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**Proposed Resolution to be moved at Council  
(Annual Appointments and the Scheme of Delegations)**

The Leader will refer to the revised report that has been circulated and the contents of the order paper.

The Leader will then move the following:

1. That Council notes the Leader's appointment of Cabinet members and their portfolios as follows:

Councillor Cereste	Leader of the Council
Councillor Lee	Deputy Leader and Cabinet Member for Environment Capital and Culture
Councillor Croft	Cabinet Member for Strategic Planning, Growth and Human Resources
Councillor Elsey	Cabinet Member for Regional and Business Engagement
Councillor Hiller	Cabinet Member for Neighbourhoods, Housing and Community Development
Councillor Holdich	Cabinet Member for Education, Skills and University
Councillor Lamb	Cabinet Member for Health and Adult Social Care
Councillor Scott	Cabinet Member for Children's Services
Councillor Seaton	Cabinet Member for Resources

Cabinet Advisors:

Councillor Benton	Cabinet Advisor for Neighbourhoods, Housing and Community Development
Councillor S Dalton	Cabinet Advisor for Environment Capital and Culture
Councillor C Day	Cabinet Advisor for City Services

2. That the Leader's Scheme of Delegations to Cabinet Members be noted;
3. That the new scrutiny arrangements as set out at paragraph 3 of the report be agreed;
4. That the Committee structure as set out at paragraph 4.3, of the report and the new programme of meetings for 2009/10 as set out at Appendix 1 to the report be approved;
5. That the Terms of Reference for the new Scrutiny Committees and Commissions as set out at Appendix 2 be approved;
6. That the allocation of seats to political groups as set out at paragraph 6 of the report be approved;
7. That the Chairmen and Vice-Chairmen of the Committees including the Chairman Elect of the proposed Area Committees, and the Committee Memberships for 2009/10 and co opted members be approved as set out in the order paper; and
8. That consequential updating of the Constitution arising from 2, 3, 4 and 5 above be delegated to the Solicitor to the Council.

# 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 Forward Plan;
- (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 exercised by 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 Functions exercised by the Leader**

- 3.3.1 To determine 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).
- 3.3.2 To appoint the Cabinet Members, determine their remits and monitor their performance.
- 3.3.3 To determine, and ensure publication of, the Forward Plan of key executive decisions.
- 3.3.4 To play the leading role in providing political leadership for the Council, and develop and implement the Administration's policy programme.
- 3.3.5 To co-ordinate the Council's overall strategic direction, programme and performance management, and act as the Strategic Member Champion for the Council's budget and capital strategy, audit arrangements, and Human Resources Strategy, in accordance with the Council's procedure rules.
- 3.3.6 To advise the relevant Executive Director or Deputy Chief Executive about the filling of vacancies on the establishment via an external advertisement between Scale 9 and Head of Service level.
- 3.3.7 To respond to relevant consultations by Central Government and other agencies.
- 3.3.8 To be chairman of the Cabinet.
- 3.3.9 To determine any disputed appointments to external organisations and review the list of organisations to which appointments are made in accordance with Part 4 of the Council's Delegations Document.
- 3.3.10 To be responsible for Emergency Planning and resilience issues.
- 3.3.11 To be responsible for the Local Area Agreement

### **3.4 Functions of the Deputy Leader and Cabinet Member for Environment Capital and Culture**

- 3.4.1 To deputise for the Leader in his/her absence, or at his/her instruction, in relation to all of the functions which are the Leader's responsibility (except the allocation of delegated functions).
- 3.4.2 To be responsible for the exercise of the Council's functions in running Peterborough Museum, in accordance with its Foundation Scheme, advised by a panel comprising councillors and people nominated by the Peterborough Natural History, Scientific & Archaeological Society.
- 3.4.3 To lead and develop the Council's aspirations to become Environmental Capital by,:
- a) Overseeing policy alignment across service areas to promote environmental considerations.
  - b) Establishing positive work relationships with environmentally themed organisations and to drive the Sustainable Community Strategy objective, through the LAA targets, of creating the Country's Environment Capital.
  - c) Promoting nationally, regionally and locally the City's Environmental aspiration in the media by developing a coherent public relations strategy.
- 3.4.4 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 the following areas:
- a) Culture and Recreation (including sports, leisure and fairs);
  - b) Libraries and Archives
  - c) Arts and Museums
  - d) Tourism and International Links;
  - e) Cemeteries and Crematoria;
  - f) Environment Strategies
  - g) Strategic waste management, including refuse collection, recycling and disposal
- 3.4.5 To request Scrutiny Committees to review changes to policy and strategy within these service areas.
- 3.4.6 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.
- 3.4.7 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.
- 3.4.8 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

### **3.5 Functions of the Cabinet Member for Education, Skills and University**

- 3.5.1 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 the following areas:
- a) functions, powers and duties for which the Council is responsible as the Local Education Authority;
  - b) School improvement, property maintenance and asset management (excluding disposal);
  - c) 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);
  - d) Higher Education/University Provision
- 3.5.2 To appoint representatives of the Council to school governing bodies in accordance with agreed democratic arrangements, and in consultation with recognised Political Group Secretaries where the number of nominations exceeds the number of nominations.
- 3.5.3 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.5.4 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.
- 3.5.5 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.
- 3.5.6 To make decisions on actions relating to contracts including:
- (i) Awarding, assigning and terminating contracts over £500k;
  - (ii) Waiving or granting exemptions to Contract Regulations where contracts are over £500k

**3.6 Functions of the Cabinet Member for Children's Services**

- 3.6.1 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 the following areas:
- 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) To responsible 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) To lead on the development and ongoing management of the Children's Trust
  - d) Youth Services, community education and careers services
  - e) Youth offending services
  - f) Children's Play Service
- 3.6.2 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.6.3 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.
- 3.6.4 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.
- 3.6.5 To make decisions on actions relating to contracts including:
- (i) Awarding, assigning and terminating contracts over £500k;
  - (ii) Waiving or granting exemptions to Contract Regulations where contracts are over £500k

### **3.7 Functions exercised by the Cabinet Member for Neighbourhood, Housing and Community Development**

- 3.7.1 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 the following areas:
- (a) Planning (Development Control), Highways and Transport, including car parking and the local transport plan
  - (b) Building Act 1984
  - (c) Environmental protection and trading standards including functions undertaken as the Weights and Measures authority.
  - (d) Landscape management and grounds maintenance (this applies to policy, administration and service standards)
  - (e) Homelessness and housing options
  - (f) Community Cohesion
  - (g) Community Safety
  - (h) Drugs prevention
  - (i) Special Government directed Housing Schemes
  - (j) Street cleaning, public conveniences and graffiti
  - (k) Building and grounds maintenance
  - (l) Maintenance of green and open spaces
  - (m) Traveller sites
- 3.7.2 To maintain close liaison with the Planning and Environmental Protection Committee, Licensing Committees and Scrutiny Committees to review changes to policy and strategy within these service areas.
- 3.7.3 To be responsible for budget planning, monitoring and expenditure/savings over £500,000 in these service areas with Executive Directors and the Director of Strategic Resources, ensuring that it remains in the cash limit, reporting any issues which cannot be resolved within the service budget to the Leader of the Council.
- 3.7.4 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.
- 3.7.5 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.7.6 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.

### **3.8 Functions of the Cabinet Member for Resources**

- 3.8.1 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 the following areas:
- a) Strategic Resources and Corporate Management (excluding Human Resources)
  - b) Financial Strategy and Resources Planning
  - c) Annual Budget preparation
  - d) Annual Accounts
  - e) Audit Arrangements
  - f) Capital Programme
  - g) Investment, Borrowing, Leasing and Treasury Management
  - h) Funding for individuals, voluntary and not-for-profit organisations/individuals
  - i) Council Tax and Benefits Administration
  - j) Information Communication Technology and E-Government
  - k) Procurement
  - l) Asset Management and property services - Any property transactions over £250,000 to be taken in consultation with the Leader of the Council.
  - m) Registrar and Coroner's Service
  - n) Insurance
  - o) Discretionary Rate Relief
  - p) Business Transformation
  - q) Customer Focus
- 3.8.2 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.8.3 To be responsible for budget planning, monitoring and expenditure/savings over £500,000 in these service areas and City Services 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.
- 3.8.4 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.
- 3.8.5 To write off debts of any type which are in excess of £10,000 and deemed to be irrecoverable.
- 3.8.6 To make decisions on actions relating to contracts including:
- (c) Awarding, assigning and terminating contracts over £500k;
  - (d) Waiving, or granting exemptions to Contract Regulations where contracts are over £500k.
- 3.8.7 To monitor the Council's overall budgetary position and:
- (a) discuss, negotiate where necessary and help problem solve any issues concerning budgets for particular service areas with the Cabinet Member responsible for that budget;
  - (b) through regular budget scrutiny, anticipate future pressures;

- (c) make recommendations for Cabinet to determine in respect of all budgetary control issues;
- (d) keep the Cabinet advised of budget deficits or surpluses;
- (e) to determine applications for supplementary estimates, virements or allocation of the corporate contingency, within the limits set by Council for determination by the Executive.

### **3.9 Functions of the Cabinet Member for Business and Regional Engagement**

- 3.9.1 To exercise the Executive powers and duties of the Council (those not listed in schedule 2.6.3) for strategic development, policy direction, partnership working, key decisions, programme and performance management, in accordance with the Council's procedure rules, for the following areas:
- a) Communications and marketing
  - b) City Centre management including CCTV
- 3.9.2 To maintain close liaison with the Planning & Environmental Protection Committee and request the Scrutiny Committee or Commission to review changes to policy and strategy within these service areas, and lead the Cabinet's consultation with them in relation to the successive stages of reviewing the Local Development Plan.
- 3.9.3 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.
- 3.9.4 To have an ambassadorial role in attracting business development and inward investment in the City.
- 3.9.5 To be the lead member for attracting national, regional and european funding to aid economic prosperity and regeneration into the City.
- 3.9.6 To champion the creation of jobs.
- 3.9.7 To be the Council's representative at national, regional and local forum to promote the City as centre for business growth
- 3.9.8 To respond to relevant consultations by Central Government and other agencies.
- 3.9.9 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.9.10 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.
- 3.9.11 To make decisions on actions relating to contracts including:
- (i) Awarding, assigning and terminating contracts over £500k;
  - (ii) Waiving or granting exemptions to Contract Regulations where contracts are over £500k

### **3.10 Cabinet Member for Health and Adult Social Care**

- 3.10.1 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 the following areas:
- a) adult social care responsibilities (overseeing the work of NHS Peterborough);
  - b) health improvement;
  - c) the Council's financial contribution to the NHS Peterborough;
  - d) health-related issues.
  - e) Public Health
  - f) Supporting People
- 3.10.2 To review and secure the exercise of the 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.
- 3.10.3 To be responsible 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 Health Act 1999, including acting as a member of key bodies, and agreeing social services related partnership matters.
- 3.10.4 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.10.5 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.
- 3.10.6 To act as the Council's lead spokesperson, representative on strategic bodies (including the GPP Health and Well Being Partnership Board, NHS Peterborough Board and Governance Group and Peterborough Hospitals Trust) and Member Champion for these service areas and to respond to relevant consultations by Central Government and other agencies. (Notwithstanding the Scrutiny role as statutory consultee in relation to proposals for substantial development or variations to the provision of health services in the Council's area).

**3.11 Cabinet Member for Strategic Planning, Growth and HR**

- 3.11.1 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 the following areas:
- a) Strategic Planning Authority including minerals and waste (this applies to policy formulation and development)
  - b) Strategic Housing;
  - c) Affordable Housing;
  - d) The City Council's Economic Development and Regeneration
  - e) Infrastructure development;
  - f) The City Council's Growth Strategy;
  - g) Human Resources
  - h) Human Resources Strategy, employee budgets and Trade Union Resources (consulting Employment Committee, where appropriate)
  - i) Health and Safety
  - j) Senior Management Arrangements
- 3.11.2 To attend regional and sub-regional partnership meetings across a range of Council activities and to represent the Council on the major Peterborough based strategic partnerships.
- 3.11.3 To provide a regular update to the Cabinet about the operation and effectiveness of these partnership arrangements.
- 3.11.4 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these service areas.
- 3.11.5 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, reporting any issues which cannot be resolved within the service budget to the Leader of the Council.
- 3.11.6 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.
- 3.11.7 To make decisions on actions relating to contracts including:
- (i) Awarding, assigning and terminating contracts over £500k;
  - (ii) Waiving or granting exemptions to Contract Regulations where contracts are over £500k.

### 3.12 Names of the Cabinet Members

<b>Name</b>	<b>Address</b>	<b>Ward</b>
Councillor Cereste <b>Leader of the Council</b>	18 Ivatt Way, Westwood, Peterborough, PE3 7PG	Stanground Central
Councillor Lee <b>Deputy Leader and Cabinet Member for Environment Capital and Culture</b>	c/o Members' Services, Room 15, Town Hall, Peterborough, PE1 1HG	Fletton
Councillor Croft <b>Cabinet Member for Strategic Planning, Growth and Human Resources</b>	c/o Members' Services, Room 15, Town Hall, Peterborough, PE1 1HG	Fletton
Councillor Elsey <b>Cabinet Member for Regional and Business Engagement</b>	23 Fraserburgh Way, Peterborough, PE2 6SS	Orton Waterville
Councillor Hiller <b>Cabinet Member for Neighbourhood, Housing and Community Development</b>	28 West End Road, Maxey, Peterborough, PE6 9EJ	Northborough
Councillor Holdich <b>Cabinet Member for Education, Skills and University</b>	1 Rectory Lane, Glington, Peterborough, PE6 7LR	Glington and Wittering
Councillor Lamb <b>Cabinet Member for Health and Adult Social Care</b>	c/o Members' Services, Room 15, Town Hall, Peterborough, PE1 1HG	Glington and Wittering
Councillor Scott <b>Cabinet Member for Children's Service</b>	6 Nansicles Road, Peterborough, PE2 7AS	Orton with Hampton
Councillor Seaton <b>Cabinet Member for Resources</b>	340 Horseshoe Way, Hampton Vale, Peterborough, PE7 8LG	Orton with Hampton

<b>COUNCIL</b>	<b>AGENDA ITEM 10</b> (revised version)
<b>18 MAY 2009</b>	<b>PUBLIC REPORT</b>

Contact Officer(s):	Helen Edwards, Solicitor to the Council	Tel: 01733 452539
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### **ANNUAL APPOINTMENTS AND SCHEME OF DELEGATIONS (revised version)**

R E C O M M E N D A T I O N S
<b>FROM : SOLICITOR TO THE COUNCIL</b>
That Council considers and agrees the following recommendations :
<u>Election of Leader:</u>
1. Elect the Leader of the Council;
<u>Delegations, Structures, Allocations and Appointments:</u>
2. Note the Leader's Scheme of Delegations to Cabinet Members;
3. Agrees new scrutiny arrangements as set out at paragraph 3 of this report;
4. Agrees its Committee structure as set out at paragraph 4.3 of this report and adopts the new programme of meetings for 2009/10 as set out at Appendix 1;
5. Approve the Terms of Reference of the Scrutiny Committees and Commissions as set out at Appendix 2;
6. Agrees the allocation of seats to political groups as set out at paragraph 6 of this report;
7. Appoints Chairmen and Vice Chairmen of Committees including the Chairman Elect of the proposed Area Committees, and Committee Memberships for 2009 / 2010 and co-opted members as set out in the report to be tabled at the meeting; and
8. Delegates consequential updating of the Constitution to the Solicitor to the Council arising from 2, 3, 4 and 5 above.

#### **1. ELECTION OF LEADER**

The Leader must be elected by the Council. The Council is required to appoint an Executive in accordance with the Local Government Act 2000 (LGA 2000). The Executive must consist of the Leader of the Council and up to nine other Cabinet members. Peterborough City Council uses the term Cabinet to describe its Executive.

The LGA 2000 allows either the Council or the Leader to appoint Cabinet Members. The Council has agreed that the Leader may appoint his/her Cabinet, and its Constitution provides that all executive functions are delegated to the Leader who may then further delegate to the Cabinet.

## **2. DELEGATION TO CABINET MEMBERS**

The Leader, once elected, will confirm the appointment of the Cabinet and will confirm delegations to those Cabinet Members. Council is RECOMMENDED to note those delegations.

## **3. NEW ARRANGEMENTS FOR SCRUTINY**

- 3.1 Scrutiny plays a key role in scrutinising the delivery of the Sustainable Community Strategy (SCS) and Local Area Agreement by challenging the performance and decision making of all partners within the Greater Peterborough Partnership. The Scrutiny Committees are aligned to ensure all of the priorities are scrutinised effectively.
- 3.2 The remits of the Scrutiny Committees ensure that there is greater emphasis on scrutiny of the priorities and delivery of the SCS and the committees will be able to call-in for reconsideration Executive decisions. In addition, the Environmental Capital Scrutiny Committee will be responsible for the budget as a whole and the Sustainable Growth Scrutiny Committee will be responsible for business efficiency.
- 3.4 The two Scrutiny Commissions, which cover health and rural issues, will ensure that the needs of these key areas are met through the work of the Council and partners. The Scrutiny Commission responsible for rural communities will not have the power to call in executive decisions. However, the Scrutiny Commission covering health issues will have the power of call-in as this Commission is required to undertake all of the Council's statutory functions in accordance with section 244 of the National Health Service Act 2006 and adult social care.
- 3.5 The Chairman of the Environment Capital Scrutiny Committee will become the Lead Member for scrutiny and will be responsible for overseeing the function. This includes the responsibility for invoking the urgency and special urgency provisions.
- 3.6 It is RECOMMENDED that the Council agrees a new scrutiny structure as follows:
  - Scrutiny Commission for Health Issues
  - Scrutiny Commission for Rural Communities
  - Creating Opportunities and Tackling Inequalities Scrutiny Committee
  - Environment Capital Scrutiny Committee
  - Strong and Supportive Communities Scrutiny Committee
  - Sustainable Growth Scrutiny Committee

## **4. COMMITTEE STRUCTURE**

- 4.1 The Council is permitted by statute and its Constitution to appoint committees to carry out functions of the Council on its behalf and this must be done annually.
- 4.2 The Council must by law appoint at least one Scrutiny Committee including a Health Scrutiny Committee, a Standards Committee and a Committee to fulfil its functions under the Licensing Act 2003.
- 4.3 The Committee structure would be amended in accordance with the new arrangements for scrutiny identified at paragraph 3 above. It is RECOMMENDED that the Council appoint the following committees comprising the number of Councillors to carry out functions as detailed elsewhere in this report as follows:

**Table 1 – Committee Structure**

Committee	No of Councillors
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 Scrutiny Committee	7
Environment Capital Scrutiny Committee	7
Audit Committee	7
Employment Committee	7
Licensing Committee	10
Planning and Environmental Protection Committee	10
Appeals Committee (Service Issues) *	3
Joint Consultative Panel *	7
<u>Other bodies to which S.15 LGHA applies</u>	
Selection Panel (Independent Members Standards Committee)*	9
Employment Appeals Sub Committee*	3
<u>Committees to which S.15 does not apply</u>	
Standards Committee	5 + 5 independent members and 2 parish reps
Licensing Act 2003 Committee	10
* NB. In accordance with decisions already taken by Council, it is proposed that the seats on these committees are not subject to political balance arrangements.	

4.3 In addition to the above, it is proposed that 3 Area Committees be set up as part of the Council's decision making framework. It is proposed, subject to further discussion and consultation, to set them up covering the following areas:

- South
- Central and East
- North and West

Such committees are a way of making decision-making more accessible and accountable to local communities and this is seen as a positive step forward that will involve Ward Councillors and local citizens more directly in the decisions that affect their local communities.

Detailed proposals regarding the remit of Area Committees will be submitted to the July meeting of Council, along with their terms of reference and respective memberships.

This will follow a period of discussion and consultation on the proposed remit of these committees with all Members of Council. In order for this process to be effectively led, it is proposed to appoint three chair-elects for these committees who will be responsible for the discussions and consultation with Councillors.

## 5. TERMS OF REFERENCE OF COMMITTEES AND DELEGATIONS

- 5.1 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.
- 5.2 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.
- 5.3 The Council's scheme of delegation to committees remains unchanged with the exception of the terms of reference for the Scrutiny Committees as detailed in Appendix 2 to this report.
- 5.4 These terms of reference and delegations will be included within the Scheme of Delegations at Part 3 of the Council's Constitution.

## 6. ALLOCATION OF SEATS TO POLITICAL GROUPS

- 6.1 Seats on Council committees and other bodies to which Section 15 of the Local Government and Housing Act 1989 apply 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 5 above sets out the classification of committees and other bodies within the Council's proposed committee structure.
- 6.2 Put simply, the law provides that the party 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 S.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 S.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 S.15 does not apply as a matter of law can be allocated as decided by Council.
- 6.3 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 on which committees to allocate seats to the minority groups who are not entitled to seats on every committee. The Council must determine where seats should be allocated to give effect to these requirements.
- 6.4 Applying the political balance rules to calculate the number of seats on ordinary committees to be allocated on ordinary committees produces the following calculation. The political balance calculation applies to the total number of seats on ordinary committees, namely 76. Applying the political balance rules to the total number of seats produces the following calculation:

<b>PARTY</b>	<b>Cons.</b>	<b>P. I. F.</b>	<b>Lib Dem</b>	<b>Labour</b>	<b>TOTAL</b>
No. elected:	43	9	3	2	<b>57</b>
<b>Proportionality %</b>	75.44	15.79	5.26	3.51	<b>100.00</b>
<b>No. of Seats</b>	57	12	4	3	<b>76</b>

The seats must be allocated across all ordinary committees to give effect to that calculation. The proposed allocation of seats on each committee will be presented to Council in the order paper.

- 6.5 In accordance with decisions already taken by Council it is proposed that the seats on the following committees continue to be exempt from political balance rules and that seats are allocated as shown.
- Licensing Act 2003 Committee (7 from the majority group plus 1 from each remaining group)
  - Standards Committee (5 members – 2 from the majority group plus 1 from each remaining group, plus 5 independents and 2 Parish representatives appointed by Council from time to time).
- 6.6 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 (para 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).
- 6.7 An additional 4 members of the majority group may be appointed to the relevant committee in order to ensure that the group can retain its majority after including the 4 Education co-optees into the membership. However, as these co-optees may only vote on education matters, it is recommended that, as in previous years, Council agrees to the allocation of the additional places, but that they only be used should the need arise in order to retain the political balance.
- 6.8 Police Authority and Fire Authority

Allocation of seats on the Police and Fire Authorities remain unchanged pending the outcome of the elections for Cambridgeshire County Council which are being held in June 2009, following which the seat allocations for the respective political parties will be recalculated.

Fire Authority:

There are 17 seats on the Cambridgeshire and Peterborough Fire Authority, four of which are allocated to Peterborough City Council representatives and 13 of which are allocated to Cambridgeshire County Council representatives. The seats are allocated on a county-wide proportionate basis, so the distribution will be revised following the elections for Cambridgeshire County Council in June 2009.

	Con Grp (43)	P. I. F. (9)	Lib Dm (3)	Lab Grp (2)
4 Seats	3	1	0	0

The nominations from the Conservative Group and the Peterborough Independent Forum will be included in the order paper. In the event of the proportionality changing following the County Council elections, a further report will be submitted to full Council in July seeking approval of the revised recommendations.

Police Authority:

Peterborough City Council appoints indirectly to the Cambridgeshire Police Authority through a Joint Appointments Committee with Cambridgeshire County Council. The seats are allocated on a county-wide proportionate basis, so the distribution will be revised following the elections for Cambridgeshire County Council in June 2009. The Joint Committee will meet following the election.

	Con Grp (43)	P. I. F. (9)	Lib Dm (3)	Lab Grp (2)
2 Seats	2	0	0	0

Nominations will be included in the order paper.

- 6.9 Council has established a Selection Panel for the Appointment of Independent Members of the Standards Committee. This is an advisory panel and is covered by the political balance arrangements. However it is intended that this should retain cross party representation as in previous years. The members are appointed as and when required on nomination from the political groups.

9 seats:	6	1	1	1
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- 6.10 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: 2 to the Conservative Group and 1 to one of the other minority groups.

## 7. APPOINTMENT OF CHAIRMEN AND VICE CHAIRMEN AND TO COMMITTEES

- 7.1 The Council must decide which Councillors to appoint as Chairmen and Vice Chairmen of its Committees at its annual meeting.
- 7.2 It is RECOMMENDED that the Council appoints those members nominated as Chairman and Vice Chairman of each Committee as shown in the order paper.
- 7.3 The Council must decide which Councillors should be appointed to which of its Committees at its annual meeting. Nominations from each of the political groups will be set out in the order paper.
- 7.4 Within the structure, education matters will be 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.

The education co-opted members are currently:

Voting members:

Dr Frank Smith, Peterborough Diocesan Board of Education;

Julie O'Connor, Director of Diocesan Schools Service (Roman Catholic Church, Diocese of East Anglia);

Margaret Anne Kirkbride (Parent Governor Representative);

The Revd Canon Tim Elbourne, Director of Education & Training (Diocese of Ely Diocesan Office);

Parent Governor Representative - Vacant;

Non-voting member: Vacancy (other faith representative).

It is RECOMMENDED that Council appoints these education co-opted members to the Creating Opportunities and Tackling Inequalities Scrutiny Committee.

## 8. CONSULTATION

The proposals in this report are the same as have been submitted and approved by Council in previous years other than the nominations for 2009 / 2010 which have been made by the respective political groups.

**9. REASONS FOR RECOMMENDATIONS**

The recommendations are made so that the Council considers and makes the necessary decisions to ensure that its business can be conducted effectively and efficiently according to the legal and constitutional requirements for the municipal year 2009 / 2010.

**10. ALTERNATIVE OPTIONS CONSIDERED**

There are no alternatives to appointing a Leader and applying the political balance rules in the way that is indicated in this report. There are alternatives to the appointment of the committees as proposed. The Council could determine all decisions and carry out all functions of the Council. It is advised that this would be unworkable, ineffective and inefficient. Alternatively, the Council could determine a different committee structure but this is not proposed at this time.

**11. IMPLICATIONS**

11.1 Legal

The proposals in this report comply with all legal requirements.

11.2 Financial

There are no new financial implications.

**12. BACKGROUND DOCUMENTS**

None

PETERBOROUGH CITY COUNCIL MEETING DATES  
JUNE 2009 - MAY 2010

APPENDIX 1

MEETING	TIME	JUNE	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY
COUNCIL	7pm		15			14		2		24		14	
Mayor Making and Annual Council	6.30pm												17
Cabinet	10am		6		14		2	14		1	29		
Parish Council Liaison			22		23		18		20		31		
<b>Scrutiny</b>													
Rural Commission	7pm		27			5	23		25		22		
Health Commission	7pm		14		8		10		12		9		
Sustainable Growth	7pm		20		14		16		18		15		
Creating Opportunities & Tackling Inequalities	7pm		21		15		17		19		16		
Environment Capital	7pm		16		17		12		14		11		
Strong and Supportive Communities	7pm		23		10		19		21		18		
<b>REGULATORY COMMITTEES</b>													
Audit Committee	7pm	1 & 29			7 & 28		2			8	29		
Planning & Env. Protection (PEP)	1.30pm	2	7		8	13	10	8	12	9	9	13	
PEP provisional dates		23	28		22	27	24	22	26	23	23	27	
Standards Committee	7pm	10			9		4		13		17		
Standards Committee provisional dates		8				14		9		10		21	
Licensing/Lic. Act 2003 Committees	9.30am	16	14		15	20	17	15	12	16		13	
Employment Committee	3pm	25			17		19		21		18		
<b>OTHER BODIES</b>													
Police Authority	4pm				30			21		11			
Combined Fire Authority	2.30pm					15				18			
All Party Policy	6pm	25	30		24	29	26		28	25	25		27
Corporate Parenting Group Provisional Dates	6.30pm	10	22		16		11		27		24		
<b>Other Events</b>													
Conservative Party Conference						5-8							
Labour Party Conference					27-30	1							
Lib Dem Party Conference					19-23								
SOLACE						20-22							
LGC Finance Awards							2						
LGA		30	1-2										
CIPFA		23-25											
LGC Awards/Local Leadership											25		
LGC Pension Fund Symposium			2-3										

***NB: dates in italics are additional, provisional dates for any urgent business and may be cancelled***

<b>Bank Holidays 2009 - 2010</b>	<b>Summer 2009</b>	<b>Spring 2010</b>
31 August 2009 - Summer Bank Holiday	Opens Tuesday 21 April	Opens Tuesday 5 January
25 December 2009 - Christmas Day	Half Term 25 - 29 May	Half Term 15-19 February
26 December 2009 - Boxing Day	Closes Friday 17 July	Closes Friday 26 March
1 January 2010 - New Year's Day	<b>Autumn Term 2009</b>	<b>Summer Term 2010</b>
2 April 2010 - Good Friday	Opens Tuesday 8 September	Opens Monday 12 April
5 April 2010 - Easter Monday	Half Term 26-30 October	Half Term 31 May - 4 June
3 May 2010 - Early May Bank Holiday	Closes Friday 18 December	Closes Wednesday 21 July
31 May 2010 - Spring Bank Holiday		

## SCRUTINY TERMS OF REFERENCE

**Creating Opportunities and Tackling Inequalities Scrutiny Committee**

1.	To review and scrutinise the delivery of the Sustainable Community Strategy priority of creating opportunities, tackling inequalities. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to the following service areas:</p> <ul style="list-style-type: none"> <li>• Adult Learning and Skills</li> <li>• Children's Services</li> <li>• Education</li> <li>• Safeguarding Children</li> </ul>
4.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues in relation to the terms of reference of the committee.
5.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
6.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.

## Environment Capital Scrutiny Committee

1.	To review and scrutinise the delivery of the Sustainable Community Strategy priority of creating the UK's environment capital. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to the following service areas:</p> <ul style="list-style-type: none"> <li>• City Centre</li> <li>• Environment, Transport and Engineering</li> <li>• Waste Strategy and Management</li> </ul>
4.	To receive and consider the Executive's annual budget proposals and make recommendations.
5.	To exercise the powers of overview and scrutiny with regard to over-arching policy framework documents, seeking the view of other scrutiny committees where appropriate. This will include the Corporate Plan; Sustainable Community Strategy and Local Area Agreement.
6.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues in relation to the terms of reference of the committee.
7.	To review and scrutinise the Council's performance in relation to budgetary management.
8.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
9.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.

## Strong and Supportive Communities Scrutiny Committee

1.	To review and scrutinise the delivery of the Sustainable Community Strategy priority of creating strong and supportive communities. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to the following service areas:</p> <ul style="list-style-type: none"> <li>• Cohesion</li> <li>• Cultural Services</li> <li>• Neighbourhood Services</li> </ul>
4.	To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues in relation to the terms of reference of the committee.
5.	Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.
6.	Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.
7.	To undertake all of the Council's statutory functions in accordance with Sections 19 & 20 and associated regulations of the Police and Justice Act 2006, relating to scrutiny of crime and disorder matters, including acting as the Council's crime and disorder committee.

## Sustainable Growth Scrutiny Committee

1.	<p>To review and scrutinise the delivery of the Sustainable Community Strategy priority of truly sustainable growth. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.</p> <p>To review and scrutinise the delivery of the underpinning Sustainable Community Strategy theme of value for money. This will include reviewing and scrutinising the performance of other public bodies in their activities and performance in the delivery of Local Area Agreement targets.</p>
2.	<p>Hold the Executive to account for the discharge of functions in the following ways:</p> <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
3.	<p>To review and scrutinise the planning, decisions, policy development, service provision and performance relating to the following service areas:</p> <ul style="list-style-type: none"> <li>• Business Efficiency</li> <li>• Growth</li> <li>• Planning and Development</li> <li>• Regeneration</li> <li>• Strategic Resources</li> </ul>
4.	<p>To exercise the powers of overview and scrutiny with regard to the Council's corporate functions.</p>
5.	<p>To assist and advise the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues in relation to the terms of reference of the committee.</p>
6.	<p>Make recommendations to the Executive and/or Council arising from overview and scrutiny activity.</p>
7.	<p>Establish ad-hoc Task and Finish Groups to investigate specific topics on behalf of the Panel on a time-limited basis.</p>

## Scrutiny Commission for Rural Communities

1.	The Commission shall comprise 7 members and not more than 4 non-voting co-opted members.
2.	A member of the Cabinet shall not be appointed to the Commission.
3.	The quorum shall be 4 voting members.
4.	To discharge overview and scrutiny functions, excluding call-in, in relation to any area within the remit of the Scrutiny Committees which has potential for significant impact on the rural communities of Peterborough.
5.	To scrutinise the agencies, mechanisms and processes involved in delivering services to rural communities.
6.	To contribute to the development of policies, strategies and plans in relation to the delivery of services to rural areas.
7.	To advise on and monitor crime and disorder issues in rural areas.
8.	To establish time limited panels to undertake specific enquiries.

## Scrutiny Commission for Health Issues

1.	The Commission shall comprise 7 members and not more than 4 non-voting co-opted members.
2.	A member of the Cabinet shall not be appointed to the Commission.
3.	The quorum shall be 4 voting members.
4.	To discharge overview and scrutiny functions, including call-in, in relation to any area within the remit of the Scrutiny Committees which has potential for significant impact on the health of the communities of Peterborough.
5.	Hold the Executive to account for the discharge of functions in the following ways: <ul style="list-style-type: none"> <li>• by exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer.</li> <li>• by scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan</li> <li>• by scrutinising Executive decisions after they have been implemented, as part of a wider policy review.</li> </ul>
6.	To review and scrutinise the planning, decisions, policy development, service provision and performance relating to the following service areas: <ul style="list-style-type: none"> <li>• Adult Social Care</li> <li>• Public Health</li> <li>• Safeguarding Adults</li> <li>• Scrutiny of the NHS</li> </ul>
7.	To scrutinise the agencies, mechanisms and processes involved in delivering services which have an impact on the health of communities.
8.	To contribute to the development of policies, strategies and plans in relation to the delivery of health services.
9.	To establish time limited panels to undertake specific enquiries.
10.	To undertake all of the Council's statutory functions in accordance with section 244 of the National Health Service Act 2006, to review and scrutinise matters relating to the health service within the Council's area and to make reports and recommendations to local NHS bodies. This will include appointing members, from within the membership of the Panel, to any joint health overview and scrutiny committees with other local authorities.

**CABINET AND COMMITTEE MEMBERSHIP 2009 to 2010  
VERSION 1 – PRIOR TO SUBMISSION OF NOMINATIONS BY THE  
P.I.F., THE LABOUR AND THE LIBERAL DEMOCRAT GROUPS**

**LEADER OF THE COUNCIL**

Councillor Marco Cereste

**CABINET MEMBERS**

**Councillors:**

Councillor Cereste	Leader of the Council
Councillor Lee	Deputy Leader and Cabinet Member for Environment Capital and Culture
Councillor Croft	Cabinet Member for Strategic Planning, Growth and Human Resources
Councillor Elsey	Cabinet Member for Regional and Business Engagement
Councillor Hiller	Cabinet Member for Neighbourhoods, Housing and Community Development
Councillor Holdich	Cabinet Member for Education, Skills and University
Councillor Lamb	Cabinet Member for Health and Adult Social Care
Councillor Scott	Cabinet Member for Children's Services
Councillor Seaton	Cabinet Member for Resources

**Cabinet Advisors**

Councillor Benton	Cabinet Advisor for Neighbourhoods, Housing and Community Development
Councillor S Dalton	Cabinet Advisor for Environment Capital and Culture
Councillor C Day	Cabinet Advisor for City Services

## SCRUTINY COMMITTEES

### SCRUTINY COMMISSION FOR RURAL COMMUNITIES (5:1:1:0) (7)

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Over (Chair)			
Councillor Nawaz (Vice Chair)			
Councillor Collins			
Councillor Dobbs			
Councillor Rush			
SUB: Councillor Gilbert			

### SCRUTINY COMMISSION FOR HEALTH ISSUES (5:1:1:0) (7)

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Rush (Chair)			
Councillor M Burton (Vice Chair)			
Councillor Goldspink			
Councillor Nash			
Councillor Peach			
SUB: Councillor Dobbs			

**STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE (5:1:1:0) (7)**

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Todd (Chair)			
Councillor S Day (Vice Chair)			
Councillor Collins			
Councillor Fletcher			
Councillor Goldspink			
SUB: Councillor Over			

**CREATING OPPORTUNITIES AND TACKLING INEQUALITIES SCRUTINY COMMITTEE (5:1:0:1) (7)**

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Thacker (Chair)			
Councillor Wilkinson (Vice Chair)			
Councillor Allen			
Councillor Goldspink			
Councillor Lowndes			
SUB: Councillor C Burton			

**Co-opted Members**

**Note:** The following **Education Co-opted members** are Members of the Scrutiny Committee and vote when education matters are discussed.

- Julie O'Connor - (Roman Catholic Church representative, Diocese of East Anglia)
- Frank Smith, (Church of England rep, P'boro & Ely Diocesan Board of Education)
- Maggie Kirkbride (parent governor Representative)
- VACANT (parent governor Representative)
- The Revd Canon Tim Elbourne (Director of Education & Training), Diocese of Ely
- VACANT - Non-voting Muslim representative

**SUSTAINABLE GROWTH SCRUTINY COMMITTEE (6:1:0:0) (7)**

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Fletcher (Chair)			
Councillor Allen (Vice Chair)			
Councillor M Burton			
Councillor D Day			
Councillor S Day			
Councillor Peach			
SUB: Councillor Winslade			

**ENVIRONMENT CAPITAL SCRUTINY COMMITTEE (6:1:0:0) (7)**

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor C Burton (Chair)			
Councillor D Day (Vice Chair)			
Councillor Dobbs			
Councillor Fazal			
Councillor North			
Councillor Wilkinson			
SUB: Councillor Goodwin			

## REGULATORY COMMITTEES

### AUDIT COMMITTEE (5:1:0:1) (7)

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor M Dalton (Chair)			
Councillor North (Vice Chair)			
Councillor Gilbert			
Councillor Kreling			
Councillor Rush			
SUB: Councillor Collins			

### EMPLOYMENT COMMITTEE (5:1:1:0) (7)

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Cereste (Chair)			
Councillor Lamb (Vice Chair)			
Councillor Croft			
Councillor Fitzgerald			
Councillor Holdich			
SUB: Councillor C Burton			

**LICENSING COMMITTEE (7:1:1:1) (10)**

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Dobbs (Chair)			
Councillor Thacker (Vice Chair)			
Councillor Nawaz			
Councillor Newton			
Councillor Morley			
Councillor Murphy			
Councillor Winslade			
SUB: Councillor Todd			

*\* Note – Conservative allocation is 8 to a 10 seat committee – however reduction to 7 in Licensing Committee enables additional seat to be taken on 1 Scrutiny Panel (i.e. 6 seats rather than 5).*

**PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE (8:2:0:0) (10)**

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor North (Chairman)			
Councillor Fitzgerald (Vice Chair)			
Councillor C Burton			
Councillor Kreling			
Councillor Lowndes			
Councillor Thacker			
Councillor Todd			
Councillor Winslade			
SUB: Councillor Allen			

**LICENSING ACT 2003 COMMITTEE (7:1:1:1) (10) (no subs)**

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Councillor Newton (Chair)			
Councillor Dobbs (Vice Chair)			
Councillor Nawaz			
Councillor Morley			
Councillor Murphy			
Councillor Peach			
To be confirmed			

**STANDARDS COMMITTEE (2:1:1:1) (plus 5 Independents & 2 Parish Councillors)**

Conservative

Councillor Scott

Councillor Todd

SUB: Councillor Dobbs

Peterborough Independent Forum

Liberal Democrats

Labour

**AREA COMMITTEES**

**AREA COMMITTEES**

South

Central and East

North and West

Councillor Goodwin (Chairman Elect)

Councillor Lowndes (Chairman Elect)

Councillor Nash (Chairman Elect)

## EMPLOYMENT SUB-COMMITTEES/PANELS

### JOINT CONSULTATIVE PANEL (5:1:1:0) (7)

Same membership as Employment Committee

### EMPLOYEE APPEALS SUB-COMMITTEE (2:1) (from pool of trained members\*)

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Cllr Lamb			
Cllr Croft			
Cllr Collins			

### APPEALS COMMITTEE (SERVICE ISSUES) (2:1) (from pool of trained members\*)

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrats</u>	<u>Labour</u>
Cllr Newton			
Cllr North			

\*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.

## JOINT AUTHORITY APPOINTMENTS

### JOINT COMMITTEE TO APPOINT COUNCIL REPRESENTATIVES TO THE POLICE AUTHORITY (2:0:0:0) (2)

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrat</u>	<u>Labour</u>
Councillor Fazal			
Councillor Holdich			

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

<u>Conservative</u>	<u>Peterborough Independent Forum</u>	<u>Liberal Democrat</u>	<u>Labour</u>
Councillor Lee			
Councillor D Day			
Councillor Nawaz			

## WORKING GROUPS

### DIVERSITY WORKING GROUP (3 members)

Conservative                      Peterborough Independent Forum                      Liberal Democrat                      Labour  
Councillor Wilkinson (Chair)

Community reps are from organisations working with disadvantaged groups in Peterborough

### SELECTION PANEL FOR INDEPENDENT STANDARDS COMMITTEE MEMBERS (5:1:1:1:1) (9)

Conservative                      Peterborough Independent Forum                      Liberal Democrat                      Labour  
Councillor Collins  
Councillor Croft  
Councillor C Burton  
Councillor Lamb  
Councillor Rush  
SUB: Councillor Newton

### PARISH COUNCILS LIAISON MEETINGS (1)

Chairman – Councillor Over