions on:
 - the fundamentals of good governance;
 - chairing skills for Committee Chairs;
 - effective meetings for all Members;
- iv) develop a fortnightly briefing note for Members;

- v) deliver workshops for Officers on political awareness.
- 3.5 Officers will now work with Members to develop detailed plans to address all remaining recommendations of the review, including but not limited to:
- i) revised arrangements for officer-level governance;
 - ii) preparation of the Annual Governance Statement (which will be brought to members for approval in the Autumn prior to the November deadline for completion);
 - iii) further arrangements for regular briefing of Members in relation to council policy, governance, legal and financial matters;
 - iv) a range of actions to build trust between Members and between Members and Officers;
 - v) a framework which sets out the values that both Members and Officers hold in relation to the Council, which will guide their behaviour;
 - vi) arrangements for the handling of member queries;
 - vii) arrangements for member oversight of the delivery of key objectives, policies and decisions.
- 3.6 All of the actions identified above can, with the support of the Local Government Association, be delivered within existing resources and some of these actions will enable more efficient use to be made of existing resources.

4 Financial / risk implications

- 4.1 There are no direct financial implication from the matters covered in this report. The costs associated with the good governance review by the Centre for Public Scrutiny is £3,050.00. Other costs will be addressed when this Committee considers the further output and action plan implementation in due course.

5 Legal implications

- 5.1 The Council is a creature of statute and must obey legislation, act within the guidance and regulations issued and ensure probity and compliance with ethical behaviour. The report produced by CfPS highlights a number of issues of governance that demonstrate the Council has not lived up to the standards required.
- 5.2 The report contains a significant number of issues for the Council to address. Whilst many issues have been resolved there are still a small number to be concluded.

6. Equality impacts

6.1 Consideration of impacts under the Public Sector Equality Duty are as follows:

Questions	Answer
Do the proposals within this report have the potential to disadvantage or discriminate against different groups on the community?	No
What steps can be taken to mitigate any potential negative impact referred to above?	Not applicable

6.2 An increased focus on achieving good governance in the Council should ensure that, as the Council takes decisions, all potential implications and impacts on different groups in the community (positive and negative) are appropriately considered.

7. Data Protection impacts

Following the completion of a Data Protection Impact Assessment, consideration of potential data protection implications arising from this report are as follows:

Questions	Answer
Do the proposals within this report have the potential to contravene the Council's Privacy Notice?	No
Is so, what steps will be taken to mitigate the risks referred to above?	N/A

8. Conclusion

8.1 Further updates on the planning and implementation of actions to address the findings of the governance review will be reported to the Committee as part of the Corporate Improvement Plan. The Standards Committee will also take an overview of actions relating to member behaviour, member training and development and standards.

----- end of report -----

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Tandridge District Council: governance review

Report and suggested actions

July 2020

Contact: Ed Hammond / ed.hammond@cfps.org.uk

About CfPS

CfPS is a national centre of expertise on governance and scrutiny. We passionately believe that better governance and scrutiny leads to more effective decision-making, reduced risk and ultimately improved outcomes. Our work spans corporate decisions impacting on the public, to how tax payers' money is spent. We focus on behaviours and culture, as well as design and delivery.

Our work championing governance and scrutiny in public, private and voluntary sector organisations is for everyone's benefit. The challenges facing businesses and organisations now and in the future, require collaborative approaches.

We do this through research, policy development, campaigning, consultancy and training.

Since its launch, CfPS has supported hundreds of organisations and people. through leading research, policy and practical support. With a long-track record helping local councils, we also work with a wide range of others including health bodies, housing organisations, membership organisations, government agencies, regulators and private sector businesses. We deliver large improvement programmes on behalf of the Ministry of Housing, Communities and Local Government (through the Local Government Association) and the NHS.

More information can be found at www.cfps.org.uk

About governance

Governance is about the way that we work together to make good decisions. Good governance is necessary for us to know that we are providing the services and support that people need and expect. Good governance is also necessary to ensure that the insights and perspectives of a range of people are used to inform decision-making, and to ensure that decisions are made transparently, consistently and on the basis of evidence, by people with the legitimacy to make those decisions – whether they are councillors or officers.

For these reasons, good governance is central to local democracy and to the business of local authorities.

Introduction

This paper sets out findings and areas for improvement, arising from a review of governance arrangements at Tandridge carried out by the Centre for Public Scrutiny. It focuses on short and medium term issues and solutions, and is designed to align with and support the council's ongoing work on a Strategic Plan, the Council's ongoing work to develop protocols to define relationships between key individuals, and to bring consistency to the way the Council works.

With the postponement of the 2020 election and the impact on decision-making of the pandemic, now is the time to be taking firm and concerted action to improve governance. Our original plan was to use this paper as the basis for a fuller report setting out longer term actions. However, the fluid nature of the pandemic and the response that it demands suggests that a more dynamic approach is needed. As such this represents our complete findings at this stage. Further resource will instead be put into the provision of practical, ongoing support to the council as it takes action on the issues we set out here.

For the moment, the focus of the Council is on **stabilisation**, and this is reflected in these findings and suggested actions. Key to stabilisation will be an understanding and acceptance of mutual trust and the core principles of collective leadership and responsibility, shared between all members. This form of leadership is particularly important for an authority under no overall control.

Highlighting this need for stabilisation, we set out some initial actions which can be carried out immediately. Many but not all of these will involve changes to the council's constitution, but our suggestions go beyond this. We envisage that this process will kick off a more regular process of constitutional review, which should be an annual process tied to the production of the Annual Governance Statement. We talk later in this paper about effective member leadership and ownership of the governance framework overall.

While a number of the actions suggested in this paper are short term in nature, none represent a quick fix. The actions contained here – connecting as they do with the wider framework provided by the Strategic Plan – will allow councillors to take the first steps towards the stabilisation of the authority, beyond which more considered, long term plans can be made. Turning things around will be complex and will take time. Councillors and officers alike should set their expectations accordingly. The report aims to focus on the future and to provide positive, concrete actions which councillors and council officers can collectively own in order to stabilise the authority. In order to do this, it is necessary for councillors and officers to affirm the need for **collective ownership, collective responsibility and collective leadership** – reflecting Tandridge's status as a committee system authority under no overall control.

This is about changing behaviours, and ensuring that councillors and officers work together in a way that reflects the "Nolan principles" – the seven principles of public life which are the basis of the ethical standards expected of public office holders. These principles are **selflessness, integrity, objectivity, accountability, openness, honesty and leadership**. Detailed definitions of these principles can be

found at <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>.

This report focuses on Tandridge's distinctive context as a committee system authority under no overall control. It recognises the pre-eminent role in this framework of decision-making committees and seeks to support and bolster the critical role of these committees.

Taking these positive steps requires an acknowledgment of the place the Council is in now. This is necessary, in order to recognise the presence of weaknesses within the governance framework and in the relationships between the people and groups whose roles are central to that framework. It is not done with a view to apportion blame or to single out specific responsibility for problems that have occurred, and which persist.

For the Council to improve in its delivery of both statutory services and discretionary services there must be a commitment for all to keep moving forward using the learning from this review and resist the temptation to keep looking back and undermining progress.

Method

This report is based on:

- Interviews carried out with a selection of senior councillors and officers in January 2020;
- A detailed review of documentary evidence, including:
 - The council's constitution;
 - The council's annual governance statements in recent years;
 - Material (where it exists) relating to the council's overall vision and priorities;
 - Material (where it exists) relating to policy development and business planning;
 - Material (where it exists) relating to performance, finance and risk monitoring;
 - Agendas, reports and minutes from formal meetings including full Council, service committees and the scrutiny committee, going back a period of around eighteen months depending on the committee cycle of individual bodies.

Findings have in general been triangulated – assertions made by individuals or evidence identified on the basis of documentary analysis has been corroborated through other sources. For reasons both of brevity and confidentiality, we have not set out in full which evidence sources have been used to support each individual assertion.

1. Overall themes and immediate actions

1.1 The council's general governance position

The council is in a difficult place.

Some members and officers within the Council have a good sense of its strengths and weaknesses on governance, but many – including some members and officers in senior positions – do not. On paper, the Council's governance framework is broadly fit for purpose. The Council has an up to date constitution whose legally required components are in line with those in other authorities, although it has not been subject to the kind of regular, forensic review that we would expect. In recent months, practical action has been taken to address shortcomings in accountability by introducing more clarity around the respective roles of officers and members in oversight, through project boards and project delivery reports. A new Strategic Plan is being developed and corporate work on improvement is underway. The challenge is to maintain this direction of travel, and this is where governance shortcomings pose real risks.

The Council has no clear objectives at the moment. As such, it also has no sense of how governance might connect to its objectives. Consequently governance is seen by some as a distraction to delivery. Because of this, governance is not thought about and reflected upon in the planning of major activity, meaning that significant time is spent unproductively in post-hoc discussions and disagreements when things don't go as expected. In sections 2.1 and 2.2 below we highlight the need for member training and development, including mandatory training for all councillors on the governance and decision-making systems of the council.

The Council, corporately, still thinks of governance as only being about structures, systems, and processes. It has a limited understanding of the behavioural elements of good governance. By this we mean the way that personal relationships and trust influence accountability and transparency, and the way that individuals operate within and interpret the governance framework set out in documents like the constitution. It also has a limited understanding of how political and organisational risk intersect, and how an awareness of risk should be used to define and refine the organisation's priorities.

It is acknowledged by all of those officers to whom we spoke, and to many, but not all, of the members to whom we spoke, that the organisation is troubled and suffers from governance weakness. There are a set of challenges – leadership, workforce, political and financial – which would be mitigated more effectively if strong governance systems were in place. Stabilising the authority is proving a challenge, and this is not helped by the attitude that some councillors have towards governance and its importance. Responsibility for taking concerted action to address these issues is something that lies with all members and officers, not just the political leadership – there is a collective responsibility for good governance.

Good governance is necessary for the council to be effective in providing the services and support that local people expect. Without strong and effective decision-making in place, the council's action will be muddled and fragmented. It will not

reflect the vision that councillors have for the future of the area, and raises the likelihood that the authority will be poor at managing the external and internal risks which it is likely to experience – the pandemic being a key example of one such a risk.

There are four core issues which have served to weaken Tandridge’s overall governance position recently.

On **leadership**, the failure to assert a clear set of priorities and objectives for the council make political accountability difficult to discern. Under no overall control a different attitude and mindset must define how councillors in leadership positions act.

On **workforce**, the Customer First changes to workforce and HR arrangements have caused confusion about officer responsibility to members. The attendant uncertainty around roles and responsibilities has exacerbated an existing preoccupation by some members on operational matters. It is worth noting that the Customer First programme is a symptom, rather than a cause, of the Council’s ongoing governance problems.

On **politics**, there is significant political tension. This has been exacerbated by a lack of political nous from some senior officers, and a failure on the part of some senior members to come to terms with a changed political balance at the authority. The comparative inexperience of new councillors has magnified these issues, as new councillors unable to navigate the council’s systems have become increasingly frustrated.

On **finances**, the Council’s medium-term budget position remains uncertain. Good governance requires real member oversight of the budget development process in 20/21, and members of all groups being involved in tough conversations about prioritisation, focus and organisational direction. This has been exacerbated by the financial impact of the COVID-19 pandemic. This work will be assisted by the new Strategic Plan.

It is worth noting that these issues have not come about suddenly, over the past few months. They are long-standing and reflect the position of an authority where governance matters have not been taken seriously for a considerable time. Historically, senior officers were part of this problem; with the council in the process of renewing its senior leadership team that particular shortcoming is being addressed.

a. Actions for stabilisation

We think that there are a set of connected objectives for the council in the coming months. Our focus in this report is on the next few months. The nature of the pandemic makes it difficult to put firm timescales on these actions, but clear plans need to be put in place over the course of summer and autumn 2020.

Principal stabilisation objectives

- Beginning to build a foundation of trust on which longer-term actions can be built (through one to one and group discussion, clarification around certain member and officer roles and more clarity on members' own motivations and objectives, as well as increased council transparency);
- Pursuing a different dynamic around attitudes, behaviours and values – recognising that this will be the start of the process and it will take time. The council can use conversations about motivations and barriers to begin to build better relationships. In the first instance, the way to do this will be to develop meaningful, substantive cross-party conversations on solutions to governance and other challenges that can be held in common;
- Developing a clearer understanding of what respective roles for members and officers look like;
- Bringing about consistency and transparency on the basics of how decisions come to be made, and how they are held to account;
- Developing more awareness, ownership and management of risk – to governance and to the authority at large.

Some of these themes will come to be fully developed only in the medium to long term. There are no quick fixes.

The council is already taking steps to stabilise. There are three principal developments in recent months which we believe will anchor this process, and support what we have to recommend on governance. These are:

- The introduction of new regular group leader meetings;
- The development of the new Strategic Plan;
- The drafting of a new set of protocols to better support policy-making and the clear identification of roles and relationships.

These measures – and particularly the Strategic Plan – should not be seen as a panacea for the Council's difficulties. The Strategic Plan will provide a framework within which governance changes can be made to stabilise the authority but agreeing and implementing these changes will require further concerted action from members and officers, particularly in the short term.

b. Clarifying ownership of governance itself

No one person is responsible for overall stewardship of the governance system. We note throughout this report a tendency to focus on the structures and systems of governance rather than its core objectives, and this is reflected in a lack of interest from members of the leadership. As a result of Customer First the Monitoring Officer role has been effectively hollowed out, with ownership of various key governance functions being shared between a number of officers in a way that is inappropriate.

There is a patchy awareness that this needs to change, but until permanent appointments are made to key positions this is unlikely.

Ownership of governance, change and actions taken further to this review

The council should use the **Annual Governance Statement (AGS)** as a way to manage and champion governance stabilisation and improvement. The AGS is required to be preceded by a review, and in this instance we think it should – on the officer side - be owned by the Chief Executive, practically led by the Monitoring Officer. A new AGS, based on this independent governance review and the further internal review we mention above, should be drafted

On the member side, such a review should be led and owned by Group Leaders collectively, and is likely to develop from some of the one-to-one conversations we discuss later in this report.

The implementation and impact of short term actions carried out following this governance review can be reported in the next AGS. Medium term actions, drafted on the conclusion of this governance review, will be fed into the AGS to provide clearer council direction on these matters.

The council should **confirm permanent arrangements for the Monitoring Officer (MO)** role and ensure that the MO is empowered to exercise their key statutory functions, and those set out in the constitution;

The development of the **Strategic Plan should highlight the need for clear lines of accountability** and mechanisms for member oversight and ownership of key objectives, projects and decisions. This will embed, and provide the framework for, the broader changes discussed in this report.

The purpose of the AGS is to provide public assurance on the extent to which the authority's governance systems and processes conform with local expectations, and with wider sector norms – as well as taking account of emerging risks and pressures which could lead to a need for change. It is only possible for the AGS to provide this assurance if it is informed by a meaningful review. This need has not, in the past, been acknowledged, and the AGS has reflected more the need to produce and sign off a decontextualised document rather than presenting the culmination of a reflective review on the council's governance position.

The existing agreed AGS (operative 2019/20) is of poor quality and using this mechanism to make clear commitments at full Council on governance improvement would be a vital way of demonstrating senior member and officer ownership.

The aim should be to produce a new AGS, based on this review, within a timescale that complies with the law (given the inevitable delays owing to the pandemic). The aim should not be that the AGS will provide a complete road map for governance improvement, but it will be an important medium-term staging post on this journey.

1.2 Immediate changes

There are some basic actions which can be taken now to tighten up existing systems and procedures. They are “quick wins”, which reflect findings explained in more detail elsewhere in this paper and should where possible be built into the protocols under development.

Improving officer reports.

- **Legal signoff:** The Monitoring Officer or another qualified lawyer should provide commentary on reports submitted formally to members. The MO or another qualified lawyer should be consulted on the content of forthcoming committee reports, and should explicitly clear such reports, to ensure that high quality legal advice can be provided.
- **Ownership of reports.** A single named senior officer should be identified as holding responsibility for leading each report and decision through the system, as a strengthening of the existing officer-level governance system. This is one of a number of actions that we suggest as a way to improve the quality of officer reports, most of which we consider can be acted on in the very short term.
- **A new template** for officer reports should be trialled, to bring consistency on the objectives for a decision, other options considered and rejected, detail on the justification for the proposed decision, legal and financial implications of the decision and clear links to relevant background papers, where they exist. This should be refined with the assistance of members.

Clarify arrangements for the signoff of minutes. Current arrangements have led to concerns being raised that approval of minutes rests entirely in the hands of the Chair, with other committee members having no opportunity to influence them. An improved approach would be that all councillors attending committees as members of those committees should have an opportunity to review the minutes before publication. Councillors should have three clear working days to suggest such amendments. The request should be considered by the clerk of the committee, with requests being escalated to a more senior officer (in attendance at the committee in question) in the case of disagreement. We recognise that such a system could be seen as cumbersome, but given the limited trust between members we think it is proportionate for the moment – but could be reviewed after a number of months;

Publish and refine the Forward Plan. We understand that steps are being taken to both refine and publish the Forward Plan of forthcoming decisions, which has hitherto been produced for internal use. The Forward Plan’s content should be further refined to ensure that it best meets members’ needs – helping them to understand how, where, why and when important decisions are emerging, and to plan their engagement with those decisions both in committee and in other forums.

Agree a way forward on decision-making relating to planning. Recent disagreement on the remit and work of the Planning Committee is symptomatic of some of the more general points we make below on roles and responsibilities. As a matter of principle councillors (not

just the Chair of Planning as ultimate decision maker) should be able to express views on whether an application is likely to prove contentious and therefore whether it should be considered at Planning Committee – as long as that is justified in planning terms, following advice given by the Chief Planning Officer. We understand that forthcoming protocols will cover this issue. Councillors should seek to debate and decide on this issue subject to advice given by the Monitoring Officer and Chief Planning Officer, bearing in mind that councillors are likely to be best placed to understand the likely impact of a decision on the ground. Once introduced, this approach should be subject to early review.

2. Objectives for stabilisation

2.1 Building a foundation of trust

Overall, there is exceptionally little trust – between members themselves, and between some members and officers. There are a number of ways to begin setting the foundations to rebuild elements of trust, but this will be a slow and complex process, requiring individuals in key positions (including opposition members) to take leaps of faith, against what they may see as their better judgement.

We realise that this asks a lot. Collective responsibility is difficult to take on when individual councillors may feel that they personally are not “to blame” for the position in which the Council finds itself. But joint ownership of the problems and their solutions will be critical to building a way out of Tandridge’s problems. This is the only way forward if the Council is able to succeed in its improvement journey, as collective effort, skills and knowledge must be combined to protect services for residents. Some trust issues hinge on confusion around roles and responsibilities, which we cover below.

Political risk is involved in taking action to address this, but the risk of letting these issues drift is more significant. Councillors must recognise that addressing the political dynamic of the authority is the single most important thing that can be done to stabilise and, in due course, to improve. It is the principal cause of the lack of trust at member level.

The organisation has fixated on the political tension between rival political groups as being the root cause for many of the authority’s problems. This tension has produced significant disruption. It is a symptom of wider flaws and failings in governance, rather than being the cause of those flaws and failings.

This situation is exacerbated by factors relating to the council’s political balance, and a lack of recognition by members and officers of the fact of the Council being under no overall control in the way that they act.

This sense of political defensiveness is one of the factors that has made the organisation introspective. There is a lack of understanding about how the shift in political balance means that the way the council, councillors and offices work together needs to change. Behaviours, systems and expectations have to change in consequence.

This has also led by mistrust between members and officers. Some members’ behaviour towards officers is negative and combative – we highlight this in more detail in section 2.2 below. Some officers feel that they need to “manage” members, rather than engaging in open dialogue with them. This mistrust has compounded, leading to further suggestions that officers support the administration at the expense of opposition groups.

Officers and leading members alike need to develop a greater sense of political nous and awareness – including:

- a better understanding of the concerns, and rights, of councillors in the context of a council under no overall control.
- a better understanding of what motivates councillors as politicians individually and collectively, and what motivates the members of individual political groups;

A lack of awareness of these issues amongst the officer corps can lead to a risk of decisions being made and processes followed which inadvertently advantage one Group over another – further damaging trust.

Workshops/one to one meetings with councillors (initially group by group, and later collectively) should be convened to ensure that members' motivations and objectives are better understood both by their peers, and by officers. Initially these would need to be facilitated by external individuals - possibly LGA member peers – and would attempt to flush out deep set and complex trust issues. It may be that for some members these conversations would develop into longer term coaching and mentoring relationships.

Trust can be further addressed by beginning to open out information and insight about council business and council policy. This is explored in more detail in the sections 2.3 and 2.4. As a first step, the council should start trialling briefings for members on:

- key matters relating to the development of council policy. Earlier information sharing will help opposition members in particular to engage more constructively with more confidence;
- key matters of council governance, legal and financial matters. This would include explanation of the key components of the governance framework, rules relating to financial procedures and procurement, the council's legal obligations, and matters relating to personal conduct, informed by the Nolan principles.

All senior officers should be required to attend training/workshops on political awareness.

2.2 Improving attitudes, behaviours and values

The challenges described above on trust have not been helped by some members' behaviours. Serious allegations have on occasion been made against officers. These instances have been managed poorly, with officers effectively firefighting individual crises and allegations of wrongdoing rather than seeking to take concerted action to work with senior members to understand why and how trust has broken down. Some of this behaviour is reflective of the extreme frustration felt by these members. A number feel a sense of "us" and "them" – that they are not "part of" the Council, but somehow separate from it, which should not be the case. Some members distrust

attempts to build better working relationships, because they feel that these will be used to make them somehow complicit in decisions with which they do not agree.

There is variable understanding amongst members and officers of the obligations placed on public office holders around behaviour and conduct. Some may understand the importance of these principles in the abstract, but fail to translate that into informing how they act day to day.

This is evidenced through difficulties in transacting the work of the corporate improvement working group, and the agreement of last year's member/officer protocol. While specific examples of poor behaviour are limited to a minority of councillors, all members share a collective responsibility for good behaviour. Other councillors and groups have made attempts to challenge negative behaviours but these have been sporadic and ad hoc – failing to hit home because the issue has not been treated sufficiently seriously by the administration group.

Changes to behaviour need to be underpinned by a commitment to the **Nolan principles**, providing a common understanding of the basic, core standards to which all are subject.

Members should be required to sign up to the same values framework as officers. Members should acknowledge the need to hold themselves to high standards of conduct. A public commitment that members and officers, with distinct roles, need to work together, is important. This process should be overseen by a renewed Standards Committee.

The Standards Committee has not met for a number of years; on page 23 we suggest action to restart regular Standards Committee meetings to take ownership of this matter.

Members, generally, do not appreciate the serious impact that these issues have had on officers.

Taking forward a clear approach to member development, which is owned by members themselves, will be central to both stabilisation and improvement. This approach will need to recognise the ongoing nature of member development and the need for this development to be integrated into councillors' day to day work on the council – development here is about providing councillors with practical support rather than instruction on theory.

Coaching, mentoring and small-group measures to build trust should be integrated with interactive development activities and briefing on some of the technical measures above. The aim should be to put positive behaviours at the heart of the council's wider stabilisation and improvement plans.

All members and officers should be required to attend **training on the fundamentals of good governance**. Further required training and development would include

discussion and the setting of clear expectations on member behaviours, in the context of the political dynamic at the council (as set out below). This training would serve a further purpose of garnering views on further governance changes to be picked up in the medium term.

Members should collectively, and with the support of officers, sign up to a proportionate member development programme designed around practical support in their roles.

2.3 A clearer understanding of members' and officers' roles

Good governance requires that:

- Individual responsibility is clear. Councillors and officers must understand where their respective duties and accountabilities lie. Importantly, ownership of action on risk is a part of this;
- Collective responsibility is clear. Within a functioning governance system there has to be a collective responsibility for good governance, held by everybody.

Neither of these is wholly present in Tandridge. The council's constitution (including the scheme of delegation) sets out the legal foundation within which such roles and responsibilities should be exercised, but behaviours do not always reflect this. The lack of detail provided on officer delegation (including a lack of detail on the appropriate seniority of officer who may exercise certain delegated functions) does not help.

Councillors focus unduly on operational matters (as evidenced through debate, discussion and decision in committee). This has led to a situation where member and officer roles have become blurred. Some officers spend a substantial proportion of their time working to resolve operational issues for members. Members need a way to sort problems out for their residents, but current practices feel unsustainable and disproportionate. Confusion further propagates a lack of trust.

Strategic vs operational issues

It is important for both members and officers to identify where responsibility for issues sits with members and where it sits with officers. This is central to much of what follows, and to ensuring that members do not feel overwhelmed and officers undersupported.

The general principle underlying the member-officer relationship in English councils is that councillors lead on strategy and that officers lead on operational matters. The demarcation is not always so obvious. We have noted above that councillors are wholly absent from discussion and decision on the council's main vision and overall priorities, and that they have involved themselves unduly in operational matters.

Action on addressing the strategic / operational imbalance

Progress requires three complementary tasks:

- Building a strategic space within which members can operate. We make suggestions below on a new role for Strategy and Resources Committee, and earlier involvement by councillors in policy development including more systematic use of working groups;
- Agreeing on the scope of what is 'strategic'. What is "strategy" and what is "operational" is not hard and fast. Discussion and agreement of core principles – underpinned by the framework of the Strategic Plan and the associated protocols – will assist in determining where the balance lies;
- Ensuring that councillors feel confident and assured acting at a strategic level, and partially withdrawing from operational matters. Discussion of strategy will feel alien and unfamiliar to members; continued discussion of operational issues will feel comfortable. It will be tough for councillors, and officers, to break out of their old roles. Members will also need assurance that withdrawal, even partial, from more operational matters will not result in poorer services. This connects with the trust issues identified above, and issues identified below relating to the relationship between councillors and officers.

Understanding councillors' time constraints

We have been acutely aware in conducting this work that councillors have limited time at their disposal. Councillors' roles must be interpreted and understood in light of the multiple calls on their time – including personal caring and employment responsibilities. This section explores and suggests ways to reprioritise and refocus councillors' time

The aim should be to move away from less productive focus on operational matters, and time-consuming conversations with officers about the provision of information, and towards a better defined sense of members' and officers' mutual roles which allows each cohort to play to its strengths – officers' professional skill and expertise, and members' insight and perspective on the needs of local people.

The role of members and officers in different parts of the governance framework

The council needs to find clarity on the roles played by members and officers in respect of the following areas:

- Full Council;
- The administration;
- Committees (and in particular committee chairs);
- Opposition parties;
- The role of officers;
- Scrutiny and audit.

These are all explored below. At the end of the section we set out actions relating to the creation of new spaces within which members and officers can work to develop policy and hold deliver to account.

Full Council

The way that business is transacted at full Council is atypical of a modern local authority with a committee system. Working through and debating the minutes of recent committee meetings is unproductive and duplicative, involving the repetition of previous argument and debate. Full Council minutes provide consistent evidence of this form of unproductive, circular discussion.

Full Council is best seen as the crucible for political debate on matters of direct importance to local people. It should provide the opportunity for political opposition and disagreement – providing a safety valve around the discussion of the most contentious matters. It should provide a space in which councillors can come together to surface and deal with disagreements, and to demonstrate to the public that they can work together to develop and implement solutions which meet local needs. Better use of motions and councillor and public questions to committee chairs may provide a better approach.

Removal of full Council minute approval is something which we consider can happen immediately, and the Chair of Council should work together with officers and Group Leaders to experiment with different approaches to productive debate over the course of the coming meetings.

More systematic amendments to business and agenda management at full Council is something that can be picked up in the medium term.

Rules of procedure for full Council should be amended to remove regular consideration of committee minutes and to develop opportunities for better substantive discussion on matters of local importance through planned debates and the use of motions and questions for the administration.

The role of the administration

Many of the matters raised above derive from the fact that, to date, the political leadership has not set a direction and priorities or established their appetite for risk.

This means that member direction and oversight is diffuse and scattergun. Members focus their efforts on a variable range of matters of personal interest rather than matters which are strategically appropriate. This confusion has been exacerbated by Customer First, which has loosened lines of officer accountability.

The council's administration needs to articulate its vision more clearly and act in accordance with its roles. Leading the process to agree and implement the Strategic Plan provides an opportunity to do this.

We consider that the roles of the administration are:

- To set and drive the vision for the Council;
- To be prepared to work flexibly;
- To draw in other councillors from all parties into the vision;
- To build consensus;
- To be bound by and champion the council's governance framework – the rules and procedures which define how decisions are made transparently;
- To set an example of how best to operate under no overall control;
- To challenge the existing assumptions which they (the administration) may hold about the most appropriate ways to run the council.

There is an overriding need for the administration to proactively support the institution of the Council itself, and the officers employed by it, ensuring that their role, and the complementary role of members (as we discuss elsewhere) is well understood. Officers unclear about these roles, or poorly sighted on the motivations and objectives of the administration, are not well supported.

These roles reflect the situation in which the Council finds itself as a committee system authority under no overall control. The committee system is a governance model which is built around discussion and consensus. A council operating under “no overall control” has to understand the motivations of other Groups and challenge its own assumptions about how its objectives can be delivered with the support of other politicians.

Where a leading party has previously held a majority of seats at the council, and an election means that they are still the largest party but operate as a minority administration, the way that such a party exerts leadership has to change significantly. Under these circumstances the largest group has to take proactive steps to broker consensus amongst other political groups.

This requires a recognition that, in these circumstances, it is impossible for a party which is the largest, but which does not hold a majority, to shore up power and control. A recognition that power and control needs to be ceded in order to take a more collegiate approach, cross-party, is a sign of strength under these circumstances.

Where a council does not take these steps the following can and will occur:

- Sclerosis, as it proves difficult or impossible for the administration to push forward its own vision in the teeth of opposition from other groups;
- Uncertainty, as the political position makes it difficult for the administration itself and the senior officer corps to plan and direct the work of the authority;
- A weak response to the needs of local people, because both of the above means that the authority will be unable to confidently and effectively make decisions in the interests of the community.
- The hidden costs relating to confusion and inefficiency in governance – a particular concern at a time of financial challenge

- Reputational risk for all parties and the Council, which will arise where the organisation appears to have no focus and objectives.

Members' roles in and around committees

In a committee system authority the role of decision-making committees is critical. They are the primary space for legal decision making in an open, democratic environment. However, as things stand, the way that committees operate serves councillors poorly. Poor access to information (which we discuss in section 2.4) means that councillors cannot play an active and informed role as decision makers. Although Chairs' have better access to information – in part through the operation of the callover system – review of committee minutes suggests some difficulties in leading and managing business.

Currently callovers provide an opportunity for the chair and vice chair of a committee to discuss forthcoming committee business with senior officers. The chair and vice chair sometimes use this as an opportunity for more general discussion of policy priorities – which gives them a privileged opportunity to speak to officers about these issues which is not open to members of other parties.

Two options exist – either

- open up callover meetings to a wider range of councillors and use them as the basis for broader member briefings, or
- limit their use to focus exclusively on the practical management of the agenda for the meeting itself.

Both approaches have their pros and cons, and both represent approaches taken by councils in similar situations. We recommend – given the wider measures discussed below – that the second option be taken. We talk in more detail about this in section 2.3 below on broader changes to policy development.

Amend business in callover to focus on the practical management of the agenda for the meeting itself.

Prior to callover, agenda development for committee meetings (and hence the decision-making cycle in the authority) has to date been led and managed by officers through project boards. Committee chairs are somewhat involved later in the process – committee members generally not at all.

Understanding the role and responsibilities of chairs is particularly important. Chairs need to combine expertise in three areas:

- Skills in chairing meetings. The ability to be able to convene and facilitate debate, and to develop consensus. This covers actions within the committee room but also outside it – informal liaison between members and officers is an important part of this;
- Process knowledge. Understanding the procedures and rules which underpin committee, and council, operation. Chairs are of course advised by officers,

but they need a reasonable understanding of the rules under which they operate in order to work effectively;

- Subject knowledge. Chairs require an understanding of the substantive matters they are discussing, in order to develop debate, ask the right questions and come to the right decisions.

Chairs are also responsible for ensuring that committee members can play an active part in discussions in committee. This requires:

- Prompt information sharing about forthcoming decisions;
- Member involvement in agenda-setting.

Current shortcomings in both of these areas means that decision-making in committee is loose and poorly directed. Some members legitimately feel blindsided by not knowing what issues will be coming up for decisions at committees which may only be days away, further solidifying a lack of trust in an organisation which seems to be holding information back. A lack of member confidence and leadership means that the same issues are brought back for discussion and debate again and again. In particular, this happens in Strategy & Resources Committee (which lacks a meaningful strategic role, tending to duplicate business originally transacted in other committees, rather than examining cross-cutting, corporate and strategic issues) and at full Council, whose agendas (as we have noted already) focus on minutes provide little space for meaningful debate on matters of significant local concern, as would be expected in a typical full Council meeting.

A clear understanding of members' roles (administration and opposition, through decision-making, policy development and scrutiny) and officers' roles should be built into the Protocols currently under development, as well as into member and officer development plans. This will feed into the practical actions we suggest below about building a strategic space within which members can exercise this role.

Strategy and Resources Committee should take direct ownership of long-term improvement, supported by strong governance exerted by senior officers. The Committee should take ownership of the Strategic Plan, consider and decide upon complex cross-cutting matters escalated from other committees. It is likely that ultimate member ownership of the corporate risk register would sit with Strategy and Resources.

The role of opposition parties

Opposition parties have an important role in the governance framework. In a committee system authority under no overall control the importance of this role is heightened.

Political opposition in Tandridge is often combative. It is right that opposition councillors and groups should hold strong views and express them forcefully. Local democracy requires vigorous and robust debate. Opposition councillors told us that

they experience significant frustration in how they go about their work – feeling that they have had no influence in the council and that information has been kept from them. This frustration comes across strongly in recorded committee and council minutes. The associated feelings of unfairness have in our view contributed to this combative and confrontational approach, but the way that this approach has sometimes evidenced itself – through persistent complaints against officers and allegations of officer incompetence – is unacceptable.

Addressing motivations and behaviours as we suggested in section 2.2 will begin to assist with these issues. But a clearer understanding of the role of political opposition is also necessary. In our view political opposition in the context in which the Council finds itself should be about:

- Constructive challenge to the vision of the administration;
- Constructive challenge to the way that the council is seeking to implement this vision;
- Early involvement in policy development, bringing different views and perspectives to bear on the policy development process;
- Support to the institution of the Council and to officers – by resolving to work constructively to resolve problems in the interests of local people.

Where the opposition does not agree with a matter they should engage and not resort to complaining and confrontation. This is counter to building trust and is also very time-consuming to service.

An understanding of the role of political opposition should be built into the wider actions to embed trust, and into the protocols – particularly insofar as they relate to the sharing of information and councillors' roles in policy development.

The role of officers

We have noted elsewhere some officers' lack of political awareness and nous. Officers need support in order to support members in a febrile political environment.

The Customer First programme has shaken councillors' confidence in the officer corps. Members have reported not knowing who to speak to with regard to issues of common concern, and have in some cases called into question officers' expertise, the belief having developed that the council lost its most experienced staff during the implementation of the programme.

This has created a uniquely unsupportive environment for officers, and difficulties in their relationships with members. Customer First exacerbated an existing looseness around officer roles, and has encouraged an escalation of the tendency of councillors to wish to involve themselves in highly operational matters.

This involves members and officers being clear that:

- Officers are employed by the Council, not by the administration's group, to develop and implement decisions made by the authority and its committees;
- As such, officers are employed to support all members;
- Officers take the lead on operational matters – the delivery of services – on the basis of decisions that members make.

As things stand, officers are given little political direction, owing to the lack of any member-led corporate objectives. This compounds with a lack of political awareness amongst officers to produce a landscape where ownership of decisions, and decision-making, is often unclear.

The kinds of one-to-one and group meetings between members and officers that we suggest in section 2.1 will go some way to building this understanding of the complementary member/officer roles. Our suggested actions are designed to build better and deeper working relationships between members and officers. We anticipate that this will link into the drafting and refinement of the council's new protocols.

It has been suggested that the council move to a greater sharing of services and their management. This would be a high-risk strategy until the council has demonstrably stabilised, given the need to address local member-officer relationships and accountabilities.

With better and more effective spaces for member debate the necessity arises to amend the operation of existing elements of the decision-making and reporting framework – in particularly those that involve officers.

As things stand, the lack of complementary officer and member systems for the oversight and development of policy remains a risk factor. The creation of new briefing and working group arrangements for member discussion of policy issues – and clarity around the sharing of information on a more systematic basis with members – will need to be mirrored by appropriate governance and support at officer level.

We recognise that the operation of officer-level governance is in a state of flux, with improvements currently being made. We expect that the conclusion of the Strategic Plan and the agreement of the protocols will lead, in the first instance, to more clarity on officer-led operational spaces. At the moment, officer-level boards carry out work to:

- Oversee corporate and service performance;
- Ensure the committees are serviced and planned for;
- Provide project and programme governance for significant pieces of work.

This breadth needs focus. In respect of the servicing of committees, officer-level governance should:

- use consistent and clear criteria derived from the Strategic Plan (once developed), the budget and policy framework, and the scheme of delegation,

to understand when forthcoming decisions and issues should be escalated to committee and where further pre-decision, policy development work with members may be required. Decisions on these matters will need to be made by Group Leaders;

- seek to understand what of the information they have at their disposal should be submitted to members to assist them in this role, guided by members' expectations;
- in carrying out all these duties, should be driven by what officers know and understand about members' objectives and motivations, with members (particularly the relevant chair(s)) being actively involved in agenda planning.

The work of officer-level boards will in future need to be seen as part of a wider landscape of supporting member involvement in policy development, as we discussed on the previous page. These arrangements will take time to put in place but immediate steps can be taken by members to have conversations about their expectations on involvement in policy and decision-making, in line with the actions we propose later in this section.

It may be that in the medium term the wider objectives of officer-level governance require that the "committee servicing" part of boards' roles be managed in a different way. We also understand that the development of protocols for information, project management and policy development are likely to have a positive impact in this area.

Setting broader expectations around officers' role in the governance framework

Good governance and good member oversight requires that officer-level boards exhibit some broader behaviours, which link to all three of their roles. In the short and medium term, officer-level governance should be:

- Informed by evidence and information. We cover this in more detail below.
- Focused on outcomes – an understanding of what optimum outcomes look like and a more rigorous sense of what the criteria for success look like in this context;
- Focused on project risks, and variances from agreed plans (in terms of both performance and finance);
- More outward looking, identifying contingencies and alignment with the work of the council's partners, and highlighting opportunities and needs to gather more information about local people's needs;
- Focused on the need to develop and follow a paper trail. All of the above work should be evidenced and documented. Ownership and responsibility for individual elements of projects, and for projects as a whole, should be developed. In due course, this will allow for the creation of a meaningful and accurate corporate programme, driven by the priorities in the Strategic Plan.

Scrutiny

The role of scrutiny is poorly defined. It duplicates certain performance management activity and takes general updates on matters of member interest, with little regard to the value or utility in such work. The role of scrutiny in a committee system needs to be carefully considered in order not to duplicate with the role of other bodies (for example, on oversight of performance management). At Tandridge the scrutiny committee also holds responsibility for audit.

Recast the scrutiny committee as a space for oversight and scrutiny of cross-council financial matters. This would facilitate a strengthening of this committee's existing audit functions, functions which would need to be bolstered through discussion between the s151 officer and councillors. This could be a space for ongoing review of the budget building process as well as in-year financial monitoring. Insight from these matters would be fed into service committees as appropriate (initially through minute-sharing – this will have to be managed so as to reduce risks of duplication).

Scrutiny could also take a role, alongside these financial functions, on the monitoring of the ownership of risk undertaken by Strategy and Resources Committee – ensuring that the council's risk framework overall works well, and that strong measures for mitigation are in place for the most serious, systemic risks facing the authority. This reflects comments below on the corporate ownership of risk overall.

This would complement the role of service committees, ensuring that they could focus on decision-making and the formal elements of policy development. Scrutiny would need to feed insights into that process, and work programmes could be designed to dovetail accordingly.

This reflects some of the roles taken on by scrutiny in other committee system authorities – although it reflects Tandridge's unique needs.

Changes to the work of scrutiny need not be made immediately, and are likely to follow on from any wider changes to the management of business at full Council and Strategy and Resources Committee, alongside the establishment of member working groups for policy development, as set out on the next page.

Standards Committee

Members have a leading responsibility around standards. We have noted earlier in this report that the council has a Standards Committee but it has not met for some considerable time. This needs to be immediately addressed.

Restart regular Standards Committee meetings, with the committee taking a role on individual standards and conduct issues as well as having a broader role, in exercising leadership by members on standards and conduct generally, and by

proactively taking steps to enhancing both. We think that the Standards Committee also provides a space – alongside work undertaken by Group Leaders – in driving forward member development plans.

Creating new spaces for dialogue on council policy

The findings on the previous pages highlight the various overlapping roles held by various individuals and groups of individuals within the council. It sets out councillors' absence from the "strategic space", and the need for more member engagement in the development of decisions.

This will mean more collective responsibility and collective ownership of decisions – and it should lead to a reduction in the extent to which members feel that they can go back and unpick decisions already made.

Many of the challenges highlighted in this review arise from members' absence from the strategic space. The creation of new spaces for members to discuss matters relating to policy – complementing and supporting committee decision-making – will help to address this. The enhancement of these spaces will need to be complemented by a refinement in the work carried out in existing spaces – in particular, callovers and officer-level governance.

All of the below actions should be interpreted in the context of the need for them to support and complement the need for debate, dialogue and decision in committee. Committee will remain the space for formal debate and discussion and informal mechanisms should not usurp this role. In this context, Chairs and Vice Chairs of committees can play a central role in informal debate and discussion of matters due to come to their committees.

The council should introduce mechanisms – through the Strategic Plan and its protocols – by which councillors can translate the Plan's vision and aspirations into reality through discussion, challenge, refinement and review of policies. The objective of this exercise would be to develop policy to secure the objectives set out in the Strategic Plan, with ongoing monitoring of service delivery itself being provided by information-sharing as set out in section 2.4. As that section sets out, this will need to be supported by changes in the way that information is made available to members.

Ways of working to support this early member involvement in policy development will include:

- Member briefings. These would provide a space for officers to update members on how services are being delivered and on the general approach to the delivery of the Strategic Plan;
- The use of the forward plan and Strategic Plan to identify where particular forms of early cross-party policy development work may be necessary – these discussions taking place between Group Leaders. Group Leader meetings should not be used for substantive agreement on future policy, but can be

used to co-ordinate how wider involvement and debate can best be facilitated;

- Small, one-off and time-limited cross-party advisory working groups. These can be general (providing updates and information) or can be more like workshops, with officers and members working together to think through forthcoming policy issues, preparatory to decision-making in committee. We anticipate that such groups will be particularly necessary in the short term, as a way to build trust. These groups would assist, support and complement committees in developing policy and reaching consensus on the more complex and high profile challenges affecting the council and the people it serves. The council will need to develop a proportionate way to ensure that the overall system of such groups is overseen to ensure that they operate in a co-ordinated manner;
- The use of committee meetings for higher quality substantive debate, based on higher quality officer reports, as set out in the next section;
- More systematic methods – through scrutiny and service committees – to keep performance under review. We note in section 2.4 that information sharing on performance is scattergun and of an overall poor quality, and suggest ways to address this.

This will be supported by some of the activities recommended in sections 2.1 and 2.2 on trust and behaviour.

This will require change to the role of callovers, as discussed above.

These mechanisms, and others like them, will need to be embedded in the way the council implements the Strategic Plan – probably by way of the Protocols which accompany it, but also through changes to standard operating procedures relating to the development of policy.

This is all about all councillors having between them a range of ways to informally and formally influence decision-making at the council in various meetings and forums. The framework provided by the Strategic Plan will provide the context within which these new systems can be built – the Protocols and constitutional changes associated with action on this report will lay out the detail. The important thing is that these changes will need to collectively form a consistent and transparent framework, which does not privilege any one group – a necessary component of governance in a committee system council under no overall control.

2.4 Setting clear expectations on access to and use of information

Many of the trust issues highlighted above relate to the perception that the organisation fails to share information with its members in a timely and effective way.

Good governance is framed by the making of decisions based on evidence, and on the use of information to drive accountability and responsibility. Generally, the

authority does not understand how important the flow of accurate information is to its effective functioning.

Moves have been made in recent months to make more systematic the way that information is shared with members.

In advance of the agreement of the budget, challenge workshops were held with members, in which information was shared on savings and growth proposals. This is a good start but also reflects the idiosyncrasies around members' preoccupation with operational matters, with some savings and growth proposals under discussion being of extremely low value.

Information management generally

The principle of equality of access to information should underpin the way that the council approaches this matter. In a committee system authority under no overall control, while there are certain business-critical matters where confidentiality is necessary – and where the administration may be able, following officer advice, to justify not sharing certain information – this should be the exception. In order for councillors to exercise the roles set out in section 2.3 they will need open access to information. But alongside these rights and privileges will come the expectation that information will be used productively and in the service of constructive debate on the authority and its business. Protocols may need to make reference to behavioural expectations around information access and use.

A new approach to members' and officers' roles requires a more systematic approach to the collection and use of information. This should be underpinned by an adherence to and understanding of the protocols under development. There are a number of connected issues here:

- Whether the organisation in fact prepares and possesses the information that members need in order to understand council business. This seems variable, but for the most part information does not exist. Options appraisals, business plans, financial projections and other kinds of background papers which support decision-making are largely absent from formal decision reports.
- Whether that information is shared with members in a systematic and proportionate way. The council, for example, maintains a Forward Plan of sorts, but it is not published (although publication in the short term is planned). Committee members only learn about the content of their committee's agendas when the agenda is published five working days beforehand, although chairs have some prior knowledge.

Generally, officer reports and project delivery reports, when submitted to committee, are poorly drafted. They tend not to reflect or engage with members' priorities and motivations. This has led to a sense from some members that information is being kept from them, while other members (and officers) feel that councillors have all the information they need. We noted in section 1 that immediate action can be taken to address this through clarity on ownership of reports.

There has been a tendency to focus on volume, rather than quality, of information. Agendas are regularly heavy, with significant amounts of information provided to members irrespective of its relevance to the decision at hand. This is another facet of the lack of political awareness within the organisation, an environment in which officers' uncertainty around members' needs and motivations leads to this overprovision. This exacerbates the sense that members consider key facts and data are kept from them, with volume being used as a smokescreen for these efforts. As a matter of general practice, information should not be submitted to members in committee for information. However, regularly-shared performance, finance and risk information can be shared more systematically outside of the committee context, with Chairs taking the decision – following consultation with committee members - to escalate specific matters to committee if there are particular concerns. The work of scrutiny, and the information it gathers, can support this “by exception” activity.

The ad hoc approach to information production and publication, and the overall lack of trust, means that some councillors regularly go on “fishing expeditions” for information, inside and outside committee. This is an understandable and logical reaction to the situation. However, the nature and volume of these requests (and the ad hoc way they are dealt with) is causing real issues for organisational capacity at senior level. Some senior officers spend up to 80% of their time solely servicing these queries, which is unsustainable. This can make the member/officer relationship more antagonistic and transactional. The approach that we suggest towards an opening-out of the way that information is created and shared will involve a commitment to a corresponding decline in the regular use of member queries direct to officers. Group Leaders will need to take personal ownership of this matter in order to drive down this use of officers' time.

The council needs to develop an understanding that, if members have better access to information in a more systematic way – assurance on matters like performance and policy development – the perceived need to focus on operational matters will recede.

More consistency over the content and “look” of officer reports – and the level of detail provided – will begin to provide some of this assurance. But more fundamental issues around content also need to be addressed. Members' involvement earlier in the policy development process will give officers more confidence to write shorter, sharper reports to engage directly with members' motivations and objectives.

Agreeing what information members are likely to need given the role they are performing will need to be a priority. Where cross-party working groups are established to consider policy matters they will need information to support this role, which should be based on principles set out in the protocols.

Group Leaders should be invited to discuss with their members the kind of information about strategic council performance and corporate activity which they would like to see regularly, outside of the context of committee, with a view to beginning more systematic information sharing in the coming months. This links with the action above about regular member briefings on certain matters, and should focus on the need for members to limit their engagement with operational matters

(save where operational issues raise concerns about strategic management).

Designing better approaches for the recording and reporting of information at officer level – on delivery and performance – with the trialling of more robust approaches to information management and reporting in the interim where resources and capacity allow. This should be designed to integrate with the new protocols currently under development.

Leaders of Groups, the Chief Executive and Monitoring Officer – independently facilitated – should discuss collectively and one-to-one a more proportionate and responsive way for member queries – both on information and on resolving local problems – to be addressed.

2.5 Ownership and action on risk

The organisation has little sense of how to use the information at its disposal to make accurate judgements about risk – both political and organisational. There is an unwillingness to think about and act on risk at a strategic level, and no sense of ownership of risk either amongst senior officers or members. The Strategic Plan will set a direction which will allow the council to begin to understand and address risks. Dealing with the matter properly will require both member and officer training – reflecting what we said in section 2.3, about roles.

Without a form of corporate plan or strategy, risks cannot be understood, let alone addressed.

Recent improvements to officer-level governance has seen the introduction of more regular reporting and consideration of risk matters. However, risk registers – to the extent that they exist – are inconsistent, and are overall of poor quality. Assessments of impact and likelihood of risk are clearly made differently from officer to officer. Systematic ownership of risks individually and collectively at an officer level is difficult to make out.

There is no evidence that risk is used as a trigger for escalating matters of concern either to senior member spaces, or for discussion in officer spaces like Senior Leadership Team. Senior officer and member discussions on priorities and trends are not informed by any awareness of risk, or by member ownership of risk.

An understanding of risk should underpin the way that the authority prioritises its work, and how members direct officers to support local people. Members should bring insight on risk from their work in the community, and should use that insight to complement and refine officers' professional judgement. Framing the political disagreements, and need for officer oversight, with reference to risk provides a mechanism for making political tension – a critical part of the way that the council works – work better for the authority by channelling it into concrete debate on risk.

Prioritise, closely connected with the Strategic Plan **a corporate risk framework** and

register which is designed to draw on councillors' insight and knowledge of the local community, married with officers' professional insight and expertise. This should be owned by the Strategy and Resources Committee.

Assign **individual political leadership for certain critical organisational risks**, with robust member oversight.

Assign **collective member ownership on the risk framework more generally**. Principal ownership of the overall risk framework should be held by the Strategy and Resources Committee, with the council's scrutiny committee exercising oversight over the whole system, connected with its audit role. Individual service committees should lead on ownership and direction on risks relating to their service areas. Officer-level governance should be amended to reflect these new member roles.

Integrate **development for members and officers on risk** as part of the wider member and officer development plans.

3. Taking action

Short term

Immediate action is necessary to address risk relating to governance.

This report deliberately does not set timescales and detailed scopes for suggested actions because member ownership will come from discussing, refining and attaching timescales and lead responsibility to them. Our intention has not been to provide a ready-made “blueprint” which can be adopted wholesale, but to provide a framework for members to decide on what should happen next.

In terms of ordering, however, there are likely to be two parallel tracks to action. Members will need to play a central, active role in each:

- Making technical changes to the way that processes and systems operate. This incorporates our quick wins set out in section 1.2 but also some of the wider actions around information access and sharing. It will take time for some of these later arrangements to be brought in – the council currently lacks a consistent set of systems for the preparation and use of information – but the Strategic Plan will provide context within which this work can happen, and confidence to members that a clear timescale exists within which measures can be brought in;
- Taking action on trust, attitudes and behaviours. This “softer” action will be more complex and more difficult to bring about. The introduction of some of the technical measures will begin to create spaces within which member dialogue becomes easier. But further conversations will need to be planned and designed to embed this process. It is vital that these measures are not allowed to slip off the radar because they are less immediately tangible than the more technical changes.

Some of the technical actions we suggest involve making changes to the formal and informal spaces in which member influence and decision-making happen. These changes to the overall member landscape include:

- Increased provision of member briefings;
- Increased use of member working groups;
- Continuation of Group Leaders’ meetings;
- Changes to the remit and focus of Strategy and Resources Committee, Overview and Scrutiny Committee and full Council;
- Reestablishment of the Standards Committee.

These elements go together, and it will take time during their implementation for arrangements to come up to full speed. Problems and inconsistencies will arise, and it is important that members commit to working together to refining these new ways of working.

We recognise that members and officers will need to think carefully about the resources available to carry out this work. In respect of much of the actions we suggest, the focus is on reducing the burden on both members and officers from

carrying out unproductive activity, focusing instead on working together better. But in the short term there will be an unavoidable need for time-limited additional resource to bring together action and maintain focus on stabilisation. Support from the Local Government Association will provide part of this resource.

In implementing actions associated with this report, the council will also need to be aware of the risks attached to the forthcoming election. Our actions are designed to assist in building a sense of collective responsibility and, where possible, consensus to the council. As part of this Group Leaders will have to speak frankly, at the earliest opportunity, about the intersection of this work with the necessary political campaigning associated with the forthcoming election. Without thought and care, this campaigning activity could derail positive steps to improve matters at the council.

Medium term

Once the council has had an opportunity to stabilise, there will be a chance to review and change the committee structure. This may be best done once the Strategic Plan has taken shape and the opportunity exists to form the structure around the council's aims and objectives. These steps can be undertaken once the outcomes of some of the initial actions are known, allowing councillors to understand with more confidence what the best structural arrangements exist for them to best carry out their roles. This is likely also to involve revisiting the frequency of meetings. It may be that with increased confidence on information sharing and better management of business overall, members can experiment with lightening the current committee cycle, and the number of meetings overall.

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REPORT TO THE STRATEGY & RESOURCES COMMITTEE – 17th AUGUST 2020 AGENDA ITEM 6	
LOCAL GOVERNMENT REORGANISATION	
Report of:	Paul Smith – Director of Transformation psmith@tandridge.gov.uk
Executive Team Lead Head	Paul Smith – Director of Transformation
Publication status:	Unrestricted
Recommendations:	That the Committee approves a contribution of £10,000 to support work on a joint District and Borough Council outline proposal for the development of alternatives to a single unitary structure for Local Government in Surrey
Appendices:	A – Letter to Secretary of State from Surrey Leaders’ Group 23/07/2020 B – Letter to Secretary of State from Tandridge District Council 22/07/2020
Background papers defined by the Local Government (Access to Information) Act 1985	N/A

1. **Background**

- 1.1 Members will be aware that the Government White Paper on local government reform is due to be published in the autumn of 2020. This is likely to overhaul the current two-tier district/county council model across the country.
- 1.2 In Surrey, all 11 District & Borough Councils have agreed to work together to look at models of Local Government in Surrey, both recognising that change is needed but also that having a single unitary council for the whole of the county is not a sustainable model. On 23rd July 2020, a joint letter on behalf of all Surrey District Councils was sent to the Secretary of State. A copy is attached at Appendix A.
- 1.3 Full Council, at its meeting on 16th July 2020, approved a motion calling upon the Secretary of State to consider alternative models to the single unitary council favoured by Surrey County Council. A letter was sent to the Secretary of Sae to this effect on 22nd July (Appendix B).

2. **Next Steps**

- 2.1 The Leaders of the Surrey District Councils have now agreed a joint approach to scoping a set of options to ultimately form part of a bid to the Secretary of State for a multi unitary council model across Surrey. At present, it is not known what these options could be. It would be hoped that this work would consider both financial and non-financial aspects.
- 2.2 To enable this work to be undertaken, each Council has been asked to contribute £10,000 towards engaging with consultants.

2.3 No consultants have been appointed yet but any decision as to whom to appoint would need to be subject to due diligence by officers within each Council.

3. Financial / risk implications

3.1 It will be important for Tandridge to be involved in this joint working with all other District and Borough Councils on proposed alternative options to a single unitary council for Surrey. However, there is currently no budget to accommodate the £10,000 contribution and the initiative will result in an overspend.

4. Legal implications

4.1 The outline proposals and recommendations under consideration in this report are a matter for this committee. However, given the significance of the options for possible unitary council models, the matter should be referred to the next Full Council for more detailed consideration and debate.

5. Equality impacts

5.1 A key part of the commissioned work will involve carrying out equality impact assessments of the different models of Local Government in Surrey.

6. Data Protection impacts

6.1 Following the completion of a Data Protection Impact Assessment, consideration of potential data protection implications arising from this report are as follows:

Questions	Answer
Do the proposals within this report have the potential to contravene the Council's Privacy Notice?	No
Is so, what steps will be taken to mitigate the risks referred to above?	N/A

7. Conclusion

7.1 Approval is sought for a contribution of £10,000 towards the work set out in this report

----- end of report -----

My Ref: NP/mch

23rd July 2020

Rt. Hon Robert Jenrick MP
Secretary of State for the Ministry of Housing, Communities and Local Government
2 Marsham Street
London
SW1P 4DF

Dear Secretary of State,

DEVOLUTION AND RECOVERY BILL

It is the stated intention of the Government to publish a White Paper and draft Bill on Devolution and Recovery from COVID in the early Autumn of 2020. District and Borough Councils in Surrey are aware of a letter sent to you by Councillor Tim Oliver, setting out the County Council's perspective on unitary government. This letter sets out the collective view of District and Boroughs at this stage of the debate.

There is a commitment by Surrey Boroughs and District councils to consider the merits of unitary government and a view that this represents a potential way forward. There are a number of principles however that need to underpin any future models for local government in Surrey and we believe it is essential that multi unitary models are fully analysed before any conclusions are drawn about the structure of potential unitary authorities in Surrey. Those principles include: -

- Delivery of place based local government which empowers local people to take more control over their local communities and enables swift, transparent decision making.
- Provision of value for money and efficient ways of using public resources as effectively as possible. This includes considering how demand led services such as adult care and children's services should be provided in the future.
- Creation of a structure and culture which encourages multi-agency working, sharing of strategies and budgets and makes optimum use of our collective resources.
- Facilitation of clear communication and negotiation channels between Surrey authorities and central government. In that respect, if a unitary structure were to be implemented, there could also be a form of combined authority where the collective views of one or more unitary authorities on priorities for economic growth and infrastructure can be articulated. The precise nature of this structure needs detailed analysis and discussion.
- The importance of retaining the representative and democratic basis of local government's relationship with its residents.

The Government has indicated that as a optimum guideline, unitary authorities should represent populations of between 300,000 and 500,000 people per administration. A single unitary authority for Surrey would represent 1.2m people and this would be equivalent to only the larger of metropolitan areas but without the clear sense of locality recognisable to residents

across a vastly different geographical spread. Further to this, it would be the largest unitary in England. This is one of the reasons why it is so necessary to evaluate other options which may represent localities (and the characteristics of Surrey communities) more appropriately.

However, please be assured of our commitment to work quickly in seeking a preferred structure. Until a robust evidence base and options appraisal is available, we would urge you to retain an open mind as to the future shape of local government in Surrey. We ask that if minded to invite a submission from Surrey County Council, you also invite a business cases submission for alternative models from the combined Districts and Boroughs grouping of Surrey for the future of local government in Surrey.

Only in this way can you be reassured that any decision about local government reorganisation in Surrey also safeguards the wellbeing of our residents, maximises the future transformation of the area, and secures its contribution to national prosperity.

Yours sincerely,

Cllr. Nick Prescott
Leader, Runnymede Borough Council
Chairman, Surrey Leaders

Cllr. Caroline Reeves
Leader, Guildford Borough Council

Cllr Stuart Selleck
Leader, Elmbridge Borough Council
Deputy Chairman, Surrey Leaders

Cllr. John Ward
Leader, Waverley Borough Council

Cllr Alan McClafferty
Leader, Surrey Heath Borough Council

Cllr. Stephen Cooksey
Leader, Mole Valley District Council

Cllr. David Bittleston
Leader, Woking Borough Council

Cllr. Clive Smitheram
Leader, Epsom and Ewell Borough Council

Cllr. John Boughtflower
Leader, Spelthorne Borough Council

Cllr. Mark Brunt
Leader, Reigate and Banstead Borough Council

Cllr. Tony Elias
Leader, Tanridge District Council

[The Rt Hon Robert Jenrick MP
Secretary of State
Ministry of Housing, Communities &
Local Government
(robert.jenrick@communities.gov.uk)

] If calling, please ask for Elaine Jackson
on 01883 732717
E-mail: EJackson@tandridge.gov.uk

[] 22nd July 2020

Dear Secretary of State

We are writing to you on behalf of Tandridge District Council with regards to the forthcoming White Paper “Devolution and Recovery”. You will have already received a letter from the Leader of Surrey County Council, Tim Oliver.

We would like to have the opportunity to put before you what we would consider a much better model, consisting of a Unitary Council for the east of Surrey which we believe would lead to greater efficiencies, cost savings and economic growth, together with a better representation of all demographics of the population in the east of Surrey and thus the preservation of local democracy.

The Council believes that the key to success for residents and businesses for the east of Surrey lies in a specific Unitary Council for the area. This could, for example, include the districts of Tandridge, Epsom & Ewell, Mole Valley and Reigate & Banstead. We enclose a map to show what a proposed Unitary Council for the east of Surrey could look like. Such a Unitary would serve a combined population of around 400,000 people. This would give a cohesive structure where services can be streamlined, savings made, and growth achieved – in contrast to the single Unitary Council for the whole of Surrey which has been proposed and which risks being too unwieldy, both geographically and from a population perspective.

As the figures in Councillor Oliver’s letter highlight, there are widening inequalities which have not been addressed by the existing County Council which is not sufficiently focused on the east of the county. This has meant that it has had trouble understanding and reflecting the priorities, needs and indeed the opportunities in the east.

Cont.

The east of Surrey has very different characteristics to the rest of the county. Growth here has largely stalled, and infrastructure has stagnated. A Unitary Council for the east of Surrey would enable the invigoration of this part of Surrey, giving it the opportunity to fulfil its massive potential. The powerful Gatwick/M23 corridor lies at the heart of the east of Surrey and provides an excellent base from which to develop and regenerate the area. The impact of COVID-19 on Gatwick and its surrounding areas are well known. By having a Unitary Council that can focus on the renewal of the economy in this area, the prospects of success are greatly improved.

Surrey has a population of 1.2 million. A single Unitary Council for Surrey would be more than twice the size of the next largest non-metropolitan Unitary Council (Cornwall) and at least four times the size of all but four such Unitary Councils in England. The sheer scale of Surrey has, we believe, made it difficult for the County Council to remain solvent and to deliver services efficiently, effectively and equally. A single Unitary Council for Surrey would be required to perform not only the County Council's existing functions, but also those currently performed by the eleven districts and boroughs. This would be completely unmanageable.

Representatives from this Council would very much like to meet with you and give you more detail about how a Unitary Council for the east of Surrey could benefit your government's priorities and our residents. Please do let me know if there is a date that would be convenient for you.

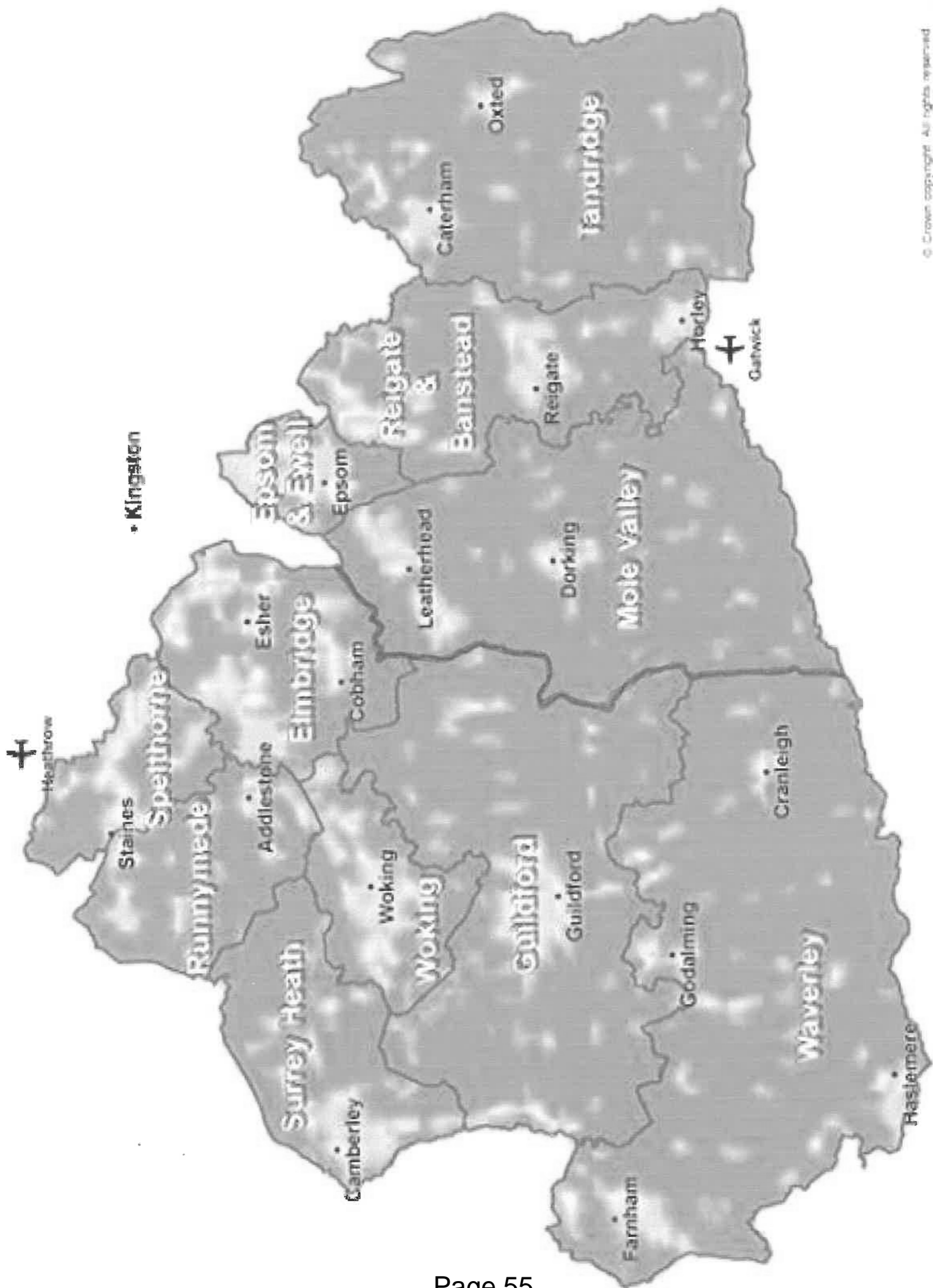
Yours sincerely

Councillor Tony Elias, Leader of the Council and Leader of Conservative Group
Councillor Catherine Sayer, Leader of the Independents and OLRG Alliance
Councillor Chris Botten, Leader of the Liberal Democrats
Councillor Martin Allen, Leader Independent Group

pp



Elaine Jackson
Chief Executive



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