

CANNOCK CHASE COUNCIL

COUNCIL

25 MAY, 2011

REPORT OF THE CHIEF EXECUTIVE

RESPONSIBLE PORTFOLIO LEADER(S) – LEADER OF THE COUNCIL

REPRESENTATIVES ON OUTSIDE BODIES 2011-12

1. Purpose of Report

- 1.1 To consider the appointment of representatives to outside bodies for 2011-12 as set out in the schedule to be circulated at the Annual Council Meeting.
- 1.2 To confirm the Chief Executive's authority to make appointments to any other outside bodies throughout the municipal year, in accordance with the arrangements as set out in paragraph 3 of this report.

2. Recommendation(s)

- 2.1 That Council determine the appointment of representatives to outside bodies for 2011-12.
- 2.2 That the Chief Executive, in consultation with the Political Group Leaders, makes additional appointments to any outside bodies, as necessary, throughout the municipal year.
- 2.3 That, in the event of the Political Group Leaders failing to agree on a nomination(s) to an outside body (as referred to in paragraph 2.2 above) the appointment will be a matter for determination by the Council.
- 2.4 That, subject to paragraph 2.2 above, the Chief Executive when appointing representatives to outside bodies, be authorised to determine which of the appointments should be classed as an 'approved duty' for the purposes of claiming travelling and subsistence expenses.

3. Summary (inc. brief overview of relevant background history)

- 3.1 Each year the Council appoints representatives to a number of outside bodies. A schedule of those bodies to which the Council appoints representatives together with nominations is usually circulated at the Annual Council Meeting.
- 3.2 Details of the number of meetings called during the period 1 June, 2010 until 31 January, 2011 together with details of the attendance of those appointed to such bodies has been provided to each of the Political Group Leaders prior to them submitting their nominations.

- 3.3 In September 2008, the Council amended as part of the Constitution the procedure for the receipt of nominations for outside bodies by the Political Group Leaders. In doing so, Group Leaders are required to submit their nominations to the Chief Executive at least 48 hours prior to the commencement of the Annual Council Meeting. Following receipt of the nominations, no amendments shall be permitted. Therefore, a copy of the schedule, detailing the nominations received, will be circulated at the Annual Council Meeting.
- 3.4 Council is also requested to consider delegating authority to the Chief Executive to make appointments to any additional outside bodies, as necessary, throughout the municipal year, on receiving nominations from the Political Group Leaders.
- 3.5 In the event that the Political Group Leaders fail to agree on a nomination, the appointment of representative(s) to that body will be a matter for the full Council to determine.
- 3.6 Should Council agree to delegating authority to the Chief Executive to appoint representatives to outside bodies, then further delegated authority is sought for the Chief Executive to determine those appointments that are to be classed as an 'approved duty' for the purposes of the nominated representative claiming travelling and subsistence expenses.

4. Key Issues and Implications

- 4.1 The key issues and implications are detailed at 3.1 – 3.5, above.

5. Conclusions and Reason(s) for Recommendation(s)

- 5.1 Determination of appointments to representatives on outside bodies is a matter for Council in the first instance. The Chief Executive has consulted with Political Group Leaders to agree nominations. In the event that there should be failure to agree a nomination(s) full Council will be required to determine the matter.
- 5.2 The recommendations also proposes delegation to the Chief Executive, in consultation with the Political Group Leaders, to make appointments to any additional outside bodies as may be required, and to the Chief Executive to determine which should be classed as an approved duty.
- 5.3 Council is requested to consider the appointment of representatives to outside bodies for 2011-12 as set out in the schedule to be circulated at the Annual Council Meeting.

6. Other Options Considered

- 6.1 The process already allows for circumstances there being failure to agree a nomination(s), will full Council being required to determine the matter.

7. Report Author Details

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SCHEDULE OF ADDITIONAL INFORMATION

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Section 1

Contribution to Council Priorities

The Council, through its democratic process, contributes to each of the Council's Priorities.

Section 2

Contribution to Promoting Community Engagement

Through the appointment of representatives to outside bodies, the Council promotes community engagement.

Section 3

Financial Implications

There are no direct financial implications arising from this report. Any costs which arise from appointments determined as an approved duty, and thereby subject to travel and subsistence claims, will have to be met from existing Members' budgets.

Section 4

Legal Implications

Unless otherwise specified by statute, Section 101 of the Local Government Act 1972 empowers the Council to arrange for the discharge of any of its functions by an officer of the Council

The Local Government Act 1972, Section 101(1) provides that:

subject to any express provision contained in this act or any act passed after this Act, a local authority may arrange for the discharge of any of their functions –

(a) by a committee, a sub-committee or an officer of the authority..."

Council can therefore delegate the appointment of representatives on outside bodies to the Chief Executive.

Should the appointment relate to executive functions, then the power to delegate the making of such appointments to the Chief Executive rests with Cabinet in accordance with Section 14 of the Local Government Act, 2000.

Section 5

Human Resource Implications

There are no identified Human Resource implications arising from this report.

Section 6

Section 17 Implications

There are no identified Section 17 (Crime Prevention) arising from this report.

Section 7

Human Rights Act Implications

There are no identifiable implications in respect of Human Rights Act arising from this report.

Section 8

Data Protection Act Implications

There are no identifiable implications in respect of Data Protection Act arising from this report.

Section 9

Risk Management Implications

There are no identified Risk Management implications arising from this report.

Section 10

Equality and Diversity Implications

There are no identified Equality and Diversity implications arising from this report.

Section 11

List of Background Papers

N/A

Section 12

Report History

N/A

Annexes

Annex 1 Schedule of outside bodies.