

Statement to the 10.5.18 meeting of B&NES Council

Thank you chair.

At first glance, the next item on your agenda looks like annual business as usual - something which just has to be done. However, the inclusion this year of a recommendation to adopt a Local Code of Corporate Governance hints that there maybe more substantial matters at stake.

It's not just the updated CIPFA guidance making such a code timely. The 2017 parliamentary Select Committee inquiry¹ into the effectiveness of Overview & Scrutiny has also called on government to strengthen the guidance and made recommendations² aimed at promoting effective and inclusive governance. Closer to home, the current administration's attempt to develop a Park & Ride on Bathampton Meadows, has triggered a loss of confidence in Council decision-making processes³. Recall the "Bath Deserves Better" protests at last May's Council meeting?

As one striving to improve the lasting economic, social and environmental wellbeing of this locality, I **welcome the new governance code requirements**. Indeed the seven principles underpinning them encapsulate much of what I have been arguing for in recent years. However, this only inflames my desire to see it implemented effectively, and in this regard I have three major concerns:

1. The enormity of what needs to be done to embed good governance into the culture and working practices of this Council

The obstacles and inertia to changing policies, procedures and behaviors is not to be underestimated, as I discovered in attempting to change the way Park & Ride East decision was being made, a decision in which almost all of the principles of good governance were violated, and some flagrantly so.

2. Inadequate Overview & Scrutiny contribution in the design, implementation and review of governance arrangements

Thus far the approach to governance is very much led by the Council's Executive with little or no input from PDS Panels or the non-executive perspective of a [REDACTED] ⁴ Scrutiny Officer.

3. Failure to meaningfully engage and consult with community stakeholders so as to develop a more comprehensive understanding of how governance needs to change

This matters, not only because there is no assurance that the policies and priorities of the political party controlling Council align with what residents actually want, but also because in the context of declining officer resource, the contribution of well-informed and often expert residents is one of this authority's biggest assets.

So, I urge you to critically reflect on the state of governance in this locality, and, in respectful collaboration with community stakeholders, invest time and resource in improving it.

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¹ The full 15.12.17 report of the House of Commons' Communities and Local Government Committee into the "Effectiveness of local authority overview and scrutiny committees" can be found here <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/369/369.pdf>

² Particularly relevant to the Council's consideration of its governance code, are the following recommendations from the 2017 Communities and Local Government inquiry:

".. committees engaging with service users when forming their understanding of a given subject, and encourage ... to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users." (Paragraph 47)

" the post-holder should have a seniority and profile of equivalence to the council's corporate management team. ..., Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them." (Paragraph 65)

"need for scrutiny committees to have greater legitimacy and independence from their executives. A key way of delivering this is to ensure that members of the public and local stakeholders play a prominent role in scrutiny. By involving residents in scrutiny, the potential for a partisan approach lessens and committees are able to hear directly from those whose interests they are representing" (Paragraph 77)

³ For a detailed evaluation of the effectiveness of the governance arrangements relating to the Park & Ride East decision, see paragraphs 23-47 of my 16.10.17 evidence to the Communities and Local Government Committee. This can be found here <http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Communities%20and%20Local%20Government/Overview%20and%20scrutiny%20in%20local%20government/written/70925.html> or via the link on page 54 of the full report.

⁴

[REDACTED] suggested by [REDACTED] Section 31 of the 2009 Local Democracy, Economic Development and Construction Act [REDACTED]