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### PETERBOROUGH CITY COUNCIL **SUMMONS TO A MEETING**

You are invited to attend a meeting of the Peterborough City Council, which will be held in the Council Chamber, Town Hall, Peterborough on

#### WEDNESDAY 15 JULY 2015 at 7.00 pm

	AGENDA			
		Page No.		
1.	Apologies for Absence			
2.	Declarations of Interest			
3.	Minutes of the meetings held on 20 May 2015			
	(a) Annual Council Mayor Making Meeting	3 - 4		
	(b) Annual Council Meeting	5 - 10		
СОМ	MUNICATIONS TIME			
4.	Mayor's Announcements	11 - 14		
5.	Leader's Announcements			
6.	Chief Executive's Announcements			
QUE	STIONS AND PETITIONS			
7.	Questions from Members of the Public			
8.	Petitions			
	<ul><li>i) Presented by members of the public</li><li>ii) Presented by Members</li></ul>			
9.	Questions on Notice			
	<ul><li>i) To the Mayor</li><li>ii) To the Leader or member of the Cabinet</li><li>iii) To the Chair of any Committee or Sub-Committee</li></ul>			
REC	OMMENDATIONS AND REPORTS			
10.	Questions on the Executive Decisions made since the last meeting	15 - 22		

#### **COUNCIL BUSINESS TIME**

11.	Motions on Notice	23 - 24
12.	Reports to Council	
	(a) Alternative Governance Arrangements	25 - 30
	(b) Appointment of the Vice Chair to Sustainable Growth and Environment Capital Scrutiny Committee	31 - 32
	(c) Recording Protocol	33 - 38
	(d) Local Authorities (Standing Orders) (England) Amendment Regulations 2015	39 - 48
	Guian Beasley	7 July 2015 Town Hall Bridge Street Peterborough

Chief Executive

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 $\frac{http://democracy.peterborough.gov.uk/documents/s21850/Protocol\%20on\%20the\%20use\%20of\%20Recording.pdf$ 

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For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact Gemma George in the City Council's Governance team on Peterborough (01733) 452268 or by email at democratic.services@peterborough.gov.uk



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## MINUTES OF THE ANNUAL COUNCIL MAYOR MAKING MEETING HELD WEDNESDAY 20 MAY 2015 COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH

#### Present:

Councillors Aitken, Ash, Bisby, Brown, Casey, Coles, Davidson, Elsey, Faustino, Ferris, Fitzgerald, Forbes, Fower, F Fox, JR Fox, JA Fox, Harper, Harrington, Herdman, Hiller, Holdich, Jamil, Iqbal, Johnson, Khan, Knowles, Lamb, Maqbool, Martin, Miners, Murphy, Nadeem, Nawaz, North, Okonkowski, Over, Peach, Rush, Saltmarsh, Sanders, Sandford, Scott, Seaton, Serluca, Shabbir, Shaheed, Sharp, Shearman, Stokes, Swift, Sylvester, Thacker, Thulbourn, Whitby and Yonga.

#### 1. Apologies for Absence

Apologies for absence were received from Councillor Lane.

#### 2. Election for the Mayor 2015 / 2016

The Retiring Mayor, Councillor David Over, requested nominations for the election of Mayor for 2015 / 2016.

Councillor Peach was nominated by Councillor Saltmarsh, and this was seconded by Councillor Holdich.

There being no other nominations, Councillor Peach was duly elected Mayor for the Municipal Year 2015 / 2016.

The Mayor made and signed his Declaration of Office and the retiring Mayor, Councillor Over invested the Mayor with his Chain of Office.

The retiring Mayoress, Mrs Jackie Over invested the Mayoress, Ms Janet Martin, with her Chain of Office.

#### 3. Election for the Deputy Mayor for 2015 / 2016

The Mayor invited nominations for the election of Deputy Mayor for 2015 / 2016.

Councillor Khan was nominated by Councillor Jamil and this was seconded by Councillor Shearman.

There being no other nominations, Councillor Khan was duly elected Deputy Mayor for the Municipal Year 2015 / 2016.

The Deputy Mayor made and signed his Declaration of Office. The Mayor invested the Deputy Mayor with his Chain of Office and the Mayoress invested the Deputy Mayoress, Mrs Naseem Khan, with her Chain of Office.

#### 4. Investiture of Badges of Office and Vote of Thanks to the Retiring Mayor

Councillor Holdich proposed a vote of thanks to the retiring Mayor, Councillor Over, and commended his dedication to the role and his engagement with the people of Peterborough throughout the year. Councillor Holdich paid further tribute to the retiring deputy Mayoress, Mrs Jackie Over. This vote of thanks was seconded and endorsed by Councillor Rush.

Group Leaders supported the vote of thanks, commenting on the fair way that Councillor Over had chaired the Full Council meetings during the year. Following Group Leaders comments, all Members agreed to support the vote of thanks.

Councillor Over responded to the vote of thanks and expressed his gratitude to all the people who had supported him throughout his term of office as Mayor.

Councillor Over further highlighted his key achievements over the year, including the work undertaken for numerous charities. Councillor Over finished his speech by wishing the new Mayor, Councillor John Peach, well for his mayoral year ahead.

The Mayor invited Councillor Over to receive his Past Mayors Badge in recognition of his service to the city during his term of office. Upon receiving his Past Mayors Badge, Councillor Over presented the retiring Mayoress with her Past Mayoress's Badge, the retiring Deputy Mayor with his Badge, the retiring Deputy Mayoress, Mrs Rita Harper with a gift and the retiring Mayor's Chaplain, Reverend Dave Maylor with a gift.

A special award was presented by Councillor Over to Carole and Robert Hughes, the founders of the charity Anna's Hope, which was dedicated to giving hope to children and young people diagnosed with a brain tumour.

The Mayor thanked all Members for their support in electing him as Mayor, and further welcomed all the newly elected Councillors to the Chamber and thanked the outgoing Councillors for all their work.

The Mayor confirmed his chosen charities for his term of office as Age UK Peterborough, the Scout and Guide Movement Peterborough, Hope Into Action and the Combined Cadet Forces, CCF, headed up by the Thomas Deacon Academy.

The Mayor further advised that his chaplain for the forthcoming year would be Reverend Greg Robert, the Vicar of All Saints Church in Park Road.

Following the conclusion of the ceremonial part of the proceedings, the meeting was adjourned for refreshments.

6.30pm – 7.00pm Mayor



## MINUTES OF THE ANNUAL COUNCIL MEETING HELD WEDNESDAY 20 MAY 2015 COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH

#### THE MAYOR - COUNCILLOR JOHN PEACH

#### Present:

Councillors Aitken, Ash, Bisby, Brown, Casey, Coles, Davidson, Elsey, Faustino, Ferris, Fitzgerald, Forbes, Fower, F Fox, JR Fox, JA Fox, Harper, Harrington, Herdman, Hiller, Holdich, Jamil, Iqbal, Johnson, Khan, Knowles, Lamb, Lane, Maqbool, Martin, Miners, Murphy, Nadeem, Nawaz, North, Okonkowski, Over, Peach, Rush, Saltmarsh, Sanders, Sandford, Scott, Seaton, Serluca, Shaheed, Sharp, Shearman, Stokes, Swift, Sylvester, Thacker, Thulbourn, Whitby and Yonga.

#### 1. Apologies for Absence

Apologies for absence were received from Councillor Shabbir.

#### 2. Declarations of Interest

There were no declarations of interest.

#### 3. Minutes of the Meeting held on 15 April 2015

The minutes of the meeting held on 15 April 2015 were approved as a true and accurate record.

#### 4. Mayor's Announcements

There were no announcements from the Mayor.

#### 5. Chief Executive's Announcements

There were no announcements from the Chief Executive.

#### 6. Report of the Returning Officer

Members received and noted a report which detailed the results of the Local Elections held on Thursday 7 May, 2015.

Councillor Murphy queried whether further investigation could be undertaken as to the effect that rejected postal votes had on the overall turnout figure.

The Mayor advised that this was a matter for the returning officer and Councillor Murphy's comments had been noted.

#### 7. Political Groups and Group Officers 2015 / 2016

The membership of Political Groups and their Officers for the Municipal Year 2015 / 2016 were noted and agreed subject to the removal of 'Group Whip' from the Werrington First Group.

#### 8. Appointment of the Executive and Leader's Scheme of Delegations

The Mayor introduced the item and invited nomination for the appointment of Leader for a period of four years.

Councillor Murphy queried whether the Mayor would permit debate as to the length of appointment for the Leader, to be one year rather than four years.

The Legal Officer advised that the Council's Constitution explicitly set out that a Leader would be appointed for a four year period and if Members wished to debate a change, this would need to be brought back to a future meeting for consideration.

Councillor Hiller proposed Councillor Holdich as Leader of the Council, sighting his passion for the city and his proven track record over the years. This was seconded by Councillor Scott.

There being no other nominations, Councillor Holdich was duly elected as Leader of the Council for a period of four years.

Councillor Holdich addressed the meeting and moved the recommendations as detailed within the report and presented his Scheme of Delegations advising that he would be retaining responsibility for 'Education, Skills and University' with the addition of Communications. Councillor Holdich further named his Cabinet Members and advisors and their responsibilities and key areas to be addressed, these included:

- i. Councillor Wayne Fitzgerald Deputy Leader and Cabinet Member for Integrated Adult Social Care and Health;
- ii. Councillor Gavin Elsey Cabinet Member for Digital, Waste and Street Scene;
- iii. Councillor Peter Hiller Cabinet Member for Growth, Planning, Housing and Economic Development;
- iv. Councillor Diane Lamb Cabinet Member for Public Health;
- v. Councillor Nigel North Cabinet Member for Communities and Environment Capital;
- vi. Councillor Sheila Scott Cabinet Member for Children's Services;
- vii. Councillor David Seaton Cabinet Member for Resources;
- viii. Councillor Lucia Serluca Cabinet Member for City Centre Management, Culture & Tourism;
- ix. Councillor Graham Casey, Cabinet Advisor to the Cabinet Member for City Centre Management, Culture & Tourism (Culture & Recreation); and
- x. Councillor Yasmeen Magbool, Cabinet Advisor for Children's Safeguarding.

Councillor Holdich further advised that he looked forward to working closely with all the political groups throughout the forthcoming year.

Councillor Fitzgerald seconded the recommendations and reserved his right to speak.

The Mayor invited Group Leaders to comment on Councillor Holdich's proposals. All congratulated him on his appointment and raised further points including:

- There was now an opportunity for a change of style to be adopted and for a more open and engaging approach to be taken forward;
- The number of Cabinet Members and Advisors was still considered to be high, particularly with the number of services that were now outsourced;
- It was hoped that work would be undertaken across all Groups to ensure the best for the city during difficult financial times;
- It was appropriate that the largest group on the Council held leadership;
- The austerity agenda needed to be responded to and the cross party budget working group should be taken forward;
- Assurance was sought that the work of the Alternative Governance Working Group would be pursued in order to look at an alternative system of governance to be implemented from 2016; and
- Further assurance was sought that a review of public transport would be undertaken, showing commitment to the environmental agenda;

Councillor Fitzgerald exercised his right to speak as seconder of the recommendations and stated that it would be important for all Groups to continue to work together and for opposition Members to ensure that they engaged themselves at an earlier stage.

Councillor Holdich summed up and thanked Group Leaders for their comments. He further advised that previous comments on the importance of Public Health had been taken on board, hence the formation of the Cabinet Member role for Public Health.

#### Following debate it was **AGREED**:

- a) To elect Councillor John Holdich as Leader of the Council for a period of four years;
- b) To note the appointment of the Cabinet and the Leader's Scheme of Delegation to Cabinet Members and officers; and
- b) To agree to amend the Constitution to include the Leader's Scheme of Delegation to Cabinet Members and officers.

#### 9. Committee Structures, Delegations and Allocations

Councillor Holdich addressed the meeting and moved the recommendations as detailed within the report along with proposed amendments including the increase in size of the Sustainable Growth and Environment Capital Scrutiny Committee to ten members and that the Employment Committee start time be 7.00pm in the evening, except for interviews and appointment meetings. Councillor Holdich further moved that the Audit Committee and the Planning Review Committee be removed from the political balance seat allocations to allow for cross party representation, the revised figures for which were tabled for Members. This was seconded by Councillor Fitzgerald who reserved his right to speak.

Councillor Sandford addressed the meeting and concurred that the move to a ten Member Sustainable Growth and Environment Capital Scrutiny Committee was a good move, along with the change in start time for the Employment Committee in order to allow for Members who had difficulty attending daytime meetings, along with members of the public.

Following a vote (54 For, 1 Abstention), it was **AGREED** that:

The Audit Committee and the Planning Review Committee be removed from the political balance requirements, equating to Council seat allocations of 75.

Following a vote on the remainder of the motion (unanimous), it was **AGREED** that:

- (a) The Council agree the Committee structure:
  - (i) as set out at paragraph 3.1 of the report (as agreed to remove the Audit Committee and the Planning Review Committee from the political balance calculations); and
  - (ii) that the terms of reference of those committees and the Council's Scheme of Delegations remained as currently set out in the Constitution, subject to any changes tabled at the meeting.
- (b) Council noted the programme of meeting schedules;
- (c) The Audit Committee and the Planning Review Committee be exempted from the political balance seat arrangements;
- (d) Council agreed the allocation of seats on Committees of the Council, subject to political balance seat arrangements; and
- (e) Council agreed the allocation of seats on Committees to be appointed to by the Council, not subject to political balance seat arrangements.

#### 10. Appointments to Committees and Other Bodies

Councillor Holdich addressed the meeting and moved the recommendations as detailed within the report along with the tabled Committee Membership document. Councillor Holdich further moved that it be permitted that appointments to Outside Bodies be made by the Monitoring Officer in accordance with political group wishes.

Councillor Fitzgerald seconded the recommendations and reserved his right to speak.

Councillor Fower moved an amendment to the recommendations which sought that the Chair and Vice Chair of the Scrutiny Committees be appointed by the Committees themselves and that the Chair of the Sustainable Growth and Environment Capital Scrutiny Committee be Councillor Sanford, and the Vice Chair be Councillor Thulbourn. This would send out a strong democratic message to the people of Peterborough, making for a fairer scrutiny system.

The amendment was seconded by Councillor Jamil who stated that although Conservatives had the largest Group, they did not have the majority of seats. The public would gain more confidence by proper scrutiny being implemented.

Councillor Holdich exercised his right of reply as mover of the original recommendations and stated that he did not believe the amendment fair as Conservatives were proposed for exclusion completely.

A vote was taken (28 For, 27 Against) and the amendment was **CARRIED**.

Members debated the substantive motion and in summary raised points including:

• It was requested that Conservative Members not be excluded from the

- consideration of the position of Chair. There were many experienced Members with a wealth of knowledge;
- If Group Leaders come together to discuss the allocation of seats, Conservative Members not in the Cabinet should also be considered;
- Why had opposition Members not been considered for Chair previously;
- The Conservative Party had held overall majority until this point; and
- All Members needed to have democratic input.

Councillor Holdich summed up as mover of the original recommendations stating that he hoped all Members would work together going forward.

Following a vote (unanimous), it was **AGREED**:

- (a) Where the allocation to different political groups of the seats on committees and other bodies had been determined under Agenda Item 10, that Council
  - (i) make appointments to those Committees so as to give effect to the wishes about who is to be appointed to the seats on each Committee which are allocated to a particular political group as are expressed by that group;
  - (ii) in respect of any appointments to be made other than under (a) above, appoints the Monitoring Officer as Proper Officer to be authorised to carry out the wishes of the Leaders of the Political Groups in allocating members to each Committee; and
  - (iii) appoints those Members with effect from the date at which the Proper Officer is advised of the names of such Members;
- (b) The Chair and the Vice Chair of each of the Council's Committees be appointed as set out in the tabled papers, except that Councillor Sandford be elected as Chair and Councillor Thulbourn as Vice Chair of the Sustainable Growth and Environment Capital Scrutiny Committee and each of the Chairs and Vice Chairs of the Strong and Supportive Communities Scrutiny Committee, Creating Opportunities & Tackling Inequalities Scrutiny Committee and the Rural and Health Scrutiny Commissions should be decided by the Committees themselves in accordance with the Council's Standing Orders;
- (c) The membership of elected and non-elected members of committees be confirmed; and
- (d) The appointments to outside organisations be made by the Monitoring Officer in accordance with political group wishes.

#### 11. Standing Orders

Council received a report from the Member Officer Working Group which requested it to revoke the current Council's Standing Orders at Part 4, Section 1 of the Council's Constitution and to adopt each of the variations to the Council Standing Orders as set out within the report. It was further recommended that the related protocols and schemes be adopted, these being the 'Selection of Mayor Protocol' and the 'Petition Scheme'.

Councillor Seaton introduced the report and moved the recommendations contained within. This was seconded by Councillor Fitzgerald who reserved his right to speak.

There was no debate on the item and it was **RESOLVED** that:

Standing Orders be varied in that Council:

- (a) revoked the following Standing Orders as set out in the Constitution at:
  - (i) Part 4, Section 1 of the Council's ConstitutionThe Council's Standing Orders.
- (b) adopted each of the variations to the Council Standing Orders set out within the report.
- (c) adopted the related protocols/schemes as follows:
  - i. The Selection of Mayor Protocol, as amended; and
  - ii. The Petition Scheme.

The Mayor 7.45pm – 8.45pm

COUNCIL	AGENDA ITEM No. 4
15 JULY 2015	PUBLIC REPORT

#### **MAYOR'S ANNOUNCEMENTS**

#### 1. PURPOSE OF REPORT

1.1 This report is a brief summary of the Mayor's activities on the Council's behalf during the last meetings cycle, together with relevant matters for information.(Events marked with \* denotes events attended by the Deputy Mayor on the Mayor's behalf).

#### 2. ACTIVITIES AND INFORMATION – From 20 May to 5 July 2015

Attending	Event	Venue
Mayor, Mayoress, Deputy Mayor, Deputy Mayoress, Mayor Elect and Mayoress Elect	Planning meeting for Annual Council Meeting and Mayor Making	The Parlour
Mayor, Mayoress, Deputy Mayor, Deputy Mayoress, Mayor Elect and Mayoress Elect	Annual Council	Council Chamber
Mayor and Mayoress	The Peterborough Lido Opening	The Peterborough Lido
Mayor and Mayoress	Peterborough Green Festival	Cathedral Square
Mayor and Mayoress	Host / welcome Chinese Delegation from Jingmen City	The Parlour
Mayor, Mayoress, Deputy Mayor and Deputy Mayoress	Official Photos	Council Chamber
Deputy Mayor	iCaSH Peterborough hub official opening	Kings Chambers
Mayor and Mayoress	RAF Alconbury The BIG Hangar Dance	RAF Molesworth
Mayor and Mayoress	Meeting to discuss the Mayor's Installation	The Parlour
Mayor and Mayoress	3aaa - Official Academy Opening	3aaa, Cross Street Court
Mayor and Mayoress	Meeting to discuss an event in October	The Parlour
Mayor and Mayoress	Members Induction Evening	The Parlour
Mayor	Photo Opportunity at new Future Business Centre	Moyes End
Mayor and Mayoress	Delegation of high ranking police officers from Czech Republic	Council Chamber
Mayor and Mayoress	Peterborough Primary Schools Country Dancing Festival	The Peterborough School
Mayor and Mayoress	Cathedral Dinner and Auction	The Cathedral
Mayor and Mayoress	Tour of Cambridgeshire cycle event	Peterborough Showground
Mayor and Mayoress	Hog Roast and entertainment	Napier Place Sheltered Housing
Mayor and Mayoress	Classical Reflection Concert	John Clare Theatre
Mayor and Mayoress	Royal Anglian Regiment - Annual Reunion and Commemoration	Ely Cathedral

Attending	Event	Venue
Deputy Mayor	ICA Republican Day	The Fleet Centre
Mayor and Mayoress	Pearl Izumi Tour Series	Cathedral Square
Mayor and Mayoress	Dinner to mark the end of the year in office	Corpus Christi College
Mayor	Mayor's Charity Committee	The Parlour
Deputy Mayor	Peterborough Symphony Orchestra Summer Concert	The Voyager Academy
Mayor	The Mayor of Stamford's Civic Parade and Service	Town Hall
Mayor, Mayoress, and Deputy Mayor	Mayor's Open Day / LiberTeas	Reception Room
Deputy Mayor	Certificate Presentation	The Salvation Army
Mayor and Mayoress	Preview of the new hospice at Thorpe Hall	Thorpe Hall Hospice
Mayor and Mayoress	Lunch at a Hindu Temple	Bharat Hindu Samaj
Deputy Mayor	'Miles of Success'	Avery House
Mayor	Citizenship Ceremony	Council Chamber
Mayor and Mayoress	Meeting with the Verger regarding the Mayor's Installation	The Cathedral
Mayor, Mayoress and Deputy Mayor	Anglia Ruskin University / Peterborough City Council Civic Dinner	Reception Room
Mayor	Meeting with Vivacity	Central Library
Mayor	Anniversary of the Battle of Waterloo	Waterloo Road
Mayor and Mayoress	Big Chin Wag	25 Westgate
Mayor and Mayoress	Concert - Armed Forces Day Celebrations	Peterborough Parkway Sports Club
Mayor and Mayoress	Peterborough Heritage Festival Opening Ceremony	Minster Precincts
Mayor and Mayoress	and Mayoress David Starkey Keynote Lecture	
Mayor, Mayoress and Mayor's Installation Deputy Mayor		Peterborough Cathedral
Mayor, Mayoress and Deputy Mayor	ayoress and Fly A Flag for Armed Forces Day Run-Through	
Mayor, Mayoress and Deputy Mayor	or, Mayoress and Fly a Flag for Armed Forces Day	
Mayor and Mayoress		
Mayor and Mayoress	Duke of Edinburgh Presentation Evening	Northampton Reception Room
Mayor and Mayoress	Louis Smith Sculpture Unveiling	Vivacity Premier Fitness
Mayor and Mayoress	Annual Reception - Royal Air Force	RAF Wittering Officers' Mess
Mayor and Mayoress	and Mayoress Meeting regarding a Charity event	
Mayor	Have your Say	Jack Hunt School
Mayor and Mayoress	Annie Jr - The Musical	The Voyager Academy
Mayor and Mayoress Armed Forces Day		Start at the Town Hall and move to Bridge Street and the Guildhall/Cathedral Square. PE1
Deputy Mayor	Maxey Village Fayre	Maxey Village Field

Attending	Event	Venue
Mayor	Wildcats Live 2015	The Cresset
Mayor and Deputy Mayor	The Big Iftar Charity Dinner with Amir Khan	Gladstone Park Community Centre
Mayor and Mayoress	Mayor of Grantham Civic Service	St. Wulframs's Church
Deputy Mayor	National Service Day	All Saints Church
Mayor and Mayoress	Annual Service of Thanksgiving and Remembrance	Peterborough Crematorium
Mayor and Mayoress	Peterborough Eco Education Awards	City of Peterborough Academy
Deputy Mayor	St. Peter's Day	Peterborough Cathedral
Deputy Mayor	Year 6 Graduation Ceremony	The Peterborough School
Mayor and Mayoress	Peterborough Multicultural Festival	St Johns Church
Mayor and Mayoress	Dogsthorpe Fun Day	Dogsthorpe Academy
Mayor	Peterborough Multicultural Festival	Peterborough Town Square
Mayor	Inspire Peterborough introduces Sporting Sunday	Jack Hunt School Sports Centre

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COUNCIL	AGENDA ITEM No. 10
15 JULY 2015	PUBLIC REPORT

#### RECORD OF EXECUTIVE DECISIONS MADE SINCE THE LAST MEETING

#### 1. DECISIONS FROM CABINET MEETING HELD ON 15 JUNE 2015

#### **CUSTOMER STRATEGY**

Cabinet received a report which followed the development of the Customer Strategy, as a result of the Customer Experience Programme being agreed within the Medium Term Financial Strategy.

The purpose of the Peterborough City Council Customer Strategy was to ensure all Council services were developed and delivered with the customer at the centre. Cabinet was asked to approve the Strategy in order that an agreed framework was in place, against which delivery could be measured.

Cabinet considered the report and **RESOLVED**:

To approve the proposed Customer Strategy.

#### **BUDGET MONITORING REPORT FINAL OUTTURN 2014/15**

Cabinet received a report as a monitoring item, with the report also to be submitted to Audit committee on 29 June as part of the closure of accounts process.

The report provided Cabinet with the outturn financial position for both the revenue budget and capital programme for 2014/15, subject to any changes required in the finalisation of the detailed statutory statement of accounts.

The report also contained performance information on treasury management activities, payment of creditors and collection performance for debtors, local taxation and benefit overpayments.

#### Cabinet considered the report and **RESOLVED**:

- 1. To note the final outturn position for 2014/15 (subject to finalisation of the statutory statement of accounts) of a balanced position on the council's revenue budget.
- 2. To note the final outturn spending of £108.8m under the Council's capital programme 2014/15.
- 3. To note the reserves position for the Council, including the use of £0.6m from reserves to support the budget in 2014/15, which is less than forecast as actions have reduced pressures
- 4. To note the performance against the prudential indicators:
- 5. To note the performance on treasury management activities, payment of creditors, collection performance for debtors, local taxation and benefit overpayments, and
- 6. To note the forecast budget gap of over £10m for 2016/17 is expected to increase with the update of national expenditure plans, and that Cabinet may need to review 2015/16 plans in light of the Budget to be released on 8<sup>th</sup> July.

#### **OUTCOME OF PETITITONS**

Cabinet received a report following the presentation of a petition to Full Council on 15 April 2015.

The purpose of the report was to update Cabinet on the progress being made in response to the petition.

Cabinet considered the report and **RESOLVED**:

To note the actions taken in respect of the petition presented to Council (as detailed below).

#### Petition relating to Parking along Nottingham Way

This petition was presented to Council on 15 April 2015 by Councillor John Shearman on behalf of residents of Nottingham Way. The petition outlined the concerns of the residents, this being the increase in the number of vehicles parking along Nottingham Way, particularly in the stretch close to Newark Avenue. The purpose of the petition was to obtain the following objective:

1. To request that the Council extend the current parking restriction further along Nottingham Way in order to eliminate the nuisance of cars, not belonging to residents or their visitors, parking along the road.

The Council's Group Manager, Peterborough Highway Service, responded stating that "an onsite meeting would be convened with Councillor Shearman and local residents along with the Council's Network and Traffic Manager. This meeting would enable explanation of the possible options in terms of parking restrictions that could be used and how these would impact on the residents in terms of their own parking and that of their visitors. Further explanation of how any parking restrictions could be taken forward through the necessary statutory process would also be outlined".

#### 2. CALL-IN BY SCRUTINY COMMITTEE OR COMMISSION

Since the publication of the previous report to Council, the call-in mechanism has not been invoked.

#### 3. SPECIAL URGENCY AND WAIVE OF CALL-IN PROVISIONS

Since the publication of the previous report to Council, the urgency provisions have not been invoked.

#### 4. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
Councillor Wayne Fitzgerald	APR15/CMDN/34	Turning Point Contract Extension
		The Cabinet Member:
7 April 2015		
		1. Extended the Council's contract with Turning Point Ltd for a 1 year period, 1 April 2015 – 31 March 2016, to provide the Community Based Supported Living Service for a value not exceeding £1,432,477

		excluding VAT.
		Authorised the Corporate Director of People and Communities to negotiate, prepare and complete any necessary contractual documentation.
Councillor Wayne Fitzgerald	APR15/CMDN/35	S75 Learning Disabilities
7 April 2015		The Cabinet Member authorised the Executive Director of Adult Social Services ("DASS") in consultation with the Executive Director of Strategic Resources on behalf of the Council (PCC), to enter into a new Section 75 agreement on behalf of the Cambridgeshire and Peterborough Clinical Commissioning Group (CPCCG) for the commissioning and provision of specialist health related learning disability services in line with the lead commissioning arrangements for Learning Disabilities outlined under Government guidance: Valuing People Now (2008) following the expiry of the current Section 75 Agreement on 31st March 2015.
Councillor Wayne Fitzgerald	APR15/CMDN/36	Award of Grant Funding to Voluntary Sector Organisations
7.4 ".0045		The Cabinet Member authorised:
7 April 2015		1. The award of grant funding to the voluntary sector organisations set out in the report relating to provision of community support and lunch clubs for the period from 13 April 2015 to 31 March 2020, subject to available funding. The total proposed grant funding over this period would be £188,055.
		2. The grant funding to an alternative voluntary sector organisation for the same level and duration, to continue financial support to the voluntary sector organisations where one of the listed organisations is no longer able to provide the support services to the community.
Councillor Wayne Fitzgerald	APR15/CMDN/37	Award of Grant Funding to Disability Peterborough for the Disability Forum
7 April 2015		The Cabinet Member authorised the award of a grant of £161,765 to Disability Peterborough relating to provision of the Disability Forum for the period of up to five years from 1 April 2015, subject to available funding.
Councillor Wayne Fitzgerald	APR15/CMDN/38	LGO Direct Payments Complaint March 2015
7 April 2015		The Cabinet Member reviewed the Ombudsman's findings and authorised an additional payment of £685.00 to settle a complaint and remedy injustice in terms of financial hardship to the complainants.

Councillor David Seaton	APR15/CMDN/39	Housing Related Support Grant Agreements 2015 / 2016
9 April 2015		The Cabinet Member awarded specific grants for the provision of housing related support funded through the Housing Related Support (formerly Supporting People) Programme to the following organisations for the period of 1 April 2015 to 31 March 2016:
		<ol> <li>Axiom Housing Association – Hostel Accommodation and Drop-in Services - £530,000.00;</li> <li>Cross Keys Homes – Hostel Accommodation - £99,109.00;</li> <li>Genesis Housing Association – Hostel Accommodation - £58,066.46;</li> <li>Home Group (Stonham) – Hostel Accommodation - £73,375.15;</li> <li>YMCA – Hostel Accommodation - £250,059.39;</li> <li>Peterborough &amp; Fenland MIND Floating Support Service - £21,333.60</li> <li>Peterborough Woman's Aid – Refuge Service - £60,205.69</li> <li>NACRO STORM Project – Floating Support - £35,200.32</li> </ol>
Councillor David Seaton	APR15/CMDN/40	Peterborough Community Assistance Scheme and Universal Credit Support
13 April 2015		The Cabinet Member agreed investment for continuing Peterborough Community Assistance Scheme (PCAS) for 2015/16.
Councillor John Holdich	APR15/CMDN/41	Post 16 Transport Policy
15 April 2015		The Cabinet Member approved updates to the Post 16 Transport Policy.
Councillor Nigel North 20 April 2015	APR15/CMDN/42	Extension to the Adult Community Drug Services and Alcohol Misuse Services Contract (Crime Reduction)
2014		The Cabinet Member approved expenditure for an extension of the contract the Council has with Crime Reduction Initiatives for the provision of Adult Community Drugs Services until 31 March 2016.
Councillor Gavin Elsey	APR15/CMDN/43	Compliance with Regulation 13 European Waste Framework Directive 2008
20 April 2015		The Cabinet Member approved the report indicating compliance with Regulation 13 of the European Waste Framework Directive 2008 as transposed into English Law by the Waste England and Wales Regulations 2011 (as amended in 2012).

Councillor David	APR15/CMDN/44	Cardea Community Pavillion
Seaton		The Cabinet Member for Resources:
24 April 2015		1. Awarded the design and build contract to Clegg Construction Limited under the terms and conditions of the East Midlands Property Alliance Framework, to construct a community and sports pavilion to include community / meeting rooms, changing rooms at Cardea, up to the value of £1,082,000 and subject to approval by the Corporate Director Resources and Director of Governance (or their nominated representatives). This sum shall also include funding for all site surveys, project management and technical advisers fees.
		<ol><li>Authorised the Director of Governance to enter into any legal documentation on behalf of the Council in relation to this matter.</li></ol>
Councillor Marco Cereste	APR15/CMDN/45	Grant to Opportunity Peterborough for Peterborough DNA
04.4 ".0045		The Cabinet Member:
24 April 2015		1. Approved continuation of the 'Peterborough DNA' programme in the 2015/16 financial year following receipt of a grant to the value of £3m from Innovate UK (formally the Technology Strategy Board) in March 2013.
		2. Delegated authority to the Governance Board to authorise the award of a second grant to Opportunity Peterborough Limited to the value of £440k for accumulated and prospective projects under the Peterborough DNA programme.
Councillor Marco Cereste	MAY15/CMDN/46	Local Transport Plan Programme of Works 2015/2016
5 May 2015		The Cabinet Member approved the 2015/16 Local Transport Plan (LTP) Programme of Works contained in the annexes attached to the report as follows:
		<ul> <li>The 2015/16 Integrated Transport Programme;</li> <li>The 2015/16 Highway Maintenance Programme;</li> <li>The 2015/16 Street Lighting Maintenance Programme; and</li> <li>The 2015/16 Bridge Maintenance Programme.</li> </ul>
Councillor David Seaton	MAY15/CMDN/47	Serco Phase 2 Budget Savings
5 May 2015		The Cabinet Member:
-		<ol> <li>Confirmed changes to the contractual relationship with Serco, to be given effect through a series of Notices of Change, as a result of the budget savings accepted by Full Council on 4 March 2015</li> </ol>

		which include:
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		<ul> <li>a reduction of 15 per cent in business support work undertaken;</li> <li>a reduction to the cost of the core contract subsequent to the council's evaluation of the resources needed to complete important transformation projects; and</li> <li>further savings in ICT arising from greater use of cloud technology.</li> </ul>
		<ol> <li>Delegated authority to the Corporate Director Resources to finalise the contractual arrangements to exercise the option to extend the contract from 10 to 20 years.</li> </ol>
Councillor Gavin Elsey	MAY15/CMDN/48	Award of Contract for Provision of a Household Recycling Centre
6 May 2015		The Cabinet Member approved the award of contract for the Management and Operation of Dogsthorpe Household Recycling Centre (HRC) to HW Martin Waste Ltd for a period of two years from 1 May 2015 with an option to extend for up to 6 months. The total value, including the maximum extension and an estimation of variable spend related to waste arising, is £750,000.
Councillor John Holdich	MAY15/CMDN/49	Post 16 Transport Partnership Policy September 2015 to September 2016
13 May 2015		The Cabinet Member approved the Post 16 Transport Partnership Policy to be effective from September 2015 to September 2016.
Councillor John Holdich	MAY15/CMDN/50	Health Visitors
13 May 2015		The Cabinet Member in his capacity as Deputy Leader of the Council approved the novation of a contract between NHS England and Cambridgeshire and Peterborough Foundation Trust for the delivery of Health Visitors and Family Nurse Partnership to Peterborough City Council for the period 1 October 2015 until 31 March 2017, for the sum of £6,132,452 resulting from the statutory transfer of planning and commissioning of public health services for 0-5 years olds from NHS England to local authorities.
Councillor John	MAY15/CMDN/51	Temporary Staff Framework
Holdich 15 May 2015		The Cabinet Member in his capacity as Deputy Leader approved an extension to the temporary staff framework.

Councillor David Seaton	MAY15/CMDN/52	Customer Experience Programme Children's Services				
22 May 2015		<ol> <li>Authorised the award of a Contract to Arcus Global Limited to develop a custom built software replacement for Children's Services based on the Force.com platform to support the Customer Experience transformation programme, for up to £946,000.</li> <li>Authorised the Corporate Director: Resources to vary this Contract if, during the implementation stage, the Council has to amend its detailed business requirements. Any variation shall not increase the total Contract cost above £946,000.</li> </ol>				
Councillor Diane Lamb	JUN15/CMDN/53	Extension to the Public Health Services Contract (Cambridgeshire and Peterborough Foundation Trust)				
5 June 2015		The Cabinet Member approved the expenditure for the				
		extension of the contract with Cambridgeshire an Peterborough Foundation for the provision of Publi Health Services: Community Psychiatric Nursing Detoxification Services and School Nursing Service until 31 March 2016, for the sum of £1,054,031.				
Councillor David Seaton	JUN15/CMDN/55	ND19 – Discretionary Rate Relief				
16 June 2015		The Cabinet Member approved the award of Discretionary Rate Relief for charities and similar organisations shown on the schedule attached to the report to 31 March 2017				
Councillor Wayne Fitzgerald	JUN15/CMDN/56	Extra Care Housing				
15 June 2015		The Cabinet Member approved the award of contracts to provide personal care and support at five extra care schemes.				
Councillor Gavin Elsey	JUN15/CMDN/59	Novation of Organic Waste Treatment Contract				
19 June 2015		The Cabinet Member approved the novation of the existing Organic Waste Composting contract from Organic Recycling Ltd to Material Change Decoy Ltd.				

Councillor John Holdich	JUN15/CMDN/60	School Term Dates 2016/17				
Tiolatori		The Cabinet Member approved the proposed term dates				
24 June 2015		for the academic year 2016/17 as detailed below:				
		AUTUMN TERM 2016				
		Opens	Wednesday 7 September			
		Half Term	24 October to 28 October			
		Ends	Wednesday 21 December			
			71 days			
		SPRING TERM 2017				
		Opens	Wednesday 4 January			
		Half Term	20 February to 24 February			
		Ends Friday 7 April				
		63 days				
		SUMMER TERM 2017				
		Opens	Wednesday 26 April			
		May Day	Monday 1 May			
		Half Term	29 May to 2 June			
		Ends	Thursday 20 July			
			56 days			
			190 teaching days			
Councillor Diane Lamb	JUN15/CMDN/61	S256 Agreement Hospital Liaison Project				
29 June 2015		The Cabinet Member approved the Council entering into a S256 agreement with NHS Cambridgeshire and Peterborough Clinical Commissioning Group for the Hospital Liaison Project and Agreement with Police Commissioner relating to the Innovation Fund.				

COUNCIL	AGENDA ITEM No.11
15 JULY 2015	PUBLIC REPORT

#### **MOTIONS ON NOTICE**

The following notices of motion have been received in accordance with the Council's Standing Order 13.1:

#### 1. Motion from Councillor John Fox

Although the numbers of stray horse incidents are nowhere near the large numbers seen elsewhere in the country, there have been 97 incidents in the last five years in the Peterborough area alone.

There have been some incidents that have occurred that could easily have proven fatal and my concern is that without positive action it will not be long before we see a major fatality on our roads, which involves stray horses.

The introduction of a Green Yard Scheme would go towards addressing the issue. Such schemes have already been piloted by Police Forces across the country and the Council could work in cooperation with Cambridgeshire Constabulary to implement a similar scheme.

Any stray horses would be rounded up and taken to a place of safety until the owner is traced and if the owner cannot be found, the Green Yard Scheme would be called to collect and stable the horse until the owner is found.

Enquiries would be made to contact the owner who would be required to reimburse the Constabulary for the Green Yard callout, transportation and livery fees. Payments, in cash only, could be made at the police station before the Green Yard will return the horse to the owner.

The Green Yard would keep the horse for up to 14 days and if during that time no owner could be established, the horse would become the property of Green Yard. In every case, police officers would look to prosecute the owner under Section 155 Highways Act for allowing animals to stray onto the highway.

I ask that this Council make a request to Cambridgeshire Constabulary to look into the feasibility of introducing a Green Yard Scheme to combat these concerns.

#### 2. Motion from Councillor Ferris

In recognition of the poor Public Health Profile for Peterborough, published in June by Public Health England, and the continuing health inequalities across our city; it is timely to consider the need to work in a more coherent cross-cutting manner, which puts meeting public health targets at the heart of all that this Council does.

This motion proposes that the Health & Wellbeing Board should refocus efforts on a limited number of targets, each of which should become part of its annual work programme and that of all Scrutiny Committees, as well as being incorporated into the work programmes of all Council Departments.

These targets will be reported on and communicated at regular intervals, with a more joined-up approach being taken in order to improve health outcomes. This Council's success will be measured by a step change in the health of our residents.

COUNCIL	AGENDA ITEM. 12(a)
15 JULY 2015	PUBLIC REPORT

#### **ALTERNATIVE GOVERNANCE ARRANGEMENTS**

#### RECOMMENDATIONS

FROM: Chair of the Alternative Governance Working Group

- (1) The Council resolves to adopt an alternative form of governance to take effect from the Annual Council meeting 2016
- (2) The Council notes that the preferred model of alternative governance is a hybrid model of executive decision making with a greater involvement of pre-scrutiny review (a Peterborough model).
- (3) The Council agrees the formation and terms of reference of a working group to design and implement the new proposals
- (4) The Council agrees that the design and implementation working group should report their detailed constitutional proposals to Council by December 2016

#### 1. PURPOSE AND REASON FOR REPORT

- 1.1 On 15 April 2015 the Alternative Governance Working Group presented a report to Council asking it to note the Group's preferred model of governance. This is a 'hybrid' model of governance where the executive (Cabinet and Leader) is retained but the scrutiny function alters its focus to become an advisory body to the executive in addition to providing its post scrutiny functions.
- 1.2 This report asks the Council to agree that it will adopt the new model from the annual council meeting in 2016 and sets out the proposals for how those changes will be achieved.

#### 2. BACKGROUND

- 2.1 Before the Local Government Act 2000, there existed a single model of governance for all Councils. All decisions were made at either full council or the committee to which it had delegated its responsibilities. Individual officers also had some limited delegation of responsibility.
- 2.2 The 2000 Act abolished the committee system and required all councils to adopt a new executive model of governance with either an elected mayor and cabinet, a council manager or an elected leader and cabinet.
- 2.3 Peterborough City Council has operated executive arrangements since 2001 under a Leader and Cabinet model with delegated decision making resting with the Cabinet or individual Cabinet members according to their portfolio. There is limited delegation to officers only for non-key executive decisions.

- 2.4 The Council retains some principal functions. It has responsibility for the budget and the major policy framework of the Council. It also retains some regulatory decision making powers, the majority of which it has delegated to individual committees (planning committee, employment committee, service appeals and scrutiny).
- 2.5 The Localism Act 2011 allowed Councils to exercise discretion regarding their governance arrangements and Councils could continue their existing executive arrangements, return to a committee system or adopt other governance arrangements.

#### 3. ALTERNATIVE GOVERNANCE WORKING GROUP

3.1 The Alternative Governance Working Group was set up to explore the form of governance most suitable for Peterborough City Council. The Group reported back to Council in April regarding the exploratory visits it had made to several councils operating different models of governance. The Group also met on 4 occasions, has hosted visits from two councils and invited John Cade of Inlogov to the informal All Party Policy meetings to provide advice and guidance on the alternatives models available.

#### 4. THE PREFERRED MODEL OF GOVERNANCE

- 4.1 Although the Working Group did not unanimously agree on a preferred single form of governance, all members of the Working Group agreed they would not object to a form of governance based largely on a model operated at Wandsworth London Borough Council.
- 4.2 In this model the executive system of decision making is retained but all reports are, where possible, referred to Scrutiny meetings in advance of the decision being considered by the executive. The scrutiny make recommendations on those proposals which the executive take into account before making their decision.
- 4.3 The Leader and Cabinet are therefore retained, providing the leadership and focal point for the Council which many in the Working Group considered to be a primary benefit of the executive model. With the new role played by scrutiny, this model also allows for backbench and opposition members to take part in the formulation of policy and decision making and so provides the inclusivity which other members of the Working Group considered to be the primary benefit of a new model.
- 4.4 The Forward Plan, which gives notice to the public of forthcoming meetings, will also be retained. The Forward Plan is considered to be of such benefit that some councils which have converted to the committee system have nonetheless retained the Forward Plan, and the concept of key decisions, because of the transparency this gives to the public.

#### 5. **DESIGN AND IMPLEMENTATION**

- 5.1 The findings of the Alternative Governance Working Group have highlighted the need to increase the opportunities for non-executive members to shape and influence the policies of the Council. Within the Council, the scrutiny committees will undergo a refocus of the way in which they operate which will have a consequent impact upon the workings of the executive and officers. This change has already been identified within the scrutiny work programmes this year, and consultation will begin with the scrutiny committees once Council has confirmed this decision.
- 5.2 The Leader and the Cabinet have an essential role in the Design and Implementation Group to ensure the primary leadership role of the executive continues through into

the new model. The Alternative Governance Working Group therefore recommended that the Leader, various Cabinet members and non-executive members ought to sit upon the Group to ensure that the accountability, transparency and leadership role of the executive is preserved within the new governance framework.

- 5.3 The senior officers of the Council also have a significant role to play in developing the new model. In order to ensure that service delivery remains unaffected by the change to the new model, it is vital that officers have a good understanding of their role within a new decision making structure.
- 5.4 Consultation with the public, businesses and other service users of the Council will also be important. The purpose of any governance model is to provide open and transparent decision making to our community so as to provide assurances that public funds are being deployed wisely. Engagement with our wider community is therefore essential.
- 5.5 This report is therefore highlighting the need to provide clear guidance to those using the decision making system and those whom it will impact upon. It is important therefore that the Design and Implementation group comprises or involves a range of stakeholders in its deliberations.
- 5.6 One of the clear messages from the visits to other Councils is the necessity to allow sufficient time to plan for the constitutional changes brought about by the new model. It is therefore suggested that in order to ensure that a sufficiently robust and transparent model of governance is developed, the Alternative Governance Working Group recommends that a new design and implementation group is established. This new Group will be a cross party working group of members and officers which will examine the issues arising from the design of a new model and provide the appropriate timetabling for the introduction of the new constitutional arrangements.
- 5.7 A copy of the proposed terms of reference is attached to this report at Appendix 1.

#### 6. IMPLICATIONS

- 6.1 Financial implications: There are no direct financial implications arising from Part of the terms of reference of the Design and Implementation Group will be to assess whether there are any financial implications arising out of the change to the new model. It is not possible to anticipate the needs of the new structure at this stage
- 6.2 The Design and Implementation Group will comprise officers and members of the Council.
- 6.3 Legal implications: The Council can alter its governance arrangements by a resolution at Council.
- 6.4 There are no further implications arising from this report.

#### 7. BACKGROUND DOCUMENTS

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

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#### **Objective**

A cross party working group of members to design and implement the structure of the proposed governance of the Council. The working group will report to Council in December 2015 with detailed proposals for implementation of the new proposals for the civic year 2016/17.

The objective of the working group is to provide a personalised set of governance arrangements for Peterborough City Council based upon a hybrid model of executive decision making with a greater involvement of pre-scrutiny decision making.

#### **Purpose**

To design and plan the implementation the new governance arrangements to include:

- The role of Cabinet
- Individual Cabinet member decision making
- Executive decisions by officers
- Forward Plan and the corporate work programme
- Budget process
- Urgent decisions
- The new role of scrutiny committees
- The call-in process
- Senior officer engagement and the role of CMT
- Consultation processes
- Changes to the constitution
- Alteration of the civic calendar
- Resourcing the changes

#### **Consultation and communication**

To undertake consultations with senior officers, partner organisations, businesses and other stakeholders on the proposed future governance arrangements

To report into Group Leaders meetings and CMT on a monthly basis regarding proposals being considered

To report back to Council by December 2015 outlining the detailed proposals for the new governance system

#### **Constitution & powers**

The working group shall comprise up to ten members. The working group shall be a cross party working group.

Group Leaders will attend/nominate to the Working Group. Substitution arrangements will apply.

Working Group meetings will be held monthly commencing in July. Meetings may be held more frequently as the Group sees fit.

The Working Group is an informal meeting of members to which the Access to Information rules shall not apply

The Working Group shall appoint a Chair and Vice-Chair at its first meeting

The quorum of the Working Group shall be 3 members

Meetings of the Working Group will be supported and administered by a senior officer within the Governance team and at least one other senior officer to represent the service delivery function, a research officer and administrative support. Briefing papers will be issued in advance of the meeting.

COUNCIL	AGENDA ITEM No. 12(b)	
15 JULY 2015	PUBLIC REPORT	

Contact Officer:	Kim Sawyer, Director of Governance	Tel: 01733 452361	

### APPOINTMENT OF THE VICE CHAIR TO SUSTAINABLE GROWTH AND ENVIRONMENT CAPITAL SCRUTINY COMMITTEE

#### RECOMMENDATIONS

## FROM : Director of Governance and the Sustainable Growth and Environment Capital Scrutiny Committee

It is recommended that Council:

- 1. Note the appointments made to the position of Chair and Vice Chair to each of the Scrutiny Committees and Commissions; and
- 2. To appoint Councillor Nazim Khan as Vice Chair of the Sustainable Growth and Environment Capital Scrutiny Committee.

#### 1. PURPOSE AND REASON FOR REPORT

1.1 The purpose of this report is for Council to appoint a Vice Chair to the Sustainable Growth and Environment Capital Scrutiny Committee for the municipal year 2015/16.

#### 2. BACKGROUND

- 2.1 At the Annual Council meeting it is common practice for all Chairs and Vice Chairs to be appointed for the municipal year, other than those which the Council has decided should be appointed by the Committee itself.
- 2.2 A the meeting held on 20 May 2015, a motion was moved by Councillor Fower and seconded by Councillor Jamil which requested that all Scrutiny Chairs and Vice Chairs be nominated by the Committees themselves at the first meeting apart from the Chair and Vice Chair of Sustainable Growth and Environment Capital Scrutiny Committee where it was proposed to appoint Councillor Sandford as Chair and Councillor Thulbourn as Vice Chair.

- 2.3 The motion was carried and the proposals taken forward with each respective Scrutiny Committee nominating their Chairs and Vice Chairs for the municipal year as below:
  - Scrutiny Commission for Rural Communities Councillor Harrington (Chair),
     Councillor Murphy (Vice Chair)
  - Scrutiny Commission for Health Issues Councillor Rush (Chair), Councillor Ferris (Vice Chair)
  - Strong and Supportive Communities Scrutiny Committee Councillor Forbes (Chair), Councillor Ash (Vice Chair)
  - Creating Opportunities and Tackling Inequalities Scrutiny Committee Councillor Saltmarsh (Chair), Councillor Fower (Vice Chair)
- 2.4 In relation to the Sustainable Growth and Environment Capital Scrutiny Committee, as agreed by Council, Councillor Sandford took up the role of Chair.
- 2.5 The role of Vice Chair subsequently became vacant due to the resignation of Councillor Thulbourn from the Committee.
- 2.6 In the event that a Vice Chair resigns in year, the Council's Standing Order 6.1 'Appointment of Chair or Vice Chair in year vacancy' states that the Council will appoint another Vice Chair at its next meeting following the resignation and in the meantime the Committee may elect a temporary Vice Chair until a new appointment is made by the Council'.
- 2.7 It was therefore proposed that a nomination be sought from the Committee for a Vice Chair, with this nomination to be ratified by Full Council.
- 2.7 At the meeting of the Sustainable Growth and Environment Capital Scrutiny Committee held on 10 June 2015, Councillor Khan was nominated for the role of temporary Vice Chair. The Committee endorsed the proposal for Councillor Khan to take up the role for the remainder of the municipal year. There being no further nominations, this is now for Council to agree.

#### 3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications for any of the above report.

#### 4. LEGAL IMPLICATIONS

4.1 There are no legal implications for the recommendation contained in the report.

#### 5. BACKGROUND DOCUMENTS

5.1 Peterborough City Council Constitution and the minutes of the Sustainable Growth and Environment Capital Scrutiny Committee held on the 10 June 2015.

COUNCIL	AGENDA ITEM No. 12(c)		
15 JULY 2015	PUBLIC REPORT		

Contact Officer:	Kim Sawyer, Director of Governance	Tel: 01733 452361	

#### RECORDING PROTOCOL

#### RECOMMENDATIONS

FROM: Kim Sawyer, Director of Governance

It is recommended that Council adopts the 'Recording Protocol' for inclusion within the Constitution.

#### 1. PURPOSE AND REASON FOR REPORT

- 1.1 This report is presented to Council to ensure that the Constitution contains all relevant supporting protocols and schemes.
- 1.2 Council is delegated responsibility for adopting and reviewing the Constitution and for determining any changes to it.

#### 2. BACKGROUND

- 2.1 At the last meeting of Council on 20 May 2015, the revised Standing Orders were referred for adoption. The Standing Orders were agreed along with supporting protocols/schemes for inclusion within the Constitution, those being the 'Selection of Mayor Protocol' and the 'Petition Scheme'.
- 2.2 The revised Standing Orders included the provision for anyone to be able to take photographs or audio/visual record and utilise social media during any part of the meeting open to the public without the need for express authorisation from the Chairman of a meeting.
- 2.3 This Order was included within the revised Standing Orders following the introduction of the 'Openness of Local Government Bodies Regulations' in 2014 which aimed to give greater transparency to members of the public in relation to the business of council's and other government bodies.

- 2.4 The Regulations made amendment to a number of pieces of legislation including the 'Public Bodies (Admission to Meetings) Act 1960' and made provision for members of the public to film, audio record, photograph and utilise social media at meetings as standard practice.
- 2.5 Following the introduction of the Regulations, guidance was produced for members of the public and this allowed for advance organisation of meeting rooms, appropriate preparation and minimal disruption to proceedings.
- 2.6 The guidance also provided direction around the impact on other members of the public attending meetings, seated in the public gallery, and their rights not to be filmed without their consent, but acknowledging that those members of the public attending a meeting to ask a question or present a petition would likely be filmed.
- 2.7 This guidance has been successfully utilised since September 2014 and is available to view via a link on all meeting agendas.
- 2.8 With the adoption of the revised Standing Orders it is deemed appropriate to include the guidance within the Constitution and for Council to adopt it as one of its supporting protocols.
- 2.9 The guidance has been re-drafted into a protocol format and is attached at Appendix 1.
- 2.10 Council is requested to consider the Protocol and to adopt it into the Constitution at Part 5 Section 10.

#### 3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications for any of the above report.

#### 4. LEGAL IMPLICATIONS

4.1 There are no legal implications for any of the above report.

#### 5. BACKGROUND DOCUMENTS

5.1 The Council's Constitution and the Openness of Local Government Bodies Regulations 2014.

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Protocol on the use of Recording, Photography and the use of Social Media at Public Meetings of the Council

Peterborough City Council

# PROTOCOL ON THE USE OF RECORDING, PHOTOGRAPHY AND THE USE OF SOCIAL MEDIA AT PUBLIC MEETINGS OF THE COUNCIL

#### **Summary**

The purpose of this protocol is to provide guidance to members of the press or public on the taking of photographs or audio/visual recording of any Council or Executive meeting which is held in public.

#### 1. INTRODUCTION

- 1.1 The Openness of Local Government Bodies Regulations 2014 came into force on 6<sup>th</sup> August 2014. These regulations allow any member of the public who wishes to film, audio-record, take photographs and use social media such as tweeting and blogging, to report the proceedings of any meeting that is open to the public.
- 1.2 Peterborough City Council is committed to being open and transparent in the way it conducts its main decision-making meetings and has therefore developed a protocol to assist its citizens in this activity.

#### 2. RECORDING OF PROCEEDINGS

#### 2.1 Access

To facilitate access to Council meetings, a designated area for those wishing to record proceedings will be clearly sign-posted. This area will provide an unfettered view of the meeting. Although there is no requirement to notify the Council in advance of the intention to record a meeting; we respectfully ask those who are wishing to bring large equipment to a meeting, to contact us in advance so that necessary arrangements can be made to accommodate this.

Please email requirements to Democratic.services@peterborough.gov.uk

In order to prevent accidents, the Council regrets it is unable to facilitate members of the public using electric plug sockets in meetings for their equipment.

#### 2.2 Open meetings

Access to record proceedings is only available to meetings, which are open to the public. In limited defined circumstances, some meetings may need to be held in private as confidential and/or exempt information may need to be discussed.

Issue date Version 001

## 2.3 Commentary

Any person can provide written commentary during a meeting, as well as oral commentary outside or after the meeting. Oral commentary is not permitted during a meeting as this would be disruptive to the good order to the meeting.

Although the Council supports the principles of freedom of speech, this should be exercised with personal and social responsibility and be operated within the law of the land. The Council requests those participating not to edit recordings, film or photographs in any way that could lead to misinterpretation of the proceedings. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being photographed, filmed or recorded.

## 2.4 Disruption

Anyone wishing to record a meeting, who acts in a disruptive manner, may be at risk of expulsion. Examples where this may be considered are:

- Moving outside the areas designated for recording without the consent of the Chairman
- Excessive noise in recording or setting up or re-siting equipment during the debate/discussion
- Intrusive lighting and use of flash photography
- Asking for people to repeat statements for the purpose of recording

## 2.5 Impact on meeting attendees

It is important that members of the public, who are seated in the separate public area, are not photographed/filmed/recorded without their consent.

If a member of the public asks a question, presents a petition or makes a representation, however, then they are likely to be filmed and are deemed to have given their consent in these circumstances.

All meeting Agendas, which are published on the Council's website in advance of a public meeting, will include a paragraph on the possibility of a meeting being recorded.

## 3. CONTACT DETAILS

3.1 Anyone wishing to discuss this facility in further detail can contact the relevant Democratic Services Officer as listed on the agenda or email at <a href="mailto:Democratic.services@peterborough.gov.uk">Democratic.services@peterborough.gov.uk</a>

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COUNCIL	AGENDA ITEM No. 12(d)	
15 JULY 2015	PUBLIC REPORT	

# LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) AMENDMENT REGULATIONS 2015

## RECOMMENDATIONS

FROM: Assistant Director: Human Resources and Development

- 1. That Council notes the changes to the statutory process for the dismissal of the Head of the Paid Service, the Chief Finance Officer and the Monitoring Officer following the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015;
- 2. That Council agrees the proposed amendments to the terms of reference for Full Council at Appendix 1.
- 3. That Council agrees the amended Officer Employment Procedure Rules at Appendix 2
- 4. That Council agrees to amend the Constitution to include the revised Officer Employment Procedure Rules and Terms of Reference for Full Council.

#### 1. ORIGIN OF REPORT

- 1.1 This Report is submitted to Council following implementation of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 and consequent to the senior management restructure reported to Council in January 2015. This report is submitted to Council following implementation of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 ("the Regulations").
- 1.2 Other Related amendments to Full Council's terms of reference are also required to give effect to the Regulations and resultant changes to the Employment Procedure Rules.
- 1.3 Minor amendments to the Officer Employment Procedure Rules have also been incorporated in this update and consequent to the senior management restructure reported to Council in January 2015.

## 2. PURPOSE AND REASON FOR REPORT

- 2.1 These Regulations require the Council to make changes to its Employment Procedure Rules for the Head of the Paid Service, the Chief Finance Officer and the Monitoring Officer at this first meeting following annual Council.
- 2.2 The Regulations remove the current requirements for a Designated Independent Person (DIP) to conduct an investigation into a proposed dismissal of the Head of the Paid Service, the Chief Finance Officer and the Monitoring Officer. Instead the Council must make the decision to dismiss the relevant officer having first considered:
  - Any advice, views or recommendations of an independent panel;
  - The conclusions of any investigation into the matter; and
  - Any representations from the relevant officer.
- 2.3 This therefore requires Council to:
  - Amend the terms of reference of Full Council to reflect its new duty; and

- Amend the Officer Employment Procedure Rules to incorporate the changes arising from the new Regulations.
- 2.4 This Report also proposes some minor additional amendments to the Officer Employment Procedure Rules to clarify the definition of Chief and Deputy Chief Officer following on from the senior management restructure.
- 2.5 These amendments result in a revised Constitution. Approval of such changes to the Constitution is in the remit of the Council.

### 3. TIMESCALE

Is	this	а	Major	Policy	NO	If Yes, date for relevant
Item	Item/Statutory Plan?					Cabinet Meeting

## 4. BACKGROUND

4.1 Under the Local Government and Housing Act 1989, the Council is obliged to designate one of its officers as the Head of the Paid Service, one as the Chief Finance Officer (usually known as the S151 Officer) and one as the Monitoring Officer ("Statutory Officers"). In Peterborough City Council the officers are as follows:

Head of Paid Service	Chief Executive
Chief Finance Officer (S151 Officer)	Corporate Director: Resources
Monitoring Officer	Director of Governance

- 4.2 Because the Statutory Officers have particular legal responsibilities to discharge directly to the Council, they have had, since 2001, additional statutory employment protection over and above that which applies to other Council employees. This is in the form of a requirement for the Council having to appoint a Designated Independent Person (DIP) to investigate any allegations of misconduct against them. The law previously therefore prevented any disciplinary action being taken against the Statutory Officers other than in accordance with a report made by a DIP.
- 4.3 Furthermore, under the former requirements, whilst Full Council was statutorily obliged to retain responsibility for confirming the dismissal of the Head of Paid Service, the decision making in respect of the Chief Finance Officer and Monitoring Officer was also retained by the Council.
- 4.4 The new Regulations replace the requirement for a DIP with the requirement for Council to have responsibility for determining the dismissal of all Statutory Officers.
- 4.5 The Regulations also state that the Officer Employment Procedure Rules have to be amended to take account of the new procedures.

#### 5. THE INDEPENDENT PANEL

- 5.1 The rationale for the new process is that the existing DIP process was bureaucratic and time consuming leading to Councils making inflated severance payments to senior officers. The Regulations therefore propose to replace this current process with a recommendation from an independent panel to the Council, which becomes the dismissing body.
- 5.2 The panel must comprise at least two independent members. Independent members are those persons appointed for the purpose of the members conduct regime.

- 5.3 The Regulations state that independent persons are invited to be appointed to the panel in the following order of priority:
  - a) An independent person who has been appointed by the council and who is a local government elector
  - b) Any other independent person who has been appointed by the council
  - c) An independent person who has been appointed by another council or councils

As the City Council currently has only one independent person, it is recruiting further independent members.

- 5.4 Panel members would be remunerated on the same basis as their role as an independent person in the members conduct regime.
- 5.5 The Regulations have created a good deal of national debate and further work will be required before the Council is in a position to adopt any detailed procedures for this new process.
- Additionally, as the mandatory adoption of these regulatory changes are in some instances inconsistent with the terms and conditions of existing Senior Officers, their contractual rights will prevail until such time as amendments are otherwise agreed in consultation with them at a national and/or local level.

#### 6. OTHER CHANGES

- At its meeting on 28<sup>th</sup> January 2015, the Council received a report from the Head of Paid Service setting out her new senior management structure. This new structure established posts of Corporate Director, Director, Service Director, and Assistant Director. All of these posts would be considered to be Chief or Deputy Chief Officers in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001. The Officer Employment Procedure Rules have therefore been amended to take these changes into account.
- 6.2 Paragraph 9 of the Rules have also been updated to reflect the fact that salaries of the Chief Executive and Chief Officers are published on the Council's website.
- 6.3 Paragraph 5.1 of the Rules have been amended to allow the relevant Cabinet Member to attend the Employment Committee in an 'ex officio' capacity when the Employment Committee is appointing a Chief Officer relevant to the portfolio held by that Cabinet Member. As the Cabinet has the right to object to any proposed appointment of a Chief Officer it was thought to be a useful addition to the appointment process to allow the Cabinet Member to attend in a non-voting capacity.

## 7. CONSULTATION

7.1 This report implements a statutory requirement. Formal consultation will need to take place with the existing Senior Officers if it is proposed that contractual variations are required at local level.

## 8. REASONS FOR RECOMMENDATIONS

8.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 make it a mandatory requirement for the Council to make these amendments to its Standing Orders.

## 9. BACKGROUND DOCUMENTS

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

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 SI No 881 and Explanatory Memorandum issued ion  $25^{th}$  March 2015 by Department for Communities and Local Government

## **Article 4 - The Full Council**

## 1. Major Policy Framework

The Council's Major Policy Framework is contained within the Delegations Document (Part 3 of this Constitution).

## 2. Budget

The Budget sets out the following:-

- (a) The funding the Council allocates to different services and projects.
- (b) The amount we should set aside as a contingency fund, to deal with unexpected expenses.
- (c) The Council Tax base.
- (d) The Council Tax to be charged.
- (e) Decisions relating to the Council's need to borrow money, its spending on fixed assets such as equipment and property and the limits on the funds available to transfer between accounts held for different purposes.

## 3. Housing land transfer

Housing land transfer is when, with the Secretary of State's approval, the Council transfers:-

- (a) 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993; or
- (b) land used for residential purposes (if we need approval under sections 32 or 43 of the Housing Act 1985).

#### 4. Functions of the Full Council

Only the Council can:-

- (a) Adopt and change the Constitution (apart from consequential amendments arising from changes to the law and/or changes to the management/committee structure of the Council which may be made by the Monitoring Officer);
- (b) Approve or adopt the major Policy Framework, the Budget and any application for housing land transfer;
- (c) Make decisions about the discharge of an Executive function, if that Executive decision is made in a way which is not in keeping with the major Policy Framework or the Budget;
- (d) Appoint the Leader;
- (e) Agree or amend the rules on how Committees should be set up, what they should do, and how they should do it:
- (f) Appoint the chairman and other members to non-Executive Committees.
- (g) Appoint representatives to outside bodies, unless the Executive or another body is responsible for making the appointment;
- (h) Adopt a Members' allowances scheme;
- (i) Change the name of the area, give somebody the title of 'Honorary Alderman', or give them the 'Freedom of the City';
- (j) Confirm the appointment of the Chief Executive;
- (k) Confirm the dismissal of the Chief Executive, Monitoring Officer and/or the Chief Finance Officer following a recommendation from the Independent Panel which shall include at least 2 independent persons;
- (I) Revise or adopt byelaws, and promote or oppose local regulations;

- (m) All functions set out in part 3 of this Constitution which the Council decides should be carried out by itself rather than the Executive;
- (n) All other matters which, by law, must be dealt with by the Council

## 5. Council meetings

There are three types of Council meeting:

- (a) the Annual meeting;
- (b) Ordinary meetings; and
- (c) Extraordinary meetings.

All meetings will be conducted in accordance with Part 4 of this Constitution.

## 6. Responsibility for functions

Part 3 of this Constitution sets out the responsibilities of:-

- (a) the Council
- (b) the Executive; and
- (c) Regulatory committees.

The Executive functions may be carried out by:

- (a) the whole Executive;
- (b) a committee of some Executive members;
- (c) an individual Member of the Executive;
- (d) a Council officer.

## Section 9 - Officer Employment Procedure Rules

#### 1. INTRODUCTION

1.1. The Council has people working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. These rules govern the way that officers are appointed and dismissed and focus in particular on the role that elected members have in officer appointments and dismissals.

## 2. **DEFINITIONS**

#### 2.1. In these rules:

- "Chief Officer" means a statutory chief officer or a non-statutory chief officer who, as respects all or most of the duties of his/her post, reports directly to the Head of Paid Service
- "Deputy Chief Officer" means a Service Director or Assistant Director who as respects all or most of the duties of his/her post, reports directly to a chief officer
- A Head of Service or position of an equivalent level or below shall not be regarded as a Chief Officer or Deputy Chief Officer even though they may report directly to a Chief Officer or the Head of Paid Service.

# 3. RECRUITMENT OF HEAD OF PAID SERVICE, CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS

- 3.1. Where the Council proposes to appoint a Head of Paid Service, Chief Officer or Deputy Chief Officer the Council will draw up a statement specifying:
  - (a) the duties of the officer concerned; and
  - (b) any qualifications or qualities to be sought in the person to be appointed.
- 3.1 Where it is proposed that the appointment will not be made exclusively from among their existing officers the Council will make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
- 3.2 The Council will make arrangements for a copy of the statement mentioned above to be sent to any person on request.

### 4. APPOINTMENT OF HEAD OF PAID SERVICE

- 4.1. The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Employment Committee (or such other Committee as the Council shall determine), provided that the Committee includes at least one Cabinet Member
- 4.2. Before any recommendation is made by the Committee to Council, every Cabinet Member must be notified of:
  - (a) the name of the person to be appointed;
  - (b) any other particulars relevant to the appointment;
  - (c) the period within which objection to the appointment or dismissal is to be made; which shall be at least 2 clear days.
- 4.3. The full Council may only approve the appointment where no material or well-founded objection has been made by the Leader or Cabinet Member.

#### 5. APPOINTMENT OF CHIEF OFFICERS & DEPUTY CHIEF OFFICERS

- 5.1 The Employment Committee will approve the appointment of Chief Officers and Deputy Chief Officers provided that the Committee includes at least one Cabinet Member. For the appointment of a Chief or Deputy Chief Officer, the relevant Cabinet Member is invited and entitled to attend the Employment Committee meeting in its entirety
- 5.2 Before any decision is made by the Committee every Cabinet Member must be notified of:

- (a) the name of the person to be appointed;
- (b) any other particulars relevant to the appointment:
- (c) the period within which objection to the appointment is to be made; which shall be at least 2 clear days.
- 5.3 The Committee may only approve the appointment of a Chief Officer or Deputy Chief Officer where no material or well-founded objection has been made by the Leader on behalf of himself or other Cabinet Member.

# 6 DISCIPLINARY ACTION & DISMISSAL OF THE HEAD OF PAID SERVICE, CHIEF FINANCE OFFICER AND MONITORING OFFICER

- 6.1 The full Council will approve the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Office following a Recommendation of dismissal by the Independent Panel
- 6.2 Independent persons would be invited to be appointed to the panel in the following order of priority:
  - An independent person who has been appointed by the council and who is a local government elector
  - Any other independent person who has been appointed by the council
  - An independent person who has been appointed by another council or councils
- 6.3 The Council will pay remuneration to the Independent Panel Members which shall be limited to the level of remuneration paid to independent persons who are members of the Standards Committee.
- 6.4 Before any recommendation is made by the Independent Panel to Council, every Cabinet Member must be notified of:
  - (a) the name of the person to be dismissed;
  - (b) any other particulars relevant to the dismissal;
  - (c) the period within which objection to the dismissal is to be made; which shall be at least 2 clear days.
- 6.5 The full Council may only approve the dismissal where no material or well-founded objection has been made by the Leader or other Cabinet Member.

### 7 DISMISSAL OF OTHER CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS

- 7.1 The Employment Committee will approve the dismissal of all other Chief Officers and Deputy Chief Officers provided that the Committee includes at least one Cabinet Member
- 7.2 Before any decision is made by the Committee every Cabinet Member must be notified of:
  - (a) the name of the person to be dismissed;
  - (b) any other particulars relevant to the dismissal;
  - (c) the period within which objection to the appointment or dismissal is to be made; which shall be at least 2 clear days.
- 7.3 The Committee may only approve the dismissal of a Chief Officer or Deputy Chief Officer where no material or well-founded objection has been made by the Leader on behalf of himself or other Cabinet Member.

#### 8 APPOINTMENT AND DISMISSAL OF OTHER OFFICERS

- 8.1 Appointment of officers other than Chief Officer, Deputy Chief Officer, assistants to political groups and an assistant to the Mayor is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Members.
- 8.2 Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.
- 8.3 The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Member or officer of the Council or of the partner of such persons.
- 8.4 No candidate related to a Member or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him or her.

- 8.5 Any candidate who fails to disclose such a relationship will be disqualified from appointment. The content of this paragraph will be included in any recruitment information.
- 8.6 The Council will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- 8.7 No Member will seek support for any person for any appointment with the Council.
- 8.8 This does not preclude a Member or the Mayor from giving a written reference for a candidate for submission with an application for appointment.
- 8.9 Members will not be involved in the dismissal of any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, procedures, as adopted from time to time which may allow a right of appeal to Members in respect of dismissals.

# 9 PUBLICATION OF SALARIES AND EXPENSES OF THE CHIEF EXECUTIVE, AND CHIEF OFFICERS

9.1 The Council will publish the salaries and expense claims of its Chief Executive, and Chief Officers on an annual basis at the same time as the allowances and expense claims of its elected Members are published. This information will be published on the Council's website in accordance with the Transparency Code.

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