



COUNCIL

Wednesday, 24 July 2019

MEMBERSHIP OF THE AUDIT & GOVERNANCE COMMITTEE, SCRUTINY COMMITTEE AND THE LICENSING COMMITTEE, APPOINTMENT OF ASSISTANT CABINET MEMBERS, APPOINTMENT OF A HERITAGE CHAMPION AND APPOINTMENTS TO OUTSIDE BODIES (NON EXECUTIVE FUNCTION)

EXECUTIVE SUMMARY

1. To consider a report which seeks approval for revised representation on the Audit & Governance Committee, the Scrutiny Committee, the Licensing Committee, the appointment of Assistant Cabinet Members, the appointment of a Heritage Champion and to make appointments to Outside Bodies (Non Executive Function).

Is the report Open or Exempt?	Open
Wards Affected:	All Wards in the District
Cabinet Member:	Councillor S Gallant Leader of the Council
Supporting Officer:	Hilary Slater Head of Legal and Democratic Services 01394 444336 hilary.slater@eastsuffolk.gov.uk

1 INTRODUCTION

- 1.1 Member appointments to Committees are made annually, as part of the Council's corporate governance arrangements, in support of the democratic process and to provide a mechanism for decisions to be made that have been reserved by law for such bodies to make or are functions under the Council's Constitution, that have not been delegated to officers to decide.
- 1.2 Appointments to Committees for the 2019/20 municipal year were agreed at the Annual Council meeting held on 22 May 2019.
- 1.3 Members who are appointed to Council Committees will be expected to have received appropriate development / training to enable them to carry out their roles effectively on whichever body they serve.

2 REVIEW OF REPRESENTATION ON THE AUDIT & GOVERNANCE COMMITTEE

- 2.1 Due to personal reasons, Councillor F Mortimer has advised that he is no longer able to be the Vice Chairman or a Member of the Audit & Governance Committee, with immediate effect.
- 2.2 It is therefore proposed that Councillor E Back be appointed Vice Chairman of the Audit & Governance Committee, with immediate effect, for the remainder of the 2019/20 Municipal Year.
- 2.3 Councillor M Cook has recently been appointed as the Assistant Cabinet Member for Resources, therefore he is no longer eligible to sit on the Audit & Governance Committee.
- 2.4 It is therefore proposed that two Conservative Councillors be appointed to the Audit & Governance Committee, with immediate effect, for the remainder of the 2019/20 Municipal Year, to replace Councillor F Mortimer and Councillor M Cook who have stepped down from this Committee.

3 REVIEW OF REPRESENTATION ON THE SCRUTINY COMMITTEE

- 3.1 Due to personal reasons, Councillor W Taylor has advised that he is no longer able to be a Member of the Scrutiny Committee, with immediate effect.
- 3.2 It is therefore proposed that Councillor E Back be appointed to the Scrutiny Committee with immediate effect, for the remainder of the 2019/20 Municipal Year.

4 REVIEW OF REPRESENTATION ON THE LICENSING COMMITTEE

- 4.1 Due to personal reasons, Councillor TJ Haworth-Culf and Councillor W Taylor have advised that they are no longer able to sit on the Licensing Committee and have resigned with immediate effect.

- 4.2 It is therefore proposed that Councillor L Coulam and another Conservative Councillor be appointed to the Licensing Committee with immediate effect, for the remainder of the 2019/20 municipal year.

5 APPOINTMENTS OF ASSISTANT CABINET MEMBERS

- 5.1 At the Annual Council meeting held on 22 May 2019, the Full Council appointed Councillor S Gallant as Leader of the Council for a four year term of office. It is for the Leader to appoint to their Cabinet, which can be comprised of up to 10 Members and which is exempt from the political proportionality rules under the Local Government Act 2000.
- 5.2 The Leader of the Council is also able to appoint Assistant Cabinet Members, should they wish. The role of the Assistant Cabinet Member is to assist the substantive Cabinet Members with support over the coming year, which would also help the Assistant Cabinet Members to build knowledge and experience for the future.
- 5.3 Please note that the Leader has so far decided to appoint 3 Assistant Cabinet Members. Councillor A Cackett has been appointed as Assistant Cabinet Member for Transport. Councillor M Jepson has been appointed as Assistant Cabinet Member for Community Health. Councillor M Cook has been appointed as Assistant Cabinet Member for Resources.

6 APPOINTMENT OF A HERITAGE CHAMPION

- 6.1 The Heritage Champion is a position that Historic England encourages all local authorities to appoint, in order to support the protection of the historic environment at a local level. The former Waveney District Council was previously required to appoint a Heritage Champion in order to support its bid to Historic England to apply for the North Lowestoft Heritage Action Zone. As this provided evidence to support its bid and showed that it was proactive across the district in the protection of its heritage assets. The role was previously held by Councillor Michael Ladd, Cabinet Member for Tourism & Economic Development.
- 6.2 A Heritage Champion is normally a local Councillor who has been nominated by their local authority to promote all aspects of the historic environment in their area. It is up to the local authority to decide how to nominate their Heritage Champion.
- 6.3 The Leader of the Council has agreed that it would be beneficial for East Suffolk Council to have a Heritage Champion and due to its significance, he has proposed that the role will be filled by Councillor C Rivett, Deputy Leader and Cabinet Member for Economic Development, as it fits within his Portfolio.

7 APPOINTMENTS TO OUTSIDE BODIES

- 7.1 Member appointments to Outside Bodies are made annually, in accordance with Part 2 (Section B) of the Council's Constitution. The Council appoints Councillor representatives to Outside Bodies where the role relates to a Non-Executive function.
- 7.2 Appointments to Outside Bodies (Non Executive Function) for the 2019/20 municipal year were agreed at the Annual Council meeting held on 22 May 2019.

- 7.3 The Cabinet, at its meeting on 4 June 2019, considered representation on Outside Bodies where the role relates to an Executive function.
- 7.4 The appointment of Councillors to Outside Bodies provides support to the organisation concerned, enables Councillors to fulfil their community leadership roles, and enables appropriate monitoring of performance/budgets in line with best practice.
- 7.5 Appointments made to Outside Bodies should be sensitive to the need to represent, as far as possible, the diverse nature of the local community.
- 7.6 At the Annual Council meeting held on 22 May 2019, it was suggested that the North East Suffolk Citizens' Advice Bureaux be approached to see if it would like to benefit from having a Councillor appointed to its organisation. The North East Suffolk CAB have been contacted and it has advised that it would like to have one East Suffolk Council representative appointed.
- 7.7 A number of nominations have been received to represent the Council on the North East Suffolk Citizens Advice Bureau – Councillor F Mortimer, Councillor T Cooper, Councillor D Beavan, Councillor P Byatt and Councillor K Patience. As more than one nomination has been received, a vote will need to be undertaken for this vacancy.
- 7.8 At the same meeting, the Council requested further information from the East Suffolk Travel (Rail) Association (ESTA) regarding their requirements for Member representation. ESTA have been contacted and a response was still awaited, at the time of publishing these meeting papers. A verbal update will be provided should a response from them be received in the meantime.

8 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 8.1 The Local Government & Housing Act 1989 requires that the overall political balance of the Council to be reflected, where possible, in the appointment of Members to Committees and Sub-Committees of the Council (known informally as the political balance rules).
- 8.2 Councillors are able to claim expenses for attending Council or Outside Body meetings, which will be met from the Council's agreed Scheme of Members' Allowances budget for 2019 /20. In addition, positions such as Chairmen or Vice Chairmen of Committees and Assistant Cabinet Members are awarded a Special Responsibility Allowance recognising the additional responsibilities that these positions have.
- 8.3 The appointment of Committees forms the democratic framework by which some Council decisions are made. Specific legislation applies to the regulatory committees that exercise quasi-judicial powers and separate legislation is in place for the Cabinet.
- 8.4 The appointment to Committees / Sub-Committees enables the work of the Council to be shared across all Council Members (where appropriate) and enables Councillors to undertake a range of duties that collectively underpin or deliver the democratic decision-making process within the Council.
- 8.5 Appointments to Outside Bodies may be made under the general power in Section 2 of the Local Government Act 2000 – to do anything which is likely to promote the economic, social, or environmental wellbeing of the area, unless specifically prohibited.
- 8.6 The process of Council approving appointments to Outside Bodies, where the role relates to a Non-Executive function of the Council, adheres to the articles within the Council's Constitution.

9 OTHER KEY ISSUES

- 9.1 Decisions are implemented in accordance with the Council's Constitution and statutory legislation. Appointments to Committees enable Members to carry out the Council's business and allows them to develop their community leadership role.
- 9.2 The Council needs to appoint to Outside Bodies in order to carry out its business effectively and offers Members the opportunity to carry out their community leadership role.

10 OTHER OPTIONS CONSIDERED

- 10.1 None. The Council needs to make these appointments in order to carry out its business effectively. Appointment to these bodies gives Members an opportunity to carry out their community leadership role and enables cross party views to be given on specific issues which is healthy for democracy and good decision-making.
- 10.2 The Council needs to engage and work with external organisations, including Outside Bodies, to continue to deliver the priorities identified in the East Suffolk Business Plan.

11 REASONS FOR RECOMMENDATIONS

- 11.1 To ensure that Members are appointed to Committees for the 2019 / 20 municipal year in accordance with the politically proportionality rules and that decision-making is undertaken in a democratic way.
- 11.2 To consider appropriate Council representation on Outside Bodies as deemed relevant to the Council's community and business interests.

RECOMMENDATIONS

- 1. That a Conservative Councillor be appointed to the Audit & Governance Committee for the remainder of the 2019/20 municipal year with immediate effect to replace Councillor F Mortimer.
- 2. That a Conservative Councillor be appointed to the Audit & Governance Committee for the remainder of the 2019/20 municipal year with immediate effect to replace Councillor M Cook.
- 3. That Councillor E Back be appointed as Vice Chairman of the Audit & Governance Committee for the remainder of the 2019/20 municipal year with immediate effect.
- 4. That Councillor E Back be appointed to the Scrutiny Committee for the remainder of the 2019/20 municipal year with immediate effect.
- 5. That Councillor L Coulam be appointed to the Licensing Committee for the remainder of the 2019/20 municipal year, with immediate effect to replace Councillor TJ Haworth-Culf.
- 6. That a Conservative Councillor be appointed to the Licensing Committee for the remainder of the 2019/20 municipal year, with immediate effect to replace Councillor W Taylor.
- 7. That the Group Leaders make revisions to their appointments to the Council's Committees, as appropriate and necessary, during the year.
- 8. That Council notes that Councillor A Cackett has been appointed as the Assistant Cabinet Member for Transport.
- 9. That Council notes that Councillor M Jepson has been appointed as the Assistant Cabinet

Member for Community Health.

10. That Council notes that Councillor M Cook has been appointed as the Assistant Cabinet Member for Resources.
11. That Councillor C Rivett, Deputy Leader and Cabinet Member for Economic Development be appointed as the Council's Heritage Champion.
12. That a Councillor be appointed as the Council's representative on the North East Suffolk Citizens' Advice Bureaux, for the remainder of the 2019/20 municipal year.
13. That the Leader of the Council be granted Delegated Authority in order to make revisions to the appointments on the Council's Outside Bodies (Non Executive Function) as required, in consultation with the other Group Leaders, when appropriate.

APPENDICES – None

BACKGROUND PAPERS – None