



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

COUNCIL

26 May 2021

Report of the Director of Legal and Democratic Services and Monitoring Officer

Schedule of Cabinet appointments and membership of committees and outside bodies

1 Purpose

To note the Cabinet appointments and portfolio responsibilities and approve the appointments to Council Committees and outside bodies and schedule of meetings.

2 Information and Analysis

2.1 Subject to the election of the Leader under the earlier agenda item, Cabinet appointments and portfolio responsibilities are determined by the Leader of the Council. Further details including Cabinet Support Member appointments are attached at Appendix 2.

2.2 It is proposed that Council approves the establishment of an additional Improvement and Scrutiny Committee entitled the Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction. The Terms of Reference of the Committee will be:

To review and scrutinise any matter relating to Climate Change, Biodiversity and Carbon Reduction.

Consequently, it is proposed that the responsibility for climate change and carbon management will be removed from the Terms of Reference of the Improvement and Scrutiny Committee – Places.

2.3 The allocation of seats on Committees to political groups is determined in accordance with the principles of political balance as set out in the Local Government (Committees and Political Groups) Regulations 1990. Nominations to the seats on Committees is determined by the political groups. Attached at Appendix 3 is the schedule of appointments to Council Committees for 2021-22 for Council approval.

2.4 The schedule of meetings for the forthcoming year is attached as Appendix 4 for Council to approve.

2.5 The Council makes appointments to a variety of outside bodies across the County. Council is asked to approve the appointments to outside bodies as detailed in Appendix 5 and to note that any in-year changes to the list will be agreed by the Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change in accordance with the provisions of Appendix 1 to the Council's Constitution – Responsibility for Functions.

2.6 The changes to the Cabinet portfolio responsibilities and addition of a new Improvement and Scrutiny Committee require the amendment of the Council's Constitution. Council is asked to authorise the Director of Legal and Democratic Services to make the necessary amendments.

3 Alternative Options Considered

Not applicable

4 Implications

Appendix 1 sets out the relevant implications considered in the preparation of the report.

5 Consultation

Not applicable

6 Background Papers

None

7 Appendices

Appendix 1: Implications.

Appendix 2: Cabinet and Cabinet Support Member appointments.

Appendix 3: Schedule of appointments for 2021-22 to Committees. (To Follow)

Appendix 4: Schedule of meetings for 2021-22.

Appendix 5: Proposed appointments to outside bodies (To Follow)

8 Recommendation(s)

That Council:

(a) Notes the Leader's appointments to Cabinet and the portfolio responsibilities;

(b) Approves the establishment of an additional Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction, its Terms of Reference and the amendment to the Terms of Reference of Improvement and Scrutiny Committee – Places as set out in the report;

(c) Approves the appointments to Committees and Sub-Committees as set out in Appendix 3;

d) Approves the schedule of meetings as set out in Appendix 4;

(d) Approves the appointments to serve on outside bodies as set out in Appendix 5 and to note that any in-year changes to the list will be agreed by the Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change; and

(e) Authorises the Director of Legal and Democratic Services to make the necessary changes to the Council's Constitution.

9 Reasons for Recommendation(s)

To ensure that the Council has appropriate executive and non-executive structures in place.

To ensure that the Constitution is up to date and reflects those structures.

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This report has been approved by the following officers:

On behalf of:

Director of Legal Services and
Monitoring Officer
Director of Finance and ICT
Managing Executive Director
Executive Director(s)

Yes

Implications

Financial

1.1 Under the Council's Members' Allowances Scheme special responsibility allowances (SRAs) are payable to Cabinet Members, Cabinet Support Members and Chairs/Vice Chairs of Committees. The following additional allowances would therefore be payable:

Cabinet members x2	£36,000
Cabinet Support member x2	£18,000
Chair of Improvement & Scrutiny Committee	£ 9,000
Vice-Chair of Improvement and Scrutiny Committee	£ 3,600
Total	£66,600

Legal

2.1 Under the Local Government Act 2000 as amended, the Leader has the authority to appoint his Cabinet and determine how executive functions will be exercised. By virtue of section 9C(5), the number of members of the executive shall not exceed 10.

Allocation of seats by a Council must give effect to the following principles set out in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. The principles have to be applied in priority order as follows:

- (a) that not all the seats are allocated to the same political group;
- (b) that the majority of seats are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
- (c) subject to (a) and (b) above, that the total number of all seats of the ordinary committees allocated to each particular political group reflects the group's proportion to the membership of the authority;
- (d) subject to (a) – (c) above, that the number of seats allocated to a particular political group reflects that group's proportion of the membership of the authority.

A political group is determined as comprising two or more members. Members who are not part of any political group are not automatically entitled to seats

on any council committees. However, should it so wish Council could consider allocating seats to members not in political groups.

Section 9F of the Local Government Act 2000 imposes an obligation on a Council operating executive arrangements to include provision of one or more overview and scrutiny committees. Climate Change, Biodiversity and Carbon Reduction are executive functions which should be subject to scrutiny.

Human Resources

3.1 The proposals include the establishment of an additional Improvement and Scrutiny Committee and it is noted that additional Cabinet Member positions have been created. Consideration will therefore need to be given to additional staffing resources within Democratic Services to ensure that there is effective support.

Information Technology

4.1 None

Equalities Impact

5.1 None

Corporate objectives and priorities for change

6.1 None

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None