

Public Document Pack



SUPPLEMENTARY DOCUMENT PACK

ANNUAL COUNCIL
WEDNESDAY 22 MAY 2013 at 6.30 pm

AGENDA

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8. (b) To note the appointment of the Cabinet and the Leader's Scheme of Delegation to Cabinet Members; Executive Delegations document	5 - 20
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PETERBOROUGH CITY COUNCIL
GROUP OFFICERS 2013/2014

CONSERVATIVE GROUP

Group Leader	Councillor Marco Cereste
Deputy Group Leader	Vacant
Group Secretary	Councillor Mrs Pam Kreling
Treasurer	Councillor Brian Rush
Chief Whip	Councillor Nigel North
Press Officer	Councillor Wayne Fitzgerald

LABOUR GROUP

Group Leader	Councillor Nazim Khan
Deputy Group Leader	Councillor Ann Sylvester
Group Secretary	Councillor John Shearman
Group Chairman	Councillor Mohammed Jamil
Treasurer	Councillor Ann Sylvester
Chief Whip	Councillor Nabil Shabbir

PETERBOROUGH INDEPENDENT FORUM

Group Leader	Councillor David Harrington
Deputy Group Leader	Councillor Michael Fletcher
Group Secretary	Councillor Keith Sharp

LIBERAL DEMOCRAT GROUP

Group Leader	Councillor Nick Sandford
Deputy Group Leader	Councillor Asif Shaheed

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Section 3 – Executive Functions

Introduction

Executive Functions consist of:-

- (a) Functions which the executive must in law exercise;
- (b) Functions which are not listed in Schedule 1 of the Local Authorities (Functions & Responsibilities) (England) Regulations 2000 as amended; and
- (c) 'local choice' functions listed at Schedule 2 of those Regulations, where the Council has decided that they shall be exercised by the Executive.

All Executive functions are delegated to the Leader who may then delegate further to the Cabinet, Committees of the Cabinet, Cabinet Members and officers. The Leader retains responsibility for the functions so delegated and may exercise those functions in person regardless of the further delegation.

Cabinet Members are not authorised to further delegate their functions (unless provided within this Delegation Document) on to officers without the Leader's consent.

Where any delegation under this part of the Constitution refers to specific legislation or regulations, it includes a reference to that legislation or those regulations as re-enacted, consolidated, modified or amended.

3.1 General provisions, including requirements to record decisions

- 3.1.1 The recording and publishing of decisions will be carried out by the Solicitor to the Council or a member of his/her staff acting on behalf of the Chief Executive ("the Proper Officer"). The Council's procedural rules require all Cabinet and Cabinet Member Decisions and officers' key decisions to be published within 2 working days. They will all be available for scrutiny, and also for potential call-in unless the decision has been ruled urgent in accordance with Part 4 of this Constitution.
- 3.1.2 A Cabinet Member will usually exercise delegated authority through an appropriate officer. It is then the officer's responsibility to notify the Proper Officer promptly of the options considered and the reason for the decision. This notice will include mention of the nature of any disagreement between the officer and the Cabinet Member.
- 3.1.3 However, in exceptional cases when a Cabinet Member exercises delegated authority otherwise than through an officer, or overrides specific officer advice, then it is the Cabinet Member's responsibility to submit prompt written notice of his/her decision, together with any options considered and the reason for the decision, to the Proper Officer. He/she must also notify the relevant lead officer.

3.1.4 When any officer, excluding the Chief Executive, exercises delegated authority then he/she must refer all Key Decisions to Cabinet Members. The lead officer is responsible for notifying the Proper Officer of the Cabinet Member's decision. Other (non-key) officer decisions taken in accordance with the following Executive delegations should be recorded by the officer on file. The Cabinet Member should be briefed as soon as possible about decisions made. In the event of a Cabinet Member over-ruling an Officer's preferred decision, this becomes the Member's decision and must be recorded by him/her in accordance with the paragraph above.

The Chief Executive may take key decisions on behalf of the Authority. When exercising this authority, the Chief Executive is responsible for notifying the Proper Officer of the decision proposed for inclusion on the Forward Plan and publication in accordance with the Council's procedure rules. The relevant Cabinet Member should be briefed before any key decision is made.

3.1.5 Officers shall exercise their delegations subject to the following constraints:

- (a) They shall give notice to the Leader, via the Proper Officer, of all forthcoming Key Decisions, so that they can be logged on the Notice of Intention to Take Key Decisions;
- (b) With the exception of the Chief Executive, they shall refer such key decisions to the relevant Cabinet Member for determination;
- (c) They shall consult the appropriate Cabinet Member about all decisions likely to give rise to media attention or complaints from the public, and all decisions favouring any political party or area of Peterborough;
- (d) They shall exercise sensitivity in ensuring that, prior to making a non-key decision, they consult the relevant Cabinet Member where the decision may give rise to political or other concerns. The subsequent decision will be the officer's in consultation with the Member, and shall be recorded by the officer except where the Cabinet Member overrules, when this will be recorded and published as the Cabinet Member's decision;
- (e) Officers shall notify the Proper Officer of decisions made;
- (f) The Leader or any Cabinet Member may set financial thresholds for decisions by officers, above which they must consult or seek agreement of the Cabinet Member.

3.2 Functions of the Cabinet

- 3.2.1 To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.
- 3.2.2 To promote the Council's role as community leader, giving a 'voice' to the community in its external relations at local, regional and international level, and fostering good working relationships with the Council's partner organisations, Parish Councils and the relevant authorities for Police, Fire, Probation and Magistrates' Courts Services.
- 3.2.3 To take a leading role in promoting the economic, environmental and social well-being of the area.
- 3.2.4 To promote the Council's corporate and key strategies and Peterborough's Community Strategy and approve strategies and cross-cutting programmes not included within the Council's major policy and budget framework.
- 3.2.5 To review and recommend to Council changes to the Council's Constitution, protocols and procedure rules.
- 3.2.6 To lead the delivery of Business Transformation within the Council.
- 3.2.7 To be responsible for the Council's overall budget and determine action required to ensure that the overall budget remains within the total cash limit.
- 3.2.8 To determine any conflicts of opinion or decision which may arise between two or more Cabinet Members exercising delegated executive functions.
- 3.2.9 To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.
- 3.2.10 To determine responses to (and/or make recommendation to the Council, as appropriate) reports from the Monitoring Officer, external inspections and the Local Government Ombudsman.
- 3.2.11 To scrutinise auditors' reports and letters, to consider reports from the Council's external auditor and internal auditor, where appropriate, and determine appropriate responses.

3.3 Individual Cabinet members

- 3.3.1 The Leader has allocated a “portfolio” to each Cabinet Member and delegated to each “Portfolio Holder” responsibility for the discharge of functions set out below.
- 3.3.2 All Cabinet Members have the following delegations in relation to their portfolios and the service areas for which they are responsible, as set out in the table below.
- 3.3.3 To exercise the Executive powers and duties of the Council for strategic development, policy direction, partnership working, key decisions, programme and performance management, in accordance with the Council’s procedure rules, for their portfolio areas
- 3.3.4 To be responsible for ensuring the successful delivery of business transformation in relation to their portfolio areas
- 3.3.5 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.3.6 To be responsible for budget planning, monitoring and expenditure/savings over £500,000 in these service areas with Executive Directors and the Executive Director-Strategic Resources, ensuring that it remains within the cash limit, reporting any issues which cannot be resolved within the service budget to the Leader of the Council.
- 3.3.7 To act as the Council’s lead spokesperson, representative on strategic bodies and Member Champion for these service areas and to respond to relevant consultations by Central Government and other agencies.
- 3.3.8 To make decisions on actions relating to contracts including:
 - (a) Awarding, assigning and terminating contracts over £500k;
 - (b) Waiving or granting exemptions to Contract Regulations where contracts are over £500k

Lead Cabinet Member	Portfolio
<p>3.4 Leader and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement</p>	<ul style="list-style-type: none"> a) Determination of the Council’s scheme of delegation of Executive functions, and any financial thresholds within it above which the potential decision-maker must refer the matter up for determination (eg from officer to member, and from Cabinet Member to Cabinet). b) Appoint Cabinet Members, determine their remits and monitor their performance, and Chair Cabinet meetings. c) Determine and ensure the publication of the Notice of Intention to Take Key Decisions. d) Lead in providing political leadership for the Council, and develop and implement the Administration’s policy programme. e) Co-ordinate the Council’s overall strategic direction, programme and performance management. f) Advise relevant Executive Director or Chief Executive about the filling of vacancies on the establishment via an external advertisement between Scale 9 and Head of Service level. g) Portfolio areas: <ul style="list-style-type: none"> a) Strategic Planning Authority including minerals and waste (this applies to policy formulation and development) b) Planning (Development Control), Highways and Transport, including car parking c) Building Act 1984 d) Strategic Housing & Affordable Housing e) Homelessness, housing options and supporting people f) The City Council’s Economic Development and Regeneration g) Infrastructure development, Strategic Transport and Local Transport Plan h) The City Council’s Growth Strategy i) Environmental protection and trading standards including functions undertaken as the Weights and Measures authority.

Lead Cabinet Member	Portfolio
	<ul style="list-style-type: none"> j) Approve Food Law Enforcement & Health & Safety Law Enforcement Plan (Council 14 October 2009). k) Flood risk management and planning. l) Traveller sites m) Strategic policies linked to open space management including trees and biodiversity. n) Senior Management Arrangements. <p>h) Attend regional and sub-regional partnership meetings across a range of Council activities and represent the Council on the major Peterborough based strategic partnerships and provide regular update to Cabinet on the effectiveness of these partnership arrangements.</p> <p>i) Determine disputed appointments to external organisations and review the list of organisations to which appointments are made in accordance with Section 6 of the Council’s Delegations Document.</p> <p>j) Responsibility for Emergency Planning and resilience issues.</p> <p>k) Lead member for attracting national, regional and European funding to aid economic prosperity and regeneration into the City.</p> <p>l) Lead member for business engagement and development</p> <p>m) Tourism</p> <p>n) City Centre Management (including CCTV, fairs and markets)</p> <p>o) Council representative at national, regional and local forums to promote the city as a centre for business growth.</p> <p>p) International links</p>
<p>Cabinet Advisor to the Leader (Business Engagement, Tourism and International Links)</p>	<p>Advice and support to the Leader as Lead member for business engagement and development in the following areas of his portfolio:</p> <ul style="list-style-type: none"> a) Ambassadorial role to attract business development & inward investment. b) Champion creation of jobs & small business

Lead Cabinet Member	Portfolio
	<p>incubation.</p> <p>c) Encourage & support entrepreneurship, enterprise & innovation in the city.</p> <p>d) Tourism.</p> <p>e) City Centre management (including CCTV, fairs and markets).</p> <p>f) Council representative at national, regional and local forum to promote the City as centre for business growth.</p> <p>g) International Links.</p>
<p>Cabinet Advisor to the Leader (Planning and Housing)</p>	<p>Advise and support to the Leader in the following areas of his portfolio:-</p> <p>a) Planning (Development Control), Highways and Transport, including car parking</p> <p>b) Building Act 1984</p> <p>c) Homelessness, housing options and supporting people</p> <p>d) Environmental protection and trading standards including functions undertaken as the Weights and Measures authority.</p> <p>e) Approval of Food Law Enforcement & Health & Safety Law Enforcement Plan (Council 14 October 2009).</p> <p>f) Flood risk management and planning.</p> <p>g) Traveller sites</p> <p>h) Strategic policies linked to open space management including trees and biodiversity.</p>
<p>3.5 Cabinet Member for Environment Capital and Neighbourhoods.</p>	<p>a) Responsibility for the Council's aspirations to become Environment Capital by:</p> <p>(i) overseeing policy alignment across service areas to promote environmental considerations.</p> <p>(ii) establishing positive work relationships with</p>

Lead Cabinet Member	Portfolio
	<p>environmentally themed organisations and driving the Sustainable Community Strategy objective, of creating the country's Environment Capital.</p> <p>(iii) promoting nationally, regionally and locally the City's Environmental aspiration in the media by developing a coherent public relations strategy.</p> <p>b) Responsible for neighbourhood support including strategic long-term problem solving and operational community issues.</p>
<p>3.6 Cabinet Member for Culture, Recreation & Waste Management</p>	<p>a) Responsibility for the Council's functions in relation to Peterborough Museum, working with, and overseeing the work of Vivacity.</p> <p>b) Culture and Recreation (including sports and leisure).</p> <p>c) Libraries and Archives.</p> <p>d) Arts and Museums.</p> <p>e) Cemeteries and Crematoria</p> <p>f) Registrar and Coroner's Service</p> <p>g) Strategic waste management, including refuse collection, recycling and disposal.</p> <p>h) Street cleaning, public conveniences and graffiti.</p> <p>i) Building and grounds maintenance</p> <p>j) Maintenance of green and open spaces</p> <p>k) Overseeing the work of Enterprise Peterborough, Vivacity and Viridor in respect of items above.</p>
<p>Cabinet Advisor to the Cabinet Member for Culture, Recreation and Waste Management (Culture and Recreation)</p>	<p>Advise and support to the Cabinet Member in the following areas of his portfolio:</p> <p>a) Responsibility for the Council's functions in relation to Peterborough Museum, working with, and overseeing the work of Vivacity.</p> <p>b) Culture and Recreation (including sports and leisure).</p> <p>c) Libraries and Archives.</p> <p>d) Arts and Museums.</p>
<p>3.7 Cabinet Member for Education, Skills & University</p>	<p>a) In conjunction with the Lead Member for Children's Services to deliver the education functions of the authority, as set out in s18(2) of the Children Act 2004</p>

Lead Cabinet Member	Portfolio
	<ul style="list-style-type: none"> b) To deliver the functions, powers and duties for which the Council is responsible as the Local Education Authority, in consultation with the Lead Member for Children’s Services, including, but not limited to school improvement and educational excellence. c) Property maintenance and asset management (excluding disposal). d) Standing Advisory Committee on Religious Education, School Organisation Committee and Inspection Advisory Group (including appointment of Councillors, following consultation with political groups, with any disputes to be resolved by Council). e) Higher Education/University Provision. f) Functions of planning and commissioning in relation to the statutory responsibilities for Learning and Skills for post 16 and for 16-25 year old learners with learning difficulties or disabilities. g) Appointment of Council representatives to school governing bodies in accordance with agreed democratic arrangements and consultation with recognised Political Group Secretaries where the number of nominations exceeds the vacancies. h) Promoting the educational attainment of Looked After Children
<p>3.8 Cabinet Member for Children’s Services</p>	<p>To act as the Lead Member for Children’s Services with political responsibility for the leadership, strategy and effectiveness of Children’s Services, and to discharge the education and children’s services functions of the authority, as set out in s18(2) of the Children Act 2004, including, but not limited to:</p> <ul style="list-style-type: none"> a) Social care services for children, including all matters specifically provided by the Local Authorities (Social Services) Act 1970, personal social services and care in the community, together with the responsibilities under associated and ancillary legislation. b) Responsibility for Councils functions under section 7 (4) and (5) of the NHS and Local Authorities Partnership Bodies Regulations 2000 in relation to joint commissioning and pooled funding in relation to social care for children. c) Lead, promote and create opportunities for co-operation with local partners, for example health, police, schools, housing services, early years, youth justice, probation, higher and further education, and

Lead Cabinet Member	Portfolio
	<p>employers, to improve the wellbeing of children and young people.</p> <p>d) Services for Looked After Children</p> <p>e) Youth Services, community education and careers services.</p> <p>f) Youth offending services.</p> <p>g) Children’s Play Service.</p>
<p>3.9 Cabinet Member for Resources</p>	<p>a) Strategic Resources and Corporate Management (excluding Human Resources).</p> <p>b) Financial Strategy and Resources Planning.</p> <p>c) Annual Budget preparation.</p> <p>d) Annual Accounts.</p> <p>e) Internal and external Audit Arrangements.</p> <p>f) Capital Programme.</p> <p>g) Investment, Borrowing, Leasing and Treasury Management.</p> <p>h) Funding for individuals, voluntary and not-for-profit organisations/individuals.</p> <p>i) Council Tax and Benefits Administration.</p> <p>j) Procurement.</p> <p>k) Asset Management and property services - Any property transactions over £250,000 will be taken in consultation with the Leader of the Council.</p> <p>l) Insurance.</p> <p>m) Discretionary Rate Relief.</p> <p>n) Ensuring strategic development and delivery of the business transformation programme</p> <p>o) Strategic Commissioning</p> <p>p) Information Communication Technology</p> <p>q) Write off debts in excess of £10,000 deemed to be irrecoverable.</p> <p>r) Monitor Council’s overall budgetary position and:</p>

Lead Cabinet Member	Portfolio
	<ul style="list-style-type: none"> (i) discuss, negotiate where necessary and help problem solve any issues concerning budgets for particular service areas with the Cabinet Member responsible for that budget; (ii) through regular budget scrutiny, anticipate future pressures; (iii) make recommendations for Cabinet to determine in respect of all budgetary control issues; (iv) keep the Cabinet advised of budget deficits or surpluses; (v) determine applications for supplementary estimates, virements or allocation of the corporate contingency, within the limits set by Council for determination by the Executive. <p>s) Responsible for overseeing the work of SERCO as follows:-</p> <ul style="list-style-type: none"> - shared transactional services - property services - corporate procurement - business support - business transformation - Peterborough direct <p>t) Legal services and governance.</p>
<p>3.10 Cabinet member for Adult Social Care</p>	<ul style="list-style-type: none"> a) Providing political leadership for all matters relating to adult social care, health improvement and reducing health inequalities in the city. b) Responsibility for all adult social care functions of the Council, including all matters specifically provided by the Local Authorities (Social Services) Act 1970, personal social services and care in the community, together with the responsibilities under associated and ancillary legislation. c) Responsibility for the Council’s functions under section 7(4) and (5) of the NHS and Local Authorities Partnership Bodies Regulations 2000 in relation to joint commissioning and pooled funding under the NHS Act 2006, including acting as a member of key bodies, and agreeing social services related partnership matters.

Lead Cabinet Member	Portfolio
	<ul style="list-style-type: none"> d) Council’s lead spokesperson for all matters relating to the commissioning and provision of health services by the NHS for Peterborough e) Lead representative on strategic bodies for Adult Social Care and Health including the Health and Wellbeing Board and any other joint boards that may be established. f) Responsibility for negotiating and recommending entering into agreements with NHS trusts for the provision of integrated commissioning or delivery of social care and health services.
<p>3.11 Cabinet Member for Community Cohesion, Safety and Public Health</p>	<ul style="list-style-type: none"> a) Community Cohesion. b) Community Safety. c) Drugs prevention. d) Human Resources Strategy, employee budgets and Trade Union Resources (consulting Employment Committee, where appropriate). e) Health and Safety. f) Lead the Council’s engagement with the Greater Peterborough Partnership. g) Equality & Diversity h) Responsibility of all Public Health functions of the Council, including all matters specifically provided by the Health and Social Care Act 2012 and related legislation. i) Responsibility for leading and developing the Council’s internal and external communications and marketing strategy by:- <ul style="list-style-type: none"> i. Leading the development of an external communications strategy for the council. ii. Leading the development of an internal communications strategy for the Council. iii. Establishing positive working relationships with media organisations locally and nationally. iv. Leading the development of targeted marketing campaigns aligned with the objectives of the Council. v. Enhancing the reputation of the Council locally

Lead Cabinet Member	Portfolio
	<p>and nationally.</p> <p>vi. Leading the work with Opportunity Peterborough and other stakeholders in marketing and promoting the city.</p>
<p>Cabinet Advisor to the Cabinet Member for Community Cohesion, Safety and Public Health (Community Cohesion and Safety)</p>	<p>Advise and support to the Cabinet Member the following areas of her portfolio:-</p> <ul style="list-style-type: none"> a) Community Cohesion b) Community Safety c) Drugs prevention.

Names of the Cabinet Members and Advisors

Name	Address	Ward
Councillor Cereste Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	18 Ivatt Way, Westwood, Peterborough, PE3 7PG	Stanground Central
Councillor Janet Goodwin Cabinet Advisor to the Leader (Business Engagement, Tourism and International Links)	30 Chandlers, Orton Brimbles, Peterborough, PE2 5EQ	Orton Longueville
Councillor Matthew Dalton Cabinet Advisor to the Leader (Planning and Housing)	c/o Members' Services, 1 st Floor, Town Hall, Peterborough, PE1 1HG	West
Councillor Nigel North Cabinet Member for Environment Capital and Neighbourhoods	10 Clarendon Way, Glington Peterborough, PE6 7JQ	Orton with Hampton
Councillor Gavin Elsey Cabinet Member for Culture, Recreation and Waste Management	23 Fraserburgh Way, Peterborough, PE2 6SS	Orton Waterville
Councillor Graham Casey Cabinet Advisor to the Cabinet Member for Culture, Recreation and Waste Management (Culture and Recreation)	16 Edenfield, Orton Longueville, Peterborough, PE2 7HY	Orton Longueville
Councillor Holdich Cabinet Member for Education, Skills and University	1 Rectory Lane, Glington, Peterborough, PE6 7LR	Glington and Wittering
Councillor Scott Cabinet Member for Children's Services	c/o Members' Services, 1 st Floor, Town Hall, Peterborough, PE1 1HG	Orton with Hampton
Councillor Seaton Cabinet Member for Resources	340 Horseshoe Way, Hampton Vale, Peterborough, PE7 8LG	Orton with Hampton
Councillor Fitzgerald Cabinet Member for Adult Social Care	27 Gretton Close Peterborough, PE2 7WD	Bretton North
Councillor Walsh Cabinet Member for Community Cohesion, Safety & Public Health	104 Ellwood Avenue, Peterborough, PE2 8LY	Stanground Central
Councillor Marion Todd Cabinet Advisor to the Cabinet	The Fengate Toll House, Potters Way, Peterborough,	East

**Member for Community
Cohesion, Safety and Public
Health (Community Cohesion
and Safety)**

PE1 5AY

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COUNCIL	AGENDA ITEM No. 9
22 MAY 2013	PUBLIC REPORT

COMMITTEE STRUCTURES, DELEGATIONS AND ALLOCATIONS

R E C O M M E N D A T I O N S
FROM : Solicitor to the Council
That Council:
<p>(a) Agrees the Council's Committee structure as set out at paragraph 2.1 of the report and notes the programme of meeting schedules which are attached at Appendix A to this report;</p> <p>(b) Confirms the terms of reference of committees and the Council's Scheme of Delegations as currently set out in the constitution subject to any changes tabled at the meeting; and</p> <p>(c) Agrees the allocation of seats to political groups at Appendix B.</p>

1. PURPOSE AND REASON FOR REPORT

- 1.1 In accordance with the constitution, only full Council can agree or amend the rules on how its committees are set up.

2. COMMITTEE STRUCTURE

- 2.1 The committee structure for 2013 / 2014 is shown below:

Table 1 – Committee Structure

Committee	Seats
<u>Ordinary Committees subject to political balance seat allocations:</u>	
Scrutiny Commission for Rural Communities	7
Scrutiny Commission for Health Issues	7
Strong and Supportive Communities Scrutiny Committee	7
Creating Opportunities and Tackling Inequalities Scrutiny Committee	7
Sustainable Growth and Environment Capital Scrutiny Committee	7
Employment Committee	7
Employment Appeals Sub Committee	3
Licensing Committee / Licensing Act 2003 Committee	10
Planning and Environmental Protection Committee	10
Planning Review Committee	10
Appeals Committee (Service Issues)	10
<u>Joint Consultative Panel</u>	<u>7</u>
Total	92
<u>Committee exempt from Section 15 LGHA</u>	
Audit Committee	8
<u>Other bodies to which Section 15 LGHA does not apply</u>	
Health and Wellbeing Board	4
Cambridgeshire Police and Crime Panel	3

3. TERMS OF REFERENCE OF COMMITTEES AND DELEGATIONS

- 3.1 The Council must set terms of reference for its committees and ensure that it has in place a scheme of delegation to committees that makes it clear what functions they are authorised to carry out on behalf of the Council.
- 3.2 The committees may delegate, in turn, to sub-committees or officers. The Council and the Cabinet may also delegate to officers. The Council's complete scheme of delegations is set out in Part 3 of its Constitution.
- 3.3 At the Annual meeting, the Council is required to agree its Scheme of Delegations including those to officers. At the time of publication, there are no changes to the terms of reference or scheme of delegations to be agreed at this meeting. Any changes will be tabled at the meeting.

4. ALLOCATION OF SEATS TO POLITICAL GROUPS

- 4.1 Seats on Council committees and other bodies to which Section 15 of the Local Government and Housing Act 1989 applies should be allocated proportionally according to the proportion of seats held by each political group on the Council as a whole. Some bodies fall outside these requirements. Section 17 of the Local Government and Housing Act 1989 allows a Council to 'exempt' bodies otherwise subject to the political balance requirement if it agrees without any objections to do so. Table 1 in paragraph 2.1 above sets out the classification of committees and other bodies within the Council's proposed committee structure.
- 4.2 The law provides that the political group having a majority of seats on the Council as a whole must have a majority on all committees to which the political balance requirement applies. The number of seats allocated across all the Council's 'ordinary' committees must reflect as near as possible the proportions on the Council overall. The number of seats (subject to the majority group retaining a majority) on each committee to which Section 15 applies must reflect the political balance on the Council overall. This means that only 'ordinary' committees are included in the calculation to determine the number of seats to be allocated to political groups over all those committees. The remaining committees to which Section 15 applies must be allocated seats according to the political balance on the Council as a whole. Seats on committees that are either 'exempt' or to which Section 15 does not apply as a matter of law can be allocated as decided by Council.
- 4.3 The allocation of seats inevitably involves some rounding up and rounding down of seats allocated to each Group because seats are allocated to individuals and cannot be shared. It also involves an element of choice about which committees to allocate seats to the minority groups who are not entitled to seats on every committee. It has been necessary to adjust the number of seats to which Conservative members are entitled, increasing their entitlement to 54 seats to enable them to have the majority on each committee as required by section 15 of the Local Government and Housing Act 1989.
- 4.4 The seats must be allocated across all ordinary committees to give effect to political balance calculations. The current allocation of seats on each committee is attached at **Appendix B**. Any changes that the political groups wish to make will be tabled at the meeting.
- 4.5 At its meeting on 11 July 2012, Council agreed to make the Audit Committee exempt from political balance requirements of section 15 of the Local Government and Housing Act 1989 to allow the Liberal Democrat group a seat on the committee (revised committee of 8 to comprise 4 Conservative, 2 Independents, 1 Labour and 1 Liberal Democrat) as the Audit Committee was given the responsibility for handling complaints made against Members.
- 4.6 Due to the abolishment of the Standards Committee, the Selection Panel for Independent Members of the Standards Committee has been removed from the political balance calculations. The revised calculations results in the corresponding reduction of seats for each group.

- 4.7 The seats on the following committees are not subject to political balance calculations:
- Health and Wellbeing Board (4 members – as determined by the Board's Terms of Reference) – established by the Health and Social Care Act 2012;
 - Cambridgeshire Police and Crime Panel (3 members – as determined by the political makeup across the Cambridgeshire and Peterborough Authority Areas when taken together) – established by the Police Reform and Social Responsibility Act 2011.
- 4.8 The Council is required under the Parent Governor Representative (England) Regulations 2001 to appoint parent governor representatives to any scrutiny committee which considers education issues. Schedule 1 (paragraph 7) of the Local Government Act 2000 similarly requires that the Church of England and Roman Catholic churches may each nominate a co-opted member with voting rights and the Council may appoint other faith representatives without voting rights. (The voting rights of the faith and parent governor representatives only apply when the Scrutiny Committee is considering educational matters; for other issues the co-opted members may participate in the debate but not vote).
- 4.9 The Appeals Panel (Service Issues) and the Employment Appeals (Sub-Committee) are not permanent committees, but they are subject to the political proportionality rules. However, it is intended that they should retain cross party representation as agreed by Council previously. This is to enable the panel selection arrangements to be implemented effectively and means that the seats are allocated as follows: 6 to the Conservative Group and one to each of the other minority groups.
- 4.10 Within the structure, education matters are discussed at the Creating Opportunities and Tackling Inequalities Scrutiny Committee. All of the education co-opted members need to be formal members of this Committee, with voting rights for education matters.
- 4.11 The education co-opted members for the current year will be:
- Miranda Robinson, Peterborough Diocesan Board of Education;
Jane Austen, Roman Catholic Church, Diocese of East Anglia;
Vacancy, Parent Governor Representative;
Vacancy, Parent Governor Representative;
Tricia Pritchard, Diocese of Ely;
Julie O'Connor, Roman Catholic Diocese of East Anglia (sub for Jane Austen).
VACANT - Non-voting Muslim representative

5. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Peterborough City Council's constitution.

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**Allocation of Seats to Political Groups
22 May, 2013**

Introduction

In the Council papers at Agenda Item No.9, paragraph 4.4, it was identified that further information would be submitted regarding the allocation of seats on committees to the respective political groups.

Overall Situation

Political Group	Cons	Lab	PIF	Lib Dem	Total
No. Elected	32	11	10	4	57
Proportionality %	56.14	19.30	17.54	7.02	100%
Entitlement (previous)	52	18	16	6	99
No. of Seats Allocated *	54	17	15	6	99

* the seat allocation has to be adjusted to increase the Conservative entitlement to 54 seats, as s15 Local Government & Housing Act 1989 requires "that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership"; that is, the Conservative members must be in the majority on each committee to which the political balance rules apply. The entitlement of the other parties is adjusted according to their proportional entitlement to the remaining seats.

Current Seat Allocation for Politically Balanced Committees - which will be rolled forward unless any changes are tabled at the meeting

Committees	Cons	Labour	PIF	Lib Dem	Total
Scrutiny Commission for Rural Communities	4	1	1	1	7
Scrutiny Commission for Health Issues	4	2	1	0	7
Strong and Supportive Scrutiny Committee	4	2	1	0	7
Creating Opportunities Scrutiny Committee	4	1	1	1	7
Sustainable Growth & Environment Capital Scrutiny Committee	4	2	1	0	7
Employment Committee	4	1	1	1	7
Licensing Committee	6	1	2	1	10
Planning and Environmental Protection Committee	6	2	2	0	10
Planning Review Committee	6	2	1	1	10
Appeals Committee (Service Issues)	6	1	3	0	10
Joint Consultative Panel	4	1	1	1	7
Employment Appeals Sub Committee	2	1	0	0	3
Total	54	17	15	6	92

Seat Allocation for exempt committee

Audit Committee	4	1	2	(1)	8
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Seat Allocation for Other Committees

Committees	Cons	Lab	PIF	Lib Dem	Total
Health and Wellbeing Board	4	0	0	0	4
Cambridgeshire Police and Crime Panel	2	1	0	0	3

COMMITTEE MEMBERSHIP
2013 - 2014

SCRUTINY COMMITTEES

SCRUTINY COMMISSION FOR RURAL COMMUNITIES (4:1:1:1) (7)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr David Over (Chair)	Cllr Ed Murphy	Cllr David Harrington	Cllr Nick Sandford
Cllr Diane Lamb (Vice Chair)			
Cllr David Sanders			
Cllr Dale McKean			
SUB: Cllr Sue Allen	SUB: Cllr Ann Sylvester	SUB: Cllr John Fox	

SCRUTINY COMMISSION FOR HEALTH ISSUES (4:2:1:0) (7)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Brian Rush (Chair)	Cllr Nabil Shabbir	Cllr Keith Sharpe	
Cllr Diane Lamb (Vice Chair)	Cllr Ann Sylvester		
Cllr Sue Allen			
Cllr Dale McKean			
SUB: Cllr John Peach	SUB: Cllr Mohammed Jamil	SUB: Cllr David Harrington	Group Rep: Cllr Julia Davidson

STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE (4:2:1:0) (7)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Matthew Lee (Chair)	Cllr Jo Johnson	Cllr John Fox	
Cllr Sue Day (Vice Chair)	Cllr Lisa Forbes		
Cllr Pam Kreling			
Cllr George Simons			
SUB: Cllr David Over	SUB: Cllr Nabil Shabbir	SUB: Cllr Bella Saltmarsh	Group Rep: Cllr Asif Shaheed

CREATING OPPORTUNITIES AND TACKLING INEQUALITIES SCRUTINY COMMITTEE (4:1:1:1) (7)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Sue Day (Chair)	Cllr John Shearman	Cllr Bella Saltmarsh	Cllr Darren Fower
Cllr Chris Harper (Vice Chair)			
Cllr Gul Nawaz			
Cllr Brian Rush			
SUB: Cllr Mohammed Nadeem	SUB: Cllr Nicholas Thulbourn	SUB: Cllr John Fox	

Co-opted Members

Note: The following **Education Co-opted members** are Members of the Scrutiny Committee and vote when education matters are discussed.
Miranda Robinson, Peterborough Diocesan Board of Education;
Jane Austen, Roman Catholic Church, Diocese of East Anglia;
Vacancy, Parent Governor Representative;
Vacancy, Parent Governor Representative;
Tricia Pritchard, Diocese of Ely;
Julie O'Connor, Roman Catholic Diocese of East Anglia (sub for Jane Austen)
VACANT - Non-voting Muslim representative

SUSTAINABLE GROWTH and ENVIRONMENT CAPITAL SCRUTINY COMMITTEE (4:2:1:0) (7)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Sue Allen (Chair)	Cllr Stuart Martin	Cllr Judy Fox	

Cllr Nick Arculus (Vice Chair)
Cllr John Peach
Cllr Yasmeen Maqbool
SUB: Cllr Dale McKean

Cllr Nicholas Thulbourn
SUB: Cllr Lisa Forbes

Group Rep: Cllr Nick Sandford

SUB: Cllr Chris Ash

REGULATORY COMMITTEES

AUDIT COMMITTEE (4:1:2:1) (8)

Conservative

Cllr Diane Lamb (Chair)
Cllr Chris Harper (Vice Chair)
Cllr Nick Arculus
Cllr Matthew Lee
SUB: Cllr Pam Kreling

Labour

Cllr John Knowles
SUB: Cllr Ed Murphy

Peterborough Independent Forum

Cllr Fletcher
Cllr Lane

Liberal Democrats

Cllr Sandford

EMPLOYMENT Committee (4:1:1:1) (7)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Diane Lamb (Chair)	Cllr Nazim Khan	Cllr Charles Swift	Cllr Nick Sandford
Cllr John Holdich (Vice Chair)			
Cllr Irene Walsh			
Cllr Wayne Fitzgerald			
SUB: Cllr Marco Cereste	SUB: Cllr John Shearman	SUB: Cllr Michael Fletcher	

LICENSING COMMITTEE (6:1:2:1) (10)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Paula Thacker (Chair)	Cllr Mohammed Jamil	Cllr Bella Saltmarsh	Cllr Julia Davidson
Cllr John Peach (Vice Chair)		Cllr Adrian Miners	
Cllr Marion Todd			
Cllr Pam Kreling			
Cllr Gul Nawaz			
Cllr Lucia Serluca			
SUB: Cllr George Simons	SUB: Cllr Jo Johnson	SUB: Cllr David Harrington	

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE (6:2:2:0) (10)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Lucia Serluca (Chair)	Cllr Nabil Shabbir	Cllr Stephen Lane	
Cllr Chris Harper (Vice Chair)	Cllr Ann Sylvester	Cllr David Harrington	
Cllr Janet Goodwin			
Cllr Nigel North			
Cllr George Simons			
Cllr Marion Todd			
SUB: Cllr Pam Kreling	SUB: Cllr Stuart Martin	SUB: Cllr Chris Ash	

PLANNING REVIEW COMMITTEE (6:2:1:1) (10)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr John Holdich (Chair)	Cllr Ed Murphy	Cllr Chris Ash	Cllr Nick Sandford
Cllr David Seaton (Vice Chair)	Cllr John Shearman		
Cllr Marco Cereste			
Cllr Mohammed Nadeem			
Cllr Paula Thacker			
Cllr Yasmeen Maqbool			
Sub: Cllr Gavin Elsey			

SUB-COMMITTEES/PANELS

JOINT CONSULTATIVE PANEL

Same membership as Employment Committee

EMPLOYEE APPEALS SUB-COMMITTEE (2:1 (major/minority group members) (3) (from pool of trained members*))

Conservative

Cllr Irene Walsh

Cllr Paula Thacker

SUB: Cllr David Seaton

Labour

Cllr Swift

Peterborough Independent Forum

Liberal Democrats

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(Members to be appointed by the Employment Committee at its first meeting of the new Municipal Year).

APPEALS COMMITTEE (SERVICE ISSUES) (6:1:3:0) (10)*

Conservative

Cllr Nigel North (Chair)

Cllr Graham Casey (Vice Chair)

Cllr Pam Kreling

Cllr Janet Goodwin

Cllr John Holdich

Cllr Gavin Elsey

Labour

Cllr Lisa Forbes

Peterborough Independent Forum

Cllr Swift

Cllr Saltmarsh

Cllr Fletcher

Liberal Democrats

Sub: Cllr Jo Johnson / Cllr John Knowles

22 May 2013 v3

*Both the **Employee Appeals Sub-Committee**, and the **Appeals Committee (Service Issues)** can call upon the pool of trained members for additional members to hear particular appeal cases. This will ensure that sufficient members are available to hear appeals, that the members hearing an appeal have received relevant training in the issue in question, and that members hearing an appeal were not involved in the original decision which is in question.

WORKING GROUPS

DIVERSITY WORKING GROUP (3 members) (1 Vacancy)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr John Peach	Cllr Lisa Forbes		

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Community reps are from organisations working with disadvantaged groups in Peterborough

CORPORATE PARENTING PANEL (13 members)

<u>Conservative</u>	<u>Labour</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>
Cllr Nick Arculus	Cllr Jo Johnson	Cllr Stephen Lane	
Cllr Graham Casey	Cllr John Shearman	Cllr Bella Saltmarsh	
Cllr Chris Harper	Cllr Anne Sylvester		
Cllr John Holdich			
Cllr Brian Rush			
Cllr Sheila Scott			
Cllr Paula Thacker			

All Members are corporate parents and are entitled to attend the meetings. The members list above shows the core membership of the Group. The chairman is elected by the Group itself.

PARISH COUNCILS LIAISON MEETINGS (1)

Chairman – Cllr Irene Walsh

JOINT AUTHORITY APPOINTMENTS

CAMBRIDGESHIRE POLICE AND CRIME PANEL (2:1:0:0) (3)

Conservative

Labour

Peterborough Independent Forum

Liberal Democrats

Cllr Gavin Eisey

Cllr Nazim Khan

Cllr Irene Walsh

COMBINED FIRE AUTHORITY (3:1:0:0) (4)

Conservative

Labour

Peterborough Independent Forum

Liberal Democrats

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Cllr Sue Day

Cllr Mohammed Jamil

Cllr Janet Goodwin

Cllr John Peach

HEALTH AND WELLBEING BOARD (4:0:0:0) (4)

Conservative

Labour

Peterborough Independent Forum

Liberal Democrats

Cllr Marco Cereste (Chair)

Cllr Wayne Fitzgerald (Vice Chair)

Cllr John Holdich

Cllr Sheila Scott

22 May 2013 v3