

Allerdale Borough Council

Council – 28 July 2021

Governance Updates

Portfolio holder	Councillor M Fitzgerald, PH Policy, Governance and People Resources
Report from	Sharon Sewell, Chief Officer Place & Governance, Monitoring Officer
Wards affected	All wards
Is this a key decision	No

1.0 The reason for the decision

- 1.1 To report on urgent delegated decisions taken since the last report to Council on 3 March 2021;
- 1.2 To nominate members to serve as the Council's representatives on the Workington Harbour Management Committee outside body;
- 1.3 To update on changes to political proportionality and committee memberships following the resignation from Councillor Stephen Stoddart from all committees.

2.0 Recommendations

- 2.1 To note a summary of all CEO Urgent Action decisions and Special Urgency Executive decisions as detailed in section 4.0 of the report;
- 2.2 That nominations be sought for Council representatives to serve on the Workington Harbour Management Committee outside body;
- 2.3 That the Allerdale Conservatives group nominate a member to be appointed to the Overview and Scrutiny Committee.

3.0 Background and Introduction

- 3.1 Section 4.35.4 of the Constitution gives the Chief Executive the power to exercise functions of the Council in very urgent circumstances, following consultation with

the Mayor and the Leader of the Council. Those decisions must be reported to the next meeting of the Council.

- 3.2 Section 11.16 of the Council's Constitution provides that where an Executive decision is sufficiently urgent it may be taken immediately under Special Urgency powers; this means in effect that there is no requirement for the decision to have been included on the Council's forward plan for the requisite 28 days, or for the call-in procedure to apply. Where these powers are invoked, the approval of the Chair of Overview and Scrutiny Committee is required before the decision can be taken.
- 3.3 On 24 June 2021 Councillor Stephen Stoddart resigned from his seat on the Overview and Scrutiny Committee and all other Council committees. Council is now required to review the allocation of seats on committees to each political group.

4.0 Content

Delegated Decisions

- 4.1 Since the last report to Council the following decision was taken under the Chief Executives Urgent Action powers:

1 – Covid-19 NHS Test and Track Self-Isolation Payments (revised)

Date: 9 April 2021

Reason for urgency: As part of the measures of assistance in relation to COVID-19, the Government announced additional support to parents and guardians of children or young people asked to self-isolate by the NHS test and trace scheme or an educational or childcare provider and extended the whole scheme to 30 June 2021. Cumbria County Council had also provided additional monies to help provide support for more low-income households than funds currently allow.

The Government asked us to make payments available as quickly as possible to assist in reducing the spread of COVID-19. In order to make payments, the Government would provide a grant to local authorities.

As is the case in all local authorities, Allerdale Borough Council needed to amend its existing discretionary policy to reflect those changes requested by government and to agree the new policy under emergency delegations. The Government asked for payments to commence on or as soon as possible from 7 April 2021.

- 4.2 Since the previous reporting the following decisions were taken under the Special Urgency provisions:

1 – Acquisition of Christchurch, Maryport

Date: 11 March 2021

Reason for urgency: The Option Agreement expired on 14 March. All risks are detailed in the published report.

2 – Heads of Terms offer for the Workington Town Deal

Date: 22 March 2021

Reason for Urgency: As part of the Budget announcement on 3 March 2021 it was announced that Workington was being offered a Town Deal to a value of £23.1million. Signed Heads of Terms for the proposed Town Deal were to be returned to MHCLG by 24 March 2021 signed by the Chair of the Town Deal Board and the Chief Executive of Allerdale Borough Council.

Nominations to Outside Body

- 4.3 The Workington Harbour Management Committee is a Cumbria County Council Committee, it is appointed to by the County Council at its Annual Meeting each year. Allerdale Borough Council has three member representatives that sit on this Committee. This report requests that Council provides three nominations in line with the County Council annual arrangements.
- 4.4 Council is therefore asked to nominate three member representatives to serve on the Workington Harbour Management Committee for the forthcoming year.

Changes to Political Balance on Council Committees

- 4.5 The first stage of the review is to make a calculation of the numerical allocation of seats based on the percentage of seats to which each political group (total of 48 members) would be entitled when applying the normal rounding up/down rules. Once this has been worked out, then the places on each committee have to be proportionate to the number of seats that each political group has on the Council.
- 4.6 The political make-up of the Council and entitlement to seats across committees is now as follows:

Political Group	Seats on Council	Entitlement to Committee Seats
Allerdale Conservatives	18	25
Allerdale Independents	17	23
Labour	13	18
Total	48 = Total	66 = Total

- 4.7 Following the recalculations the Allerdale Conservatives Group have gained one additional committee seat overall taking them to 25 seats. This additional seat is the vacant seat on the Overview and Scrutiny Committee.
The Allerdale Independents and Labour groups' total entitlement was unchanged.
- 4.8 The Allerdale Conservatives Group will nominate a group member to be appointed to the Overview and Scrutiny Committee at the Council meeting.

5.0 Delivery arrangements

- 5.1 Not applicable to this report.

6.0 Implications and Impact

6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

6.2 Finance/Resource implications

Those members formally appointed to external organisations as the Council's representative are able to claim expenses in accordance with the Councillors Allowance Scheme. These costs can be met from existing resources.

6.3 Legal and governance implications

Section 4.35.4 of the Councils Constitution gives the Chief Executive the power to exercise functions of the Council in very urgent circumstances, following consultation with the Mayor and the Leader of the Council. Those decisions must be reported to the next meeting of the Council.

Appointments to Outside Bodies may be made under the general power in S2 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.

6.4 Risk analysis

A scored and mitigated risk log

Risk	Consequence	Controls required	Mitigated score
Member representative appointments not made to all of the outside bodies/joint committees	This could hinder the Council in furthering its interest and priorities and not develop the external facing role of the members	Regular appointments made by Council in line with the outside bodies terms of reference/constitution	Low
Decision making arrangements not effectively monitored and reported	Lack of transparency. Breach of Constitutional procedures	Regular reporting to Council	Low

6.5 Increasing satisfaction and service

Not applicable to this report.

6.6 Equality impacts

Equality impacts have been considered.

6.7 Health and Safety impacts

There are no health and safety implications directly associated with this report.

6.8 Health, wellbeing and community safety impacts

There are no health, wellbeing and community safety implications directly associated with this report.

6.9 Environmental/sustainability impacts

There are no environmental/sustainability implications directly associated with this report.

6.10 Other significant implications

None

Appendices attached to this report

Appendix number	Title of appendix
N/A	

Background documents available

Name of background document	Where it is available
N/A	

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