

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 5
27 FEBRUARY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Corporate Director of Law and Governance
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Corporate Governance and Finance
Contact Officer(s):	Rochelle Tapping, Corporate Director of Law and Governance
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PROCESS FOR APPOINTMENT TO OUTSIDE BODIES

RECOMMENDATIONS	
FROM: <i>Rochelle Tapping, Corporate Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Recommend <u>either</u> the revised process for appointments to outside bodies in Appendix 1 <u>or</u> Appendix 2 for approval by Full Council. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee following previous discussions by the Committee at its meetings on 6 October 2022 and 21 November 2022.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide an overview of the anticipated timeline for a full review of Peterborough City Council's constitution.
- 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

- 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'.

- 4.2 The current process is, in summary, that the political proportionality for each year is determined and sent around to Group Secretaries. Each Group will then feedback to officers their proposals for their group seats.
- 4.3 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.
- 4.4 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. At its meetings on 6 October 2022, the Committee expressed a desire to have this decision rest with Full Council rather than the Leader. This was further discussed at the meeting on 21 November 2022.
- 4.5 The Committee has two options before them to consider. Appendix 1 sets out the first option – changing the constitution to shift the responsibility for appointment to outside bodies to Full Council. Appendix 2 sets out the updated section of the constitution with this responsibility remaining with the Leader of the Council.
- 4.6 It is important to note that in either scenario, the categories ‘key partnerships’, ‘Council-owned companies’ and (unless otherwise specified) ‘strategic and executive’ would remain in the gift of the Leader to determine, rather than Full Council, as these categories fall within the Council’s executive functions.
- 4.7 Both of these revised versions make other minor changes, such as updating ‘Solicitor to the Council’ to ‘Monitoring Officer’ and making provision for an additional category of outside bodies in ‘Council-owned companies’.

5. CORPORATE PRIORITIES

- 5.1 The recommendation links to the follow Council Corporate Priorities:
1. The Economy & Inclusive Growth
 - Environment – there are no Carbon Impact Implications arising from this recommendation.
 2. Sustainable Future City Council
 - How we Work, How we Serve, How we Enable – in reviewing the process for appointments to outside bodies, the ensure that this undertaken in the most appropriate manner.

6. CONSULTATION

- 6.1 No further consultation has taken place following the previous debate by the Constitution and Ethics Committee on 6 October 2022 and 21 November 2022.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 That the process for appointment to outside bodies is as effective, transparent, and democratic as possible.

8. REASON FOR THE RECOMMENDATION

- 8.1 To ensure that the process for appointments to outside bodies is as up to date and effective as possible.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 That the process is not reviewed. This was discarded, as this would not reflect the wishes previously expressed by the Constitution and Ethics Committee.

10. IMPLICATIONS

Financial Implications

10.1 None.

Legal Implications

10.2 None.

Equalities Implications

10.3 There are no equalities implications arising from this report.

11. BACKGROUND DOCUMENTS

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

11.1 [Peterborough City Council Constitution – Section 5 – Appointments to External Organisations](#)

[Constitution and Ethics Committee 6 October 2022 – Minutes](#)

[Constitution and Ethics Committee 21 November 2022 – Agenda](#)

12. APPENDICES

12.1 Appendix 1 – Revised ‘Section 5 – Appointments to External Organisations’ – Full Council as decision-maker

Appendix 2 – Revised ‘Section 5 – Appointments to External Organisations’ – Leader of the Council as decision-maker

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