


<b>Agenda Item No.:</b>	<b>11</b>	
<b>Committee:</b>	<b>Council</b>	
<b>Date:</b>	<b>22<sup>nd</sup> May 2023</b>	
<b>Report Title:</b>	<b>Committee Balance, Political Balance and Allocation of Seats</b>	

## **COVER SHEET**

### **1. Purpose/Summary**

- 1.1. The purpose of this Report is to agree the committee structures and terms of reference for the forthcoming municipal year as well as confirming the allocation of seats to those committees and also to outside bodies in accordance with political proportionality rules and to receive notification of the appointments to committees.

### **2. Key Issues**

- 2.1. The Constitution provides under Rule 1, paragraph 1.2 that at the Annual Meeting, Council will:
- 2.1.1. determine which committees and panels should be established for the ensuing municipal year;
  - 2.1.2. agree the terms of reference for those committees/panels as outlined in the Constitution;
  - 2.1.3. allocate the seats and position of the Chairman and Vice Chairman to Political Groups in accordance with political proportionality rules where appropriate in respect of committees, panels and outside bodies;
  - 2.1.4. receive notification and to appoint Councillors to the allocated seats on each committee and panel and to serve as Chairman and Vice- Chairman.
- 2.2. In accordance with the Local Government and Housing Act 1989, seats are proportionately allocated to political groups (paragraphs 15 and 16) however, it is possible to agree a variation to those arrangements provided that there is no dissenting vote (paragraph 17). Where there is dissent, the strict legal position must be adhered to. Political Groups are allocated seats proportionate to their size.

### **3. Recommendations**

It is recommended that Council:

- 3.1. Approves the Committees and Panels set out at Appendix A for the 2023/24 municipal year to include the following specific changes:
- 3.1.1. That the Audit and Risk Management Determination Sub-Committee is disbanded in favour of creating an Employment Committee comprised of 7 seats;
  - 3.1.2. That the number of seats on the Planning Committee and Audit and Risk Committee is reduced from 13 to 7; and
  - 3.1.3. That the number of seats on the Conduct Committee is increased to 7.

- 3.2. Agrees the proposed amendments to the Constitution to reflect the changes set out at paragraph 3.1 above and as set out in Appendix B;
- 3.3. Agrees the Alternative Approach for the politically proportionate allocation of seats to Committees and Panels or, in the event of dissent, the calculations based on the strict application of s15 of the Local Government and Housing Act 1989 all as set out in Appendix C (“the 1989 Act Approach”); and
- 3.4. Agrees the allocation of seats and position of Chairman and Vice Chairman on the ongoing and newly comprised committees as also set out at Appendix C.
- 3.5. Agrees the appointments to seats allocated in accordance with paragraph 3.4 above (Appendix C) including any co-opted or non-members;
- 3.6. Agrees the list of Outside Bodies as set out at Appendix D for 2023/24;
- 3.7. Agrees the Alternative Approach for the politically proportionate allocation of seats to Outside Bodies or, in the event of dissent, the calculations based on the strict application of s.15 of the Local Government and Housing Act 1989 (“the 1989 Act Approach”) all as set out in Appendix D;
- 3.8. Notes that the distribution of seats amongst Outside Bodies, to achieve overall political proportionality based on the allocations approved at paragraph 3.7 above and the subsequent appointments to those seats will be discussed between Group Leaders and presented for approval at the next meeting of Cabinet on 12<sup>th</sup> June 2023;
- 3.9. Notes the intended creation of three new Committees; Culture, Arts and Heritage, Rural and Farming and Project Review for consideration at the July Council meeting together with the associated changes in political proportionality and allocation of seats.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Cllr Chris Boden – Leader of the Council
Report Originator(s)	Carol Pilson – Corporate Director Amy Brown – Assistant Director
Contact Officer(s)	Paul Medd – Chief Executive Email: paulmedd@fenland.gov.uk Carol Pilson – Corporate Director Email: <a href="mailto:cpilson@fenland.gov.uk">cpilson@fenland.gov.uk</a> Amy Brown – Assistant Director Email: <a href="mailto:amybrown@fenland.gov.uk">amybrown@fenland.gov.uk</a>
Background Papers	Fenland District Council’s Constitution

## **REPORT**

### **1. BACKGROUND AND INTENDED OUTCOMES**

- 1.1 For each municipal year, Council must agree the Committees and Panels which are to be established together with their terms of reference. On establishing the Committees and Panels, in accordance with the rules relating to Political Proportionality the seats on each committee and panel together with the position of Chairman and Vice Chairman are then allocated to Political Parties. Council also receives notification of the appointments to these Committees and is required to confirm allocations to Outside Bodies based again on political proportionality.

### **2. COMMITTEE STRUCTURE**

- 2.1 The Constitution provides that the Council considers the establishment and terms of reference of committees at its Annual Meeting. This must be determined before seats can be allocated to committees in accordance with the political proportionality rules.
- 2.2 The Committees and Panels of Fenland District Council are as identified in Appendix A and their terms or reference are as set out at Part 3 of the Constitution save as it is proposed they are amended as set out in Appendix B.

Further 'in-year' changes can be made to the committee structure and proportionality calculations at future meetings of the Full Council. It is proposed that a further Report is presented to Full Council at its next meeting which sets out proposals for the establishment of a further 3 politically proportionate Committees to include Culture, Arts and Heritage, Rural & Farming and Project Review.

### **3 ALLOCATION OF SEATS**

#### **3.1 Political Proportionality**

- 3.1.1 The Constitution provides that the Council's allocation of seats and positions of Chairman and Vice Chairman are subject to political balance arrangements where appropriate.
- 3.1.2 The rules relating to political proportionality in relation to membership of committees are set out in the Local Government and Housing Act 1989 and the supporting regulations.
- 3.1.3 For the purposes of the Act, the Local Government (Committees and Political Groups) Regulations 1990 specify that a political group must consist of two or more members who have signed a declaration to that effect.

3.1.4 Where one or more groups exist the relative proportions of the groups should be used in allocating seats on committees/outside bodies. In ordinary circumstances therefore, any elected members who are not part of a group are not automatically allocated seats on committees unless any remain unallocated after political groups have been given their proportionate allocation (“**the 1989 Act Approach**”). It is however possible for group leaders to reach an alternative agreement as regards the allocation of their seats to unaligned members provided that there is no dissent (abstentions do not count as dissent for this purpose) (“**the Alternative Approach**”). In this instance members are being asked to consider and agree the Alternative Approach as comprised within Appendix C of this Report. In the event of dissent, the 1989 Approach is also comprised within Appendix C and will instead be put to the vote if the Alternative Approach cannot be agreed.

### **3.2 Outside Bodies**

3.2.1 Also, in accordance with legislative requirements, local and national convention, allocations to seats on outside bodies are to the majority group where there are 2 or fewer seats available but in all other cases politically proportionate percentages are applied to recognised groups or, where alternative arrangements are agreed, such other nominees as may be appropriate. The list of Outside Bodies and the allocation of seats in accordance with either the Alternative or 1989 Act approaches is as set out at Appendix D. Members are again being asked to consider and agree the Alternative Approach but in the event of dissent, the 1989 Approach should instead be considered.

3.2.2 Confirmation of membership to the Outside Bodies will be undertaken at the first meeting of Cabinet on 12<sup>th</sup> June 2023 which will allow sufficient time for Group Leaders to appoint to their allocations and, subject to any amendments to the allocations which the Group Leaders may propose in order to ensure overall political balance.

## **4 COMMITTEE APPOINTMENTS**

4.1 The Constitution provides that Council agrees the appointments to the seats allocated at paragraph 3.1 above.

4.2 The terms of reference of the Conduct Committee also provide for the appointment of up to 2 co-opted members and Independent Persons.

4.3 The proposed allocations for the forthcoming municipal year are as set out at Appendix C together with the positions of Chairman and Vice Chairman.

## **5 CONSULTATION**

5.1 The proposals set out in the Appendices to this Report will be formulated in consultation with relevant Group Leaders.

## **6 ALTERNATIVE OPTIONS CONSIDERED**

- 6.1 The proposals set out in this Report reflect legal and constitutional requirements.

## **7 IMPLICATIONS**

### **7.1 Legal Implications**

- 7.1.1 The proposals set out in this report meet with the Council's legal and constitutional obligations.

### **7.2 Financial Implications**

- 7.2.1 There are no direct financial implications arising from this report.

## **8 Equality Implications**

- 8.1.1 There are no specific equality implications associated with these proposals.

## **9 APPENDICES**

- 9.1.1 Appendix A – Proposed Committees and Panels for 2023/24
- 9.1.2 Appendix B – Draft Constitutional Amendments
- 9.1.3 Appendix C – Proposed Allocation of and Appointments to seats on Committees and Panels.
- 9.1.4 Appendix D - Allocation of Seats on Outside Bodies

## **APPENDIX A - PROPOSED COMMITTEES AND PANELS FOR 2023/24**

***NB: The proposals in relation to substitute members have been formulated on the basis of there being up to 4 substitutes per committee for each group save in respect of where that group's substantive allocation is less than 4 in which case the number of substitutes will be commensurate with that number.***

<b>Committee</b>	<b>Allocation of Seats</b>
Overview & Scrutiny Panel	13 substantive seats with 6 substitute members.
Planning Committee	<p>7 substantive seats with each political group able to allocate a number of substitutes commensurate with their substantive allocation up to a maximum of 4.</p> <p>The restriction on the number of Cabinet members reduced from 4 to 2.</p> <p>(Reducing the previous allocation of seats from 13 to 7 and substitutes from 4 per political group to 4 for the Conservative Group and 1 for the FIA).</p>
Licensing Committee (Licensing Act 2003)	<p>13 substantive seats with 6 substitute members.</p> <p>The same Members to be appointed for the Licensing Act 2003 Committee and the Non Licensing Act 2003 Committee.</p> <p>(Retaining both the number of substantive seats and the number of substitutes).</p>
Audit & Risk Management Committee	<p>7 substantive seats comprised of:</p> <p>No more than 2 members of Cabinet and not to include the portfolio holder responsible for finance;</p> <p>5 substitute members.</p> <p>(Reducing the previous allocation of seats from 13 to 7 substantive seats and 6 substitute members to 5; 4 for the Conservative Group and 1 for the FIA).</p>
Audit & Risk Management Determination Sub-Committee	To be disbanded.
Employment Committee	<p>To be newly created to include:</p> <p>7 substantive seats and 5 substitute members.</p>

<p>Conduct Committee</p>	<p>7 substantive seats and 5 substitute members.</p> <p>2 members of Town and Parish Councils, an Independent and Deputy Independent Person.</p> <p>(Increasing the previous allocation of substantive seats from 6 to 7 and the number of substitutes from 3 to 5; 4 for the Conservative Group and 1 for the FIA).</p>
<p>Appointments Panel</p>	<p>7 substantive and 5 substitute members.</p> <p>(Retaining the previous allocation of substantive seats at 7 but increasing the number of substitutes from 3 to 5; 4 for the Conservative Group and 1 for the FIA).</p>

## **PART 3**

# **RESPONSIBILITY FOR FUNCTIONS**



## RESPONSIBILITY FOR FUNCTIONS

### INTRODUCTION

The Local Government Act 2000 and regulations made under the Act distribute responsibility for the Council's functions between the full Council and the Executive (Cabinet). The law allows the full Council to decide whether some functions (known as "local choice functions") should be exercised by the full Council, the Cabinet or another Council body.

The volume of the Council's business makes it impracticable for the full Council to make every decision that lies within its remit. The full Council has, therefore, delegated certain of its functions to other "Council bodies" which are known as 'Panels' and 'Committees'. Under the law, the full Council and the Cabinet may also delegate powers to officers to make decisions that they could make. The distribution of these powers to officers is set out in the "Scheme" of Delegation to Officers. Individual members of the Cabinet (Portfolio Holders) may also make decisions that could be made by the Cabinet.

This part of the Constitution describes the powers which may be exercised by the full Council, the Cabinet, other Council bodies and Portfolio Holders and sets out the scheme of delegation to officers.

Table 1	Local Choice Functions Council
Table 2	Responsibility for Functions
Table 3	Responsibility for Executive Functions
Table 4	Functions Delegated to Officers
Table 5	Functions Delegated to Portfolio Holders

### DEFINITIONS OF MEMBERSHIPS<sup>1</sup>

The following table defines the membership of the various decision making bodies used in Table 1 and Table 2<sup>2</sup>.

Decision Making Body	Membership
Council	All <del>39</del> <u>43</u> members of the Council
Cabinet	The Leader and up to 9 further members appointed by the Leader
Investment Board <sup>3</sup>	The Leader and up to two further Cabinet Members appointed by the Leader.

<sup>1</sup> Amendment approved 25 February 2010

<sup>2</sup> Amendment approved 30 April 2020, deleted 7 May 2021

<sup>3</sup> Amendment approved 9 January 2020

Decision Making Body	Membership
	<p>Two additional substitute Cabinet Members to be appointed by the Leader.</p> <p>The Investment Board shall be advised by the Chief Executive, s.151 and Monitoring Officers together with the Director of Growth [and its meetings may be attended by the Chairman or Vice Chairman of O&amp;S in an observatory capacity].</p>
Overview and Scrutiny Panels	<p>Up to 13<sup>4</sup> members of the Council (none of which may be part of the Cabinet) for each panel defined in Table 1 of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution</p> <p>Six additional substitute members to be appointed.<sup>5</sup></p> <p>Each panel will have one Chairman and one Vice Chairman.</p>
Planning Committee	<p>Up to <del>13</del><sup>7</sup> members of the Council. No more than <del>four</del><sup>6</sup><sub>2</sub> of which can be members of the Cabinet.</p> <p>The committee will have 1 Chairman and 1 Vice Chairman none of which can be members of the Cabinet.</p> <p>No planning decision will be taken at Committee if the number of Cabinet members is more than 50% of the voting members present.<sup>7</sup></p> <p>Each Political Group may appoint <u>a number of substitutes precisely commensurate with their substantive allocation of seats up to a maximum of 4</u> <del>up to 4 substitute members of Planning Committee</del> who shall be subject to the rules of substitute members, and shall be required to abide by the training requirements for the Planning Committee.<sup>8</sup></p> <p>A new member appointed to Planning Committee must not take part in or vote on any decision made by Planning Committee until they have attended at least one internal and one external training session on planning related topics.</p>

<sup>4</sup> Amendment approved 19 May 2011, amendment approved 19 May 2021

<sup>5</sup> Amendment approved 18 July 2019

<sup>6</sup> Amendment approved 8 December 2021

<sup>7</sup> Amendment approved 8 December 2021

<sup>8</sup> Amendment approved 19 May 2011

Decision Making Body	Membership
	<p>Existing members of Planning Committee who take part in or vote on any decision made by Planning Committee should attend at least one internal and one external training session on planning related topics during each municipal year. Failure to complete the training will be brought to the attention of the group leader prior to reappointment at annual council. Any new member undertaking initial training will meet their annual requirement. For the avoidance of doubt any member who fails to comply with the annual training provision will not by itself render a decision unlawful.</p>
Licensing Committee	<p>Up to 13<sup>9</sup> members of the Council.</p> <p>Power is given to the committee to appoint panels of 3 to determine individual cases.</p> <p>Six additional substitute members to be appointed.<sup>10</sup></p> <p>A new member appointed to the Licensing Committee must not take part in or vote on any decision made by Licensing Committee until they have attended at least one internal and one external training session on Licensing related topics.</p> <p>Existing members of Licensing Committee who take part in or vote on any decision made by Licensing Committee (or a panel) should attend at least one internal and one external training session on Licensing related topics during each municipal year. Failure to complete the training will be brought to the attention of the group leader prior to reappointment at annual council. Any new member undertaking initial training will meet their annual requirement. For the avoidance of doubt any member who fails to comply with the annual training provision will not by itself render a decision unlawful.</p>
Conduct Committee	<p>Up to 6<del>7</del><sup>11</sup> members of the Council.</p> <p>The Conduct Committee shall be advised by the Independent Person appointed in accordance with section 28 of the Localism Act 2011.</p>

<sup>9</sup> Amendment approved 3 November 2011, amendment approved 19 May 2021

<sup>10</sup> Amendment approved 18 July 2019

<sup>11</sup> Amendment approved 19 May 2021

Decision Making Body	Membership
	<p>The committee may appoint up to two non voting members who are Town or Parish Councillors. <sup>12</sup></p> <p><del>Three-Five</del> additional substitute members to be appointed. <sup>13</sup></p>
<p>Audit and Risk Management Committee<sup>14</sup></p>	<p>Up to <del>7</del><sup>15</sup> members of the Council to be formed from:</p> <p>Up to <del>3</del><sup>2</sup> members of Cabinet <u>and not to include</u>ing the Portfolio Holder responsible for Finance</p> <p><del>Up to 3 members drawn from the Overview and Scrutiny Panel</del></p> <p><del>7</del><sup>16</sup> <del>Backbench members</del></p> <p><del>Six-Five</del> additional substitute members to be appointed.</p> <p>The Chairman may not be a member of Cabinet.</p>
<p><del>Audit and Risk Management Determination Sub-Committee<sup>17</sup></del></p>	<p><del>Up to 6 members of the Audit and Risk Management Committee including with the Chair or Vice-Chair (but not both) and no more than 2 Cabinet members.</del></p> <p><del>The Chairman and Vice-Chairman must be the same as those appointed to the corresponding positions on the Audit and Risk Management Committee.</del></p>
<p><u>Employment Committee</u></p>	<p><u>Up to 7 members of the Council.</u></p> <p><u>Five substitute members to be appointed.</u></p>
<p>Appointments Panel</p>	<p>Up to 7 members and not less than 3 nominated by the Leader to reflect political proportionality.</p> <p><del>Five</del><sup>Three</sup> additional substitute members to be appointed. <sup>18</sup></p>

<sup>12</sup> Amendment approved 26 July 2012

<sup>13</sup> Amendment approved 18 July 2019

<sup>14</sup> Amendment approved 14 December 2020 (replaces Staff Committee and Corporate Governance Committee)

<sup>15</sup> Amendment approved 19 May 2021

<sup>16</sup> Amendment approved 19 May 2021

<sup>17</sup> Amendment approved 14 December 2020

<sup>18</sup> Amendment approved 18 July 2019

**TABLE 1 - LOCAL CHOICE FUNCTIONS<sup>19</sup>**

<b>Function</b>	<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Delegation of Functions</b>
Any function under a local Act other than a function specified or referred to in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000	Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution
The conduct of Best Value Reviews in accordance with the provisions of any order for the time being having effect under Section 5 (best value reviews) of the Local Government Act 1999	Overview and Scrutiny Panel reporting findings to Council for decision	As defined in Tables 4 and 5 of this Part of the Constitution
Any function relating to contaminated land:  (i) approval of contaminated land strategy  (ii) preparation of draft contaminated land strategy  (iii) all other functions relating to contaminated land	Cabinet  Cabinet  Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution  As defined in Tables 4 and 5 of this Part of the Constitution  As defined in Tables 4 and 5 of this Part of the Constitution
The discharge of any function relating to the control of pollution or the management of air quality	Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution
The service of an abatement notice in respect of a statutory nuisance	Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution

<sup>19</sup> Amendment to table approved 25 September 2008 and 25 February 2010

<b>Function</b>	<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Delegation of Functions</b>
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Council's area	Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution`
The inspection of the authority's area to detect any statutory nuisance	Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution
The investigation of any complaint as to the existence of a statutory nuisance	Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution
The obtaining of particulars of a person's interest in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976:  (i) in so far as the information is required in connection with a function of the Planning Committee	Planning Committee	As defined in Tables 4 and 5 of this Part of the Constitution.
(ii) in so far as the information is required in connection with a function of the Licensing Committee  (iii) in so far as the information is required in connection with a function of the Cabinet	Licensing Committee  Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution  As defined in Tables 4 and 5 of this Part of the Constitution
The making of agreements for the execution of highways work	Planning Committee	As defined in Tables 4 and 5 of this Part of the Constitution

**TABLE 2 – RESPONSIBILITY FOR COUNCIL FUNCTIONS <sup>20</sup>**

<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Functions</b>	<b>Delegations of Functions</b>
Council	<b>Corporate Asset Management Plan</b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Budget</b>	As defined in Tables 4 and 5 of this Part of the Constitution
	<b>Medium Term Financial Strategy</b>	
Council	<b>Cultural Strategy</b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Economic Development Strategy</b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>The Housing Strategy <sup>21</sup></b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Waste Management Plan</b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Corporate Plan</b>	As defined in Tables 4 and 5 of this Part of the Constitution

<sup>20</sup> Amendment to Table 2 approved 21 December 2006, 11 May 2017 and 9 January 2020

<sup>21</sup> Amendment approved 26 July 2012

<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Functions</b>	<b>Delegations of Functions</b>
Council	<b>Development Plan Documents (DPDs)<sup>22</sup></b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Making of Neighbourhood Plans and Neighbourhood Development Orders<sup>23</sup></b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Crime and Disorder Reduction Strategy</b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Elections and Electoral Registration</b>	As defined in Tables 4 and 5 of this Part of the Constitution
Council	<b>Health and Safety</b>  Functions relating to Health and Safety under any “relevant statutory provisions” within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council’s capacity as employer	As defined in Tables 4 and 5 of this Part of the Constitution.
Council <sup>24</sup>	Commercial Investment Strategy	As defined in Tables 4 and 5 of this Part of the Constitution

<sup>22</sup> Amendment Approved 14 December 2017

<sup>23</sup> Amendment approved 14 December 2017

<sup>24</sup> Amendment approved 9 January 2020



<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Functions</b>	<b>Delegations of Functions</b>
Planning Committee	<p><b>Planning and Conservation</b></p> <p>Functions relating to town and country planning, conservation and listed buildings and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations)</p>	As defined in Tables 4 and 5 of this Part of the Constitution
	<p><b>Highways use and regulation</b></p> <p>The exercise of powers relating to the regulation and the use of highways as set out in Schedule 1 to the Functions Regulations</p>	As defined in Tables 4 and 5 of this Part of the Constitution
	<p><b>Trees and Hedgerows</b></p> <p>The exercise of powers relating to the preservation of trees and protection of important hedgerows as set out in Schedule 1 to the Functions Regulations</p>	As defined in Tables 4 and 5 of this Part of the Constitution
	<p><b>Brownfield Register (and other Registers)</b></p> <p>To undertake the functions of the Council under Part 2 of the Planning and Compulsory Purchase Act 2004 (local development), Section 14A (Register of Land), including preparation of a Brownfield Land Register as required by The Town and Country Planning (Brownfield Land Register) Regulations 2017.<sup>25</sup></p>	As defined in Tables 4 and 5 of this Part of the Constitution

<sup>25</sup> Amendment approved 14 December 2017

<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Functions</b>	<b>Delegations of Functions</b>
	<b>Rights of Way<sup>26</sup></b>	As defined in Tables 4 and 5 of this Part of the Constitution
Licensing Committee	<p><b>Licensing Act 2003</b> To discharge the functions of the Council as Licensing Authority under the Licensing Act 2003 with the exception of the Statement of Licensing Policy which is reserved to Council</p> <p><b>Taxi, gaming, entertainment, food and miscellaneous licensing</b></p> <p>Functions relating to licensing and registration as set out in Schedule 1 to the Functions Regulations</p>	<p>As defined in Tables 4 and 5 of this Part of the Constitution</p> <p>As defined in Tables 4 and 5 of this Part of the Constitution</p>
Conduct Committee <sup>27</sup>	<p><b>The promotion and maintenance of high standards and conduct within the Council</b></p> <p>To advise the Council on the adoption or revision of its Code of Conduct for Members</p> <p>To determine any complaints of a breach of The Members' Code of Conduct via the Sub-Committee Hearing Panel <sup>28</sup></p>	As defined in Tables 4 and 5 of this Part of the Constitution

<sup>26</sup> Amendment approved 14 December 2017

<sup>27</sup> Amendment approved 26 July 2012

<sup>28</sup> Amendment approved 18 September 2019

<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Functions</b>	<b>Delegations of Functions</b>
	<p><b>Town/Parish Councils</b></p> <p>The promotion and maintenance of high standards of conduct within the Town and Parish Councils within Fenland and the determination of complaints made against these members in pursuance to the Code of Conduct.<sup>29</sup></p>	<p>As defined in Tables 4 and 5 of this Part of the Constitution</p>
<p><u>Audit and Risk Management Committee</u><sup>30</sup><u>Employment Committee</u></p>	<p>To receive reports from the Head of Paid Service and/or the Chief Finance Officer<sup>31</sup> on strategic employment policies, ie those employment policies immediately and directly affecting all employees and which incurs an additional cost to the service area in question.</p> <p>In collaboration with the Staff Side group to promote effective communications and consultation between the Council and its employees on general personal matters</p> <p>Exercise discretion allowed under the local government pension scheme, including the award of discretionary payments to employees</p>	<p>As defined in Tables 4 and 5 of this Part of the Constitution</p>

<sup>29</sup> Amendment approved 26 July 2012

<sup>30</sup> Amendment approved 14 December 2020

<sup>31</sup> Amendment approved 26 July 2012

<b>Decision-Making Body</b> (Memberships defined in table above)	<b>Functions</b>	<b>Delegations of Functions</b>
Appointments Panel	<p><b>To appoint or dismiss the Head of Paid Service<sup>32</sup> Chief Officers and Directors</b></p> <p>Note: The appointment of the Chief Executive<sup>33</sup> must be confirmed by the full Council</p> <p>To take disciplinary action against the Chief Executive, and hear disciplinary appeals made by the<sup>34</sup> Chief Officers, the Monitoring Officer (and Deputy) and Chief Finance Officer (and Deputy) in accordance with the relevant provisions</p> <p>To consider and determine the terms and conditions of service of the Chief Executive and other employment related issues as they apply to the Chief Executive</p> <p>To consider any grievance submitted by the Chief Executive in accordance with the relevant provisions.</p>	As defined in Tables 4 and 5 of this Part of the Constitution
Overview and Scrutiny Panel	Overview and Scrutiny functions under the Local Government Act 2000 as amended <sup>35</sup>	As defined in Tables 4 and 5 of this Part of the Constitution
Audit and Risk Management Committee <sup>36</sup>	Functions relating to audit, the regulatory financial framework and accounting policies	As defined in Tables 4 and 5 of the Part of the Constitution

<sup>32</sup> Amendment approved 26 July 2012

<sup>33</sup> Amendment approved 25 February 2010

<sup>34</sup> Amendment approved 25 February 2010 and 26 July 2012

<sup>35</sup> Amendment approved 8 May 2008

<sup>36</sup> Amendment approved 14 December 2020

**TABLE 3 - RESPONSIBILITY FOR EXECUTIVE FUNCTIONS**

**3.1. CABINET**

<b>Who is responsible?</b>	<b>Membership</b>	<b>Functions</b>	<b>Onward Limit of Delegations</b>
Cabinet	Up to 10 members of the Council	All functions of the Council which are not the responsibility of any other part of the Council as defined in this Constitution	As defined in Tables 3 <sup>37</sup> , 4 and 5 of this Part of the Constitution
Leader	The member so appointed by the Council	The creation of portfolios of related functions and appointment of members of the Cabinet to portfolios	
Portfolio Holders	See Appendix	Responsible for functions delegated to Portfolio Holders by the Cabinet	As defined in Tables 4 and 5 of this Part of the Constitution

3.1.1<sup>38</sup> Cabinet will be responsible for the following specific functions in relation to the Commercial Investment Strategy and the Council’s companies and partnerships:

- (a) Conducting a formal review of the Commercial Investment every 2 years and recommending any necessary amendments for approval by Full Council;
- (b) Agreement of process and documentation for approval of Part 2 and 3 proposals;
- (c) The establishment of any new company and/or partnership;
- (d) The decommissioning/winding up of existing companies or partnerships;

<sup>37</sup> Amendment approved 9 January 2020

<sup>38</sup> Amendment approved 9 January 2020

- (e) The determination of Articles of Association;
- (f) The determination of the percentage share of ownership;
- (g) The determination of Reserved Matters for example appointment or dismissal of Directors<sup>39</sup> unless delegated to the Investment Board;
- (h) Scheme of delegations to the Investment Board and Officers;
- (i) To delegate to the Investment Board the requisite funding allocated for delivery of the Council's Commercial Investment Strategy and to oversee spending against that budget in accordance with the agreed processes.

## **3.2 INVESTMENT BOARD** <sup>40</sup>

To create a new committee of Cabinet called the Investment Board which will have the delegated function set out at paragraph 3.2.1 to 3.2.3 below:

### **3.2.1 Purpose**

The Investment Board is responsible for implementing the Commercial Investment Strategy including oversight of the Council's companies and partnerships.

The Investment Board will act as a decision-making body in relation to the functions delegated to it and will report to Cabinet in relation to the exercise of those functions.

Support and advice will be provided to the Investment Board by the Chief Executive, Section 151 Officer, Monitoring Officer and Director of Growth.

### **3.2.2 Membership and Operation of the Investment Board**

The Investment Board will comprise a maximum of two Cabinet Members (one of whom should be the portfolio holder for finance if that position is not held by the Leader) in addition to the Leader who will determine their appointment annually.

The Leader will Chair the Investment Board and a Vice Chair will be selected from the elected members of the Investment Board. The Investment Board shall meet on a basis agreed by itself with a minimum of 3 meetings per year. The quorum shall be the Leader in the presence of a minimum of; • one other Cabinet Member; • one senior advisory officer (or their appointed deputy). If there are only 2

---

<sup>39</sup> Amendment approved 9 January 2020

<sup>40</sup> Amendment approved 9 January 2020

voting members present, then any decision must be unanimous.<sup>41</sup> [An invitation to attend must have been provided to the Chair of O&S at least 5 clear days in advance of the meeting taking place. This notice period may be waived if the Chair of O&S or their nominated deputy so agrees.] An invitation to attend must also have been provided to the section 151 officer and the Monitoring Officer (or their nominated deputies) which will normally be at least 5 clear days in advance of the meeting taking place.

The provisions relating to substitution set out at paragraph 28 of the Standing Orders shall apply to meetings of the Investment Board save that the Leader and Cabinet Members may only be substituted by Cabinet Members [and the Chair of O&S may only be substituted by the Vice Chairman]. Such substitutions to be notified to Council as part of the annual nomination process. The Cabinet Procedure Rules shall apply to meetings of the Investment Board save in respect of paragraphs 1.6, 1.8, 2.2 (second paragraph), 2.3(g) and (h) and paragraph 2.5(d) which shall be disapplied.

### **3.2.3 Functions of the Investment Board**

- (a) To determine investment appraisals submitted under Part 2 of the Council's Commercial Investment Strategy together with the most appropriate means of delivery;
- (b) To determine business cases submitted under Part 3 of the Council's Commercial Investments Strategy by the Council's companies and partnerships;
- (c) To determine the amount and terms of any investments, loans and assets required for the delivery of proposals approved in accordance with paragraphs (a) and (b) above from the agreed budget allocation;
- (d) To produce a report to Cabinet twice a year summarising its activities in accordance with paragraphs (a) to (c) above.
- (e) Approve the business plans of the Council's companies and partnerships;
- (f) to monitor performance and financial delivery in line with the approved business plans;
- (g) To ensure that those companies and partnerships comply with relevant Council policies, strategies and objectives;
- (h) To exercise decisions, where delegated by Cabinet, in relation to a company or partnerships' reserved matters;
- (i) To oversee the relationships between the Council and the Council's companies and partnerships in accordance with the Council's objectives.
- (j) To prepare and present an annual report to the Overview and Scrutiny Committee;

---

<sup>41</sup> Amendment approved 20 February 2020.

- (k) To determine for each individual company or partnership whether the Investment Board recommends to Cabinet the delegation of any functions to the officers of the Council.

All other matters not falling within the remit of the Investment Board functions set out at (a) to (k) above will be referred to Cabinet for decision.



## APPENDIX

### FENLAND DISTRICT COUNCIL CABINET AND PORTFOLIOS<sup>42</sup>

Councillor Chris Boden - <del>Leader</del>	<del>Finance</del> <del>Cambridge and Peterborough Combined Authority</del> <del><sup>43</sup>Leader and Portfolio Holder for Finance</del>	
Councillor Jan French	<del>Deputy Leader of the Council and Portfolio Holder for</del> <del>Revenues and Benefits and CPE</del>	
Councillor Ian Benney <del>Councillor Sam Clark</del>	<del>Portfolio Holder for Economic Growth and Skills</del> <del>Health</del>	
Councillor Sam Hoy	<del>Portfolio Holder for Housing and Licensing</del>	
Councillor Dee Laws <del>Councillor Steve Count<sup>44</sup></del>	<del>Portfolio Holder for Planning and Flooding</del> <del>Licensing and Community Safety</del>	
Councillor Peter Murphy	<del>Portfolio Holder for Refuse and Cleansing, Parks and</del> <del>Open Spaces, Street Scene and Waste Management</del>	
Councillor Chris Seaton	<del>Portfolio Holder for Transport, Social Mobility and</del> <del>Heritage and Culture</del>	
Councillor Steve Tierney <del>Councillor Alex Miscandlon</del>	<del>Portfolio Holder for Transformation, Communication,</del> <del>Climate Change and Strategic Refuse and Environment</del> <del>Portfolio Holder for Leisure and IDBs</del>	
<del>Councillor Sue Wallwork</del>	<del>Portfolio Holder for Community, Health, Environmental</del> <del>Health, CCTV, Community Safety and Military Covenant.</del>	

<sup>42</sup> Amendment made 23 May 2019, amendment made 21 January 2021

~~<sup>43</sup> Amendment approved 17 May 2018~~

~~<sup>44</sup> Amendment approved 11 July 2022~~

### **NEW RULE 10 – AUDIT AND RISK MANAGEMENT COMMITTEE ~~AND AUDIT AND RISK MANAGEMENT DETERMINATION SUB-COMMITTEE~~ PROCEDURE RULES<sup>1</sup>**

#### **AUDIT AND RISK MANAGEMENT COMMITTEE**

##### **Statement of purpose**

1. Our Audit and Risk Management Committee is a key component of Fenland District Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. The purpose of our Audit and Risk Management Committee is to provide independent assurance to the members and other parties of the adequacy of the risk management framework and the internal control environment. It provides independent review of Fenland District Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place. It also ensures the Council is managing the risk of ensuring services have the resources to deliver on the Council's statutory responsibilities and corporate priorities whilst recognising the Council's financial position.

##### **Governance, risk and control**

3. To review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
4. To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account Internal Audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
5. To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
6. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
7. To monitor the effective development and operation of risk management in the Council.
8. To monitor progress in addressing risk-related issues reported to the committee.
9. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
10. To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
11. To monitor the counter-fraud strategy, actions and resources.

---

<sup>1</sup> Adopted 14<sup>th</sup> December 2020

12. To review the governance and assurance arrangements for significant partnerships or collaborations.

### **Internal Audit**

13. To approve the internal audit charter.
14. To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
15. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
16. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
17. To make appropriate enquiries of both management and the Head of Internal Audit to determine if there are any inappropriate scope or resource limitations.
18. To consider reports from the Head of Internal Audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
  - a) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
  - b) regular reports on the results of the QAIP
  - c) reports on instances where the internal audit function does not conform to the PSIAS and LGAN, considering whether the non-conformance is significant enough that it must be included in the AGS.
19. To consider the Head of Internal Audit's annual report:
  - a) The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
  - b) The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.
20. To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
21. To consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations.

### External audit

22. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.
23. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
24. To consider specific reports as agreed with the external auditor.
25. To comment on the scope and depth of external audit work and to ensure it gives value for money.

### Financial reporting

26. To review the annual statement of accounts.
27. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

### Accountability arrangements

28. To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
29. To report to Full Council on an annual basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

### Membership

30. There shall be a maximum of ~~744~~ members of the Council on the Audit and Risk Management Committee with seats allocated to political groups in proportion to the number of seats held by each group on the Council as a whole. Up to ~~three~~-TBC members from Cabinet and ~~three~~-TBC members of the Overview and Scrutiny Panel may be members. A Cabinet member may not be Chairman.

Commented [AB1]: Figures to be confirmed

### Co-optees

31. The Committee shall be entitled to appoint up to 3 people at any one time as non-voting co-optees. The Committee shall determine whether the co-options shall be effective for a specified period, for specific meetings or for specific items.

### **Meetings**

32. There shall be no more than 5 ordinary calendar meetings of the Committee<sup>i</sup>. In addition, extraordinary meetings may be called from time to time as and when appropriate.
33. The Committee meeting may be called by the Chairman of the Committee, by any three members of the Committee, by the Chief Executive or by the Section 151 officer.

### **Quorum**

34. The quorum for the Audit and Risk Management Committee shall be as set out for committees, in the Council Procedures Rules at Part 4 of the Constitution.
35. The Chairman and Vice-Chairman of the Audit and Risk Management Committee will be drawn from among the Councillors sitting on the Committee and subject to this requirement and that of 34 above, the Committee may appoint such persons as it considers appropriate as Chairman and Vice-Chairman. A member of Cabinet may not be Chairman.

### **Work programme**

36. The Audit and Risk Management Committee will be responsible for setting its own work programme and in doing so shall take into account the wishes of all members on the panel irrespective of political affiliation in line with its terms of reference.

### **Agenda items**

37. Any member of the Audit and Risk Management Committee shall be entitled to give notice to the Chief Executive that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Chief Executive will ensure that it is included on the next available agenda.
38. Any five members of the Council who are not members of the Audit and Risk Management may give written notice to the Chief Executive that they wish an item relevant to the functions of the Committee to be included on the agenda.

**NEW RULE 11 - AUDIT AND RISK MANAGEMENT DETERMINATION SUB-COMMITTEE EMPLOYMENT COMMITTEE**

**Statement of Purpose**

- 1 Our ~~Audit and Risk Management Determination Sub-Committee~~Employment Committee ~~is a sub-committee of the Audit and Risk Management Committee and~~ has decision-making powers in relation to the following delegated functions:
- (a) To receive reports from officers on strategic employment matters & policies;
  - (b) To consider staffing restructures and changes to the establishment;
  - (c) In collaboration with the Staff Side group to promote effective communications and consultation between the Council and its employees on general personnel matters; and
  - (d) Exercise discretion allowed under the local government pension scheme, including the award of discretionary payments to employees.

**Membership & Meetings**

- 2 There shall be a maximum of 7 members of the Council on the Employment Committee with seats allocated to political groups in proportion to the number of seats held by each group on the Council as a whole.

**Quorum & Chairmanship**

- 3 The quorum for the Audit and Risk Management Determination Sub-Committee shall be 3.

The Chairman and Vice-Chairman of the Employment Committee will be drawn from among the Councillors sitting on the Committee and subject to this requirement the Committee may appoint such persons as it considers appropriate as Chairman and Vice-Chairman.

### **Work Programme**

- 4 The Employment Committee will be responsible for setting its own work programme and in doing so shall take into account the wishes of all members on the panel irrespective of political affiliation in line with its terms of reference.

### **Agenda Items**

- 5 Any member of the Employment Committee shall be entitled to give notice to the Chief Executive that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Chief Executive will ensure that it is included on the next available agenda.

Any five members of the Council who are not members of the Employment Committee may give written notice to the Chief Executive that they wish an item relevant to the functions of the Committee to be included on the agenda.

---

<sup>1</sup> Amendment approved 30 April 2020, deleted 7 May 2021

## Appendix C – Proposed Allocation of and Appointments to seats on Committees and Panels.

<b>FENLAND DISTRICT COUNCIL – OVERALL PROPORTIONALITY</b>		
<i>Calculation under paragraph 15 of the LGHA 1989 – ‘Legal’</i>		
Conservative	<b>35</b>	<b>83.33%</b>
FIA	<b>7</b>	<b>16.66%</b>
Ungrouped	<b>1</b>	<b>N/A</b>
<i>Calculation under paragraph 17 of the LGHA 1989 – ‘Alternative’</i>		
Conservative	<b>35</b>	<b>81.395%</b>
FIA	<b>7</b>	<b>16.279%</b>
Ungrouped	<b>1</b>	<b>1.418%</b>

Group	Conservative	FIA	Ungrouped	Total
<b>Alternative Approach</b>	<b>Entitlement: 50</b> <i>Allocation: 51</i>	<b>Entitlement: 10</b> <i>Allocation: 9</i>	<b>Entitlement: 1</b> <i>Allocation 1</i>	61
<b>1989 Act Approach</b>	<b>Entitlement: 51</b> <i>Allocation: 52</i>	<b>Entitlement: 10</b> <i>Allocation: 9</i>	N/A	61

Based on the above and in order to achieve overall political balance, within both the Alternative Approach and 1989 Act Approach, it has been proposed that the Conservative Group relinquish 1 seat to the FIA.

Within the proposed arrangements for the Alternative Approach, this has been achieved by offering a seat on the Audit and Risk Committee. In the event of this being agreed, Cllr Wallwork will relinquish her substantive seat on this Committee and replace Cllr Gowler as a substitute. Cllr Wallwork’s relinquished substantive seat will then be allocated to the FIA and taken up by Councillor Booth.

If however the Alternative Approach is not agreed, the following will comprise the 1989 Act Approach for agreement:

- Cllr Wallwork will take a substantive seat on the Audit and Risk Committee and Cllr Gowler will become a substitute with only 1 substantive and 1 substitute FIA seat then being available and filled by Cllrs Clark and Summers.
- Cllr Gowler will relinquish his substantive seat on the Licensing Committee and replace Cllr Jan French as a substitute opening up 1 additional substantive and 1 additional substitute seat for the FIA, appointments TBC.



Committee/ Panel	Group	Proportionality		Substantive Nominee	Substitute
		'89 ACT	Alternative		
<b>Overview &amp; Scrutiny</b> 13 substantive 6 substitute	Conservative	11	10	<b>Maureen Davis (C)</b>	Gary Christy
				<b>Vacant (VC)</b>	David Connor
				Brenda Barber	Stuart Harris
				James Carney	Jason Mockett
				Lucie Foice-Beard	
				Alan Gowler	
				Anne Hay	
				Sidney Imafidon	
				Haq Nawaz	
				Elisabeth Sennitt-Clough	
	Andrew Woollard				
	FIA	2	2	Gavin Booth	Paul Hicks
			Dal Roy	TBC	
Ungrouped	0	1	<b>Roy Gerstner (VC)</b>	N/A	
<b>Planning Committee</b> 7 substantive 5 substitute	Conservative	6	6	<b>David Connor (C)</b>	Billy Rackley
				<b>Charlie Marks (VC)</b>	Sam Clark
				Jan French	Mark Purser
				Sidney Imafidon	Peter Murphy
				Ian Benney	
	Maureen Davis				
	FIA	1	1	Paul Hicks	Gavin Booth
Ungrouped	0	0	N/A	N/A	
<b>Licensing Committee</b> 13 substantive 6 substitute	Conservative	10	11	<b>David Oliver (C)</b>	Brenda Barber
				<b>Michael Humphrey (VC)</b>	Jan French
				James Carney	Dee Laws
				<b>Alan Gowler</b>	Jason Mockett
				Stuart Harris	Alan Gowler
				Anne Hay	
				Kay Mayor	
				Nick Meekins	
				Alex Miscandlon	
				Peter Murphy	
	Andrew Woollard				
	FIA	3	2	Diane Cutler	Gavin Booth
				Paul Hicks	TBC
			TBC	TBC	
Unaligned	0	0	N/A	N/A	
<b>Audit and Risk Management Committee</b> 7 substantive 5 substitute	Conservative	6	5	<b>Kim French (C)</b>	Ian Benney
				<b>Stuart Harris (VC)</b>	Lucie Foice-Beard
				Gary Christy	Sue Wallwork
				Jason Mockett	Haq Nawaz
				Steve Tierney	Alan Gowler
	<b>Sue Wallwork</b>				
	FIA	1	2	John Clark	Matthew Summers
				Gavin Booth	TBC
Unaligned	0	0	N/A	N/A	

Committee/ Panel	Group	Proportionality		Substantive Nominee	Substitute
		'89 ACT	Alternative		
<b>Employment Committee</b> 7 substantive 5 substitute	Conservative	6	6	<b>Gary Christy (C)</b>	Lucie Foice-Beard
				<b>Haq Nawaz (VC)</b>	David Connor
				Ian Benney	Anne Hay
				Alan Gowler	Kay Mayor
				Sidney Imafidon	
	Maureen Davis				
FIA	1	1	John Clark	Gavin Booth	
Unaligned	0	0	N/A	N/A	
<b>Conduct Committee</b> 7 substantive 5 substitute	Conservative	6	6	<b>Steve Count (C)</b>	Brenda Barber
				<b>Alan Gowler (VC)</b>	David Connor
				Billy Rackley	Maureen Davis
				Mark Purser	Anne Hay
				Tim Taylor	
				Jason Mockett	
	FIA	1	1	David Patrick	Diane Cutler
	Unaligned	0	0	N/A	N/A
Independent and Deputy Independent Person			Stuart Webster	Claire Hawden-Beale	
Town and Parish Members			Appointment process to be completed		
<b>Appointments Panel</b> 7 substantive 5 substitute	Conservative	6	6	<b>Chris Boden (C)</b>	Ian Benney
				<b>Jan French (VC)</b>	Kim French
				Sam Hoy	David Oliver
				Steve Tierney	Haq Nawaz
				Michael Humphrey	
				Kay Mayor	
	FIA	1	1	Gavin Booth	1 TBC
	Unaligned	0	0	N/A	N/A

**The Leader will also make the following appointments to Cabinet:**

<b>Portfolio Holder</b>	<b>Portfolio Description</b>
Councillor Chris Boden	Leader and Portfolio holder for Finance
Councillor Jan French	Deputy Leader and Portfolio holder for Revenues and Benefits and CPE
Councillor Ian Benney	Portfolio Holder for Economic Growth and Skills
Councillor Sam Hoy	Portfolio Holder for Housing and Licensing
Councillor Dee Laws	Portfolio Holder for Planning and Flooding
Councillor Alex Miscandlon	Portfolio Holder for Leisure and IDBs
Councillor Peter Murphy	Portfolio Holder for Refuse & Cleansing, Parks & Open Spaces
Councillor Chris Seaton	Portfolio Holder for Transport, Heritage and Culture
Councillor Steve Tierney	Portfolio Holder for Comms, Transformation, Climate Change, Strategic Refuse
Councillor Sue Wallwork	Portfolio Holder for Community, Health, Environmental Health, CCTV, Community Safety and Military Covenant.

## Appendix D - Allocation of Seats on Outside Bodies

### KEY

In the 'Proportionality' column, where there are more than 2 seats to allocate:

<b>Red Text</b>	Denotes the proposed 'Alternative' arrangements (142 seats allocated proportionately across all members)
<b>Purpose Text</b>	Denotes the 'Legal' arrangements calculated with strict reference to s.15 of the LGHA 1989 (142 seats allocated proportionately across members of recognised groups only).

The same percentages for the purpose of the calculations have been applied as set out in Appendix C and create the following results:

Group	Conservative	FIA	Ungrouped	Total
<b>Alternative Approach</b>	<b>Entitlement: 117</b> <span style="color: red;">Allocation: 123</span>	<b>Entitlement: 23</b> <span style="color: red;">Allocation: 18</span>	<b>Entitlement: 2</b> <span style="color: red;">Allocation 1</span>	142
<b>1989 Act Approach</b>	<b>Entitlement: 118</b> <span style="color: purple;">Allocation: 123</span>	<b>Entitlement: 24</b> <span style="color: purple;">Allocation: 19</span>	N/A	142

Based on the above, provided the overall entitlement is agreed by Full Council either in relation to the Alternative or 1989 Act calculations, the recommendations make provision for Group Leaders to negotiate the reallocation of seats before appointments are finally confirmed and agreed at the next Cabinet meeting in June.

In the case of the Alternative Approach being agreed, the Conservative Group would need to relinquish 6 seats; 5 to the FIA and 1 to the ungrouped member to achieve overall political proportionality.

In the case of the 1989 Act Approach being agreed, the Conservative Group would need to relinquish 5 seats to the FIA.

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
Anglia Revenue Partnership	1 substantive 2 substitutes	Conservative		
Benwick Internal Drainage Board (IDB)	4	3 Conservative 1 FIA 3 Conservative 1 FIA		N/A
Cambridgeshire Horizons Board	1	Conservative		N/A
Cambridgeshire Military Community Covenant Board	1	Conservative		N/A
Cambridgeshire Police and Crime Panel	1 substantive 1 substitute	Conservative		N/A
Cambridgeshire Health and Wellbeing Board + District Lead Members Group	1	Conservative		N/A
Chatteris Community Centre Association	2	Conservative		N/A
College of West Anglia Governing Body	1	Conservative		N/A
Community Learning and Skills Partnership	1	Conservative		N/A
Curf and Wimblington Combined IDB	1	Conservative		N/A
Feldale IDB	7	6 Conservative 1 FIA 6 Conservative 1 FIA		N/A
Fenland Association of Community Transport	1	Conservative		N/A
Fenland Diverse Communities Forum	1	Conservative		N/A
Fenland Health and Care Forum	Open meeting		Any members can attend	
Fenland Tension Monitoring Group	1	Conservative		N/A

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
Fenland Transport and Access Partnership	1	Conservative		N/A
Fenland Transport Strategy	2	Conservative		N/A
Fenland Twinning Association	4	3 Conservative 1 FIA 3 Conservative 1 FIA		N/A
Hanson, Fletton Brickworks Industry	1	Conservative		N/A
Health Committee	1 substantive 1 substitute	Conservative		N/A
Hundred of Wisbech IDB	15	12 Conservative 2 FIA 1 Ungrouped 12 Conservative 3 FIA		N/A
Kings Lynn IDB	1	Conservative		N/A
LGA/ LGA Rural Commission/ LGA Urban Commission	1 substantive 1 substitute	Conservative		
Manea and Welney Drainage Commissioners	3	2 Conservative 1 FIA 2 Conservative 1 FIA		N/A
March Area Transport Study	2	Conservative		N/A
March West and White Fen Internal Drainage Board	6	5 Conservative 1 FIA 5 Conservative 1 FIA		N/A
March East IDB	11	9 Conservative 2 FIA 9 Conservative 2 FIA		N/A
March Education Foundation	1	Conservative		N/A
March Fifth District Drainage Commissioners	8	7 Conservative 1 FIA 7 Conservative 1 FIA		N/A
March Sixth District Drainage Commissioners	4	3 Conservative 1 FIA 3 Conservative 1 FIA		N/A

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
March Third IDB	5	4 Conservative 1 FIA 4 Conservative 1 FIA		N/A
Middle Level Commissioners	3	2 Conservative 1 FIA 2 Conservative 1 FIA		N/A
Needham and Laddus IDB	1	Conservative		N/A
Nightlayer IDB	10	8 Conservative 2 FIA 8 Conservative 2 FIA		N/A
North Level District IDB	7	6 Conservative 1 FIA 6 Conservative 1 FIA		N/A
Wisbech Community Development Trust (Oasis Village Centre)	1	Conservative		N/A
Ransonmoor District Drainage Commissioners	2	Conservative		N/A
RECAP	1 substantive 1 substitute	Conservative		
Rural Cambs CAB	3	2 Conservative 1 FIA 2 Conservative 1 FIA		N/A
Safer Fenland Partnership	1	Conservative		N/A
The Wash and North Norfolk Marine Partnership	1	Conservative		N/A
The Combined Authority	1 substantive 1 substitute	Conservative		
The Combined Authority Overview and Scrutiny Committee	2 substantive 2 substitutes	Conservative	TBC	
The Combined Authority Audit and Governance Committee	1 substantive 1 substitute	Conservative	TBC	

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
The Combined Authority HR Committee	1 substantive 1 substitute	Conservative	TBC	
The Combined Authority Environment and Sustainable Communities Committee	1 substantive 1 substitute	Conservative	TBC	
The Combined Authority Transport and Infrastructure Committee	1 substantive 1 substitute	Conservative	TBC	
The Combined Authority Employment and Skills Committee	1 substantive 1 substitute	Conservative	TBC	
Upwell IDB	2	Conservative		N/A
Waldersey IDB	2	Conservative		N/A
Warboys, Somersham and Pidley IDB	1	Conservative		N/A
Whittlesey & District IDB	5	4 Conservative 1 FIA 4 Conservative 1 FIA		N/A
Wisbech Access Strategy Member Steering Group	2	Conservative		N/A
Young People March	1	Conservative		N/A
Water Resources East (WRE) Strategic Advisory Group	1	Conservative		N/A
<b>TOTAL</b>	<b>142 substantive 14 substitutions</b>	<b>123 Conservative 18 FIA 1 Ungrouped</b>  <b>123 Conservative 19 FIA</b>		