

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 6
6 OCTOBER 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Fiona McMillan, Director of Law and Governance and Monitoring Officer	Tel. 452409

APPOINTMENT TO OUTSIDE BODIES AND APPOINTMENT TO COUNCIL CHAMPIONS

RECOMMENDATIONS	
FROM: Director of Law and Governance	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee:</p> <p>Appointments to Outside Bodies</p> <p>1. Consider whether to recommend to Full Council any changes in the process for appointing Members to outside bodies.</p> <p>Appointments to Council Champions</p> <p>2. Recommend to Full Council the inclusion in Council Standing Orders for Annual Council to note the Leader's appointment of Council Champions as appropriate, to ensure there is no duplication with Cabinet portfolios</p> <p>3. To agree to the inclusion of the definition of a Council Champion in the Constitution</p> <p>Appointment to the Combined Authority Board</p> <p>4. Recommend to Full Council the clarification of the Constitution that the Leader of the Council will be the Council's representative, <i>ex officio</i>, on the CPCA Board, by virtue of holding the office as Leader and that the Deputy Leader will, <i>ex officio</i>, be the substitute representative on the CPCA Board, by virtue of holding the office of deputy leader.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a request from the Committee Chair and as part of the Committee's work programme.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is for the Constitution and Ethics Committee to review the current process for the appointment to outside bodies, to review the issue of Council Champions, who would represent the Council within certain fields that could be appointed at Annual Council if appropriate, and to clarify the Council's appointment to the Board of the Cambridgeshire & Peterborough Combined Authority "CPCA").

- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. **BACKGROUND AND KEY ISSUES**

APPOINTMENTS TO OUTSIDE BODIES

- 4.1 The process for appointments to outside bodies (also known as external organisations) is set out in the Council's constitution at 'Part 3, Delegations Section 5 - Appointments to External Organisations'.

The current process is, in summary, the political proportionality for year is determined and set around to Group Secretaries. Each Group will then feedback to officers their proposals for their group seats.

If there are any disputes between groups in relation to which seats they want, then these disputed seats will be put to the Leader to determine. The Leader must take into consideration proportionality rules when making his determination.

It is local choice to have this decision rest with the Leader. Previous versions of this process have had this decision rest with Full Council. The Committee may wish to propose that the process remain as current with the Leader or amend the process to have Full Council make this decision at its Annual Meeting.

APPOINTMENTS TO COUNCIL CHAMPIONS

- 4.2 At its meeting on 15 August 2022 the committee agreed to look at what Council Champions could be proposed at Annual Council.
- 4.3 There are no restrictions on each political group from appointing within their groups a spokesperson or a group representative on certain issues. This is an informal arrangement that each group can carry out if it wishes.
- 4.4 Members are reminded that Cabinet Members cover a number of different portfolios and service areas within the Council and act as the representative for those areas when making decisions which affect the Council.
- 4.5 An example of a Council Champion is the Armed Forces Champion, which has been agreed in the past, which includes the role of being the point of contact for queries from ex-Forces personnel who need help and assistance, signposting people to relevant support and helping unblock any problems that people have accessing services. The purpose of the Committee looking at the issue of Council Champions is to formalise, as part of the appointments process at Annual Council, those Councillors who could be seen to champion a specific cause on behalf of the Council.

- 4.6 There may be other opportunities to appoint to Council Champions and this could include suggested champion roles around Trees & Woodland, Vulnerable People, Cost of Living, or Equalities. Group Leaders have been asked to forward any further areas that they may wish to see include as a Council Champion and this can be updated up to Annual Council.
- 4.7 It is important that Council notes the role of a Council Champion and that this has a defined description of the what the role will entail. Below is a suggested definition. Members can adjust the wording as necessary.

What are Member Champions?

Member Champions exist to provide a voice on the Council or to ensure particular issues are kept at the forefront of council business.

Member Champions are elected members who in addition to their other council responsibilities make sure that the issue or group that they are championing are taken into account and/or promoted.

What do they do?

Typically, the Member Champion will:

- Make sure that their area of interest is taken into account or promoted when liaising with the Executive, relevant Scrutiny Committees and key officers.
- Raise the profile of the area and make the authority aware of good practice.
- Engage with external bodies who work in the area
- Engage with other officers and members in relation to the role.
- Engage with community groups with an interest/stake in the area
- Report action to the Cabinet, relevant Scrutiny Committee or Full Council as appropriate.

- 4.8 If members agree to appoint a certain number of Council Champions, the constitution will need to be updated accordingly to outline how this was done. This will form part of the business meeting at Annual Council outlined in section 1.1.2 of the Council Standing Orders. A suggested inclusion is outlined below in red:

1.1.2 The Business Meeting

The Meeting will:

- approve the minutes of the last meeting;*
- receive any announcements from the Mayor;*
- consider urgent petitions in accordance with the Council's petition scheme;*
- receive a report from the Returning Officer on the outcome of City Elections;*
- upon retirement of the previous Leader, which shall be at least once every four years, elect the Leader of the executive (the Cabinet)*
- be notified by the Leader of the number of members to be appointed to the Cabinet, those Members' names and their intended portfolio of responsibilities; **Council Champions as appropriate including Armed Forces Champion, xxx***
- appoint a licensing committee, a health and wellbeing board, at least one overview and scrutiny committee and such other committees as are required or the Council considers appropriate to deal with matters that are neither reserved to the Council nor are executive functions (as set out or will be set out in Part 3(2) of this Constitution). No member of the Executive will be allowed to be a member of a Scrutiny Committee or Commission;*

viii. receive the Leader's scheme of delegation of executive functions (as set out at Part 3(3) of this Constitution);

x. approve a programme of ordinary meetings of the Council for the year; and

xi. consider any business set out in the notice convening the meeting.

APPOINTMENT TO THE COMBINED AUTHORITY BOARD

4.9 The current process for appointment to the Combined Authority Board is for the appointment to be agreed at the Annual Council meeting, as per standing order 1.2.1:

"iv. receive nominations of councillors to serve on each committee and other authorities;

v. appoint to those committees, standing sub-committees and other authorities except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive; and"

The Combined Authority's constitution states that:

"2. Constituent Councils

2.1. Each of the Constituent Councils shall appoint a Member (usually its Leader) to be a Member of the Combined Authority and another Member to act in the absence of the appointed Member (the Substitute Member). All appointments shall be for a one-year term."

Therefore, it is not a requirement of the Combined Authority that the representative of the Council be the Leader, however, it would be anticipated that this would be the case.

However, the current Peterborough City Council Executive Delegations sets out that the Leader shall:

"Be the Council's Lead Representative and member on the Cambridgeshire and Peterborough Combined Authority."

Reading all three of these together, it is clear that there is an apparent inconsistency in the Council's approach, or its anticipated approach, to the appointment of the Council Combined Authority Board representative. Therefore, it is proposed to amend the above referenced standing order and executive delegation, to clarify that the Leader of the Council will, *ex officio*, be the Council's appointment to the Combined Authority Board and the Deputy Leader, *ex officio*, be the substitute representative, for however long they hold those offices.

This appointment would be then presented to the Annual Council meeting for noting only.

The Annual Council meeting would retain authority to appoint representatives to the Combined Authority Audit and Governance Committee and the Overview and Scrutiny Committee.

The revised executive delegation would read:

"Be the Council's Lead Representative and member on the Cambridgeshire and Peterborough Combined Authority, ex officio, by virtue of holding the office of Leader of the Council."

Appoint the Substitute Representative Member on the Cambridgeshire and Peterborough Combined Authority, ex officio, by virtue of holding the office as Deputy Leader."

The revised standing order would read:

"iv. receive nominations of councillors to serve on each committee and other authorities;

v. appoint to those committees, standing sub-committees and other authorities except where appointment to those bodies has been delegated by the Council, or is exercisable only by the executive, or has been reserved to the executive; and”

5. CONSULTATION

5.1 Group Leaders have been consulted on any suggestions for Council Champions that they feel would be appropriate and could be recommended to be appointed at Annual Council each year.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 That the Council Constitution will be amended to formalise the appointments of any Council Champions and to clarify the appointment of the Council’s representative on the Combined Authority Board.

7. REASON FOR THE RECOMMENDATION

7.1 To formalise the process of appointing Council Champions if appropriate and to clarify the Constitution.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 That the constitution is not amended. There is currently nothing stopping groups from appointing a champion or spokesperson to represent their groups views on aspects for which the Council have a lead on.

9. IMPLICATIONS

Financial Implications

9.1 There are no financial implications arising from the report.

Legal Implications

9.2 If any recommendations are agreed this may involve updates to the Councils constitution.

Equalities Implications

9.3 There are none.

10. BACKGROUND DOCUMENTS

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

10.1 None.

11. APPENDICES

11.1 None.

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