

TELFORD & WREKIN COUNCIL

FULL COUNCIL 13 JANUARY 2022

GOVERNANCE UPDATE

REPORT OF ANTHEA LOWE – ASSOCIATE DIRECTOR: POLICY & GOVERNANCE

LEAD CABINET MEMBER – CLLR RAE EVANS – CABINET MEMBER FOR COUNCIL FINANCE, GOVERNANCE & CUSTOMER SERVICE

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 This report provides an update on a number of governance-related matters and which full Council is asked to note and/or approve.

2. RECOMMENDATIONS

It is recommended that full Council:-

2.1 Approves the reason for non-attendance at meetings of the authority as set out in paragraph 4.3 of this report subject to the relevant Member notifying the Monitoring Officer of the need to rely upon it prior to the implementation of the '6-month rule' described in this report;

2.2 Agrees to review the decision made at recommendation 2.1 above by no later than 31 January 2023;

2.3 Notes the updated Cabinet membership and responsibilities as set out at paragraph 4.6 of this report;

2.4 Approves the allocation of committee seats as set out at paragraphs 4.7 – 4.10 and Appendix 1 of this report; and

2.5 Notes the approach in relation to Honorary Aldermen as set out in paragraphs 4.11 – 4.14 of this report.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	<i>The details set out in this report support all of the Council's priorities given that this report relates to matters of governance.</i>
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY DATE		
FINANCIAL/VALUE FOR MONEY IMPACT	No	<i>There are no additional financial implications arising from the recommendations of this report. Any costs associated with the special meeting relating to the creation of the Aldermen will be met from existing resources. TAS 5.1.21</i>
LEGAL ISSUES	Yes/No	<i>There are no additional legal issues to those set out in the body of this report. AL 05/01/2022</i>
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	
IMPACT ON SPECIFIC WARDS	No	<i>Borough-wide impact</i>

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

Leave of absence

- 4.1 Members will be aware that the Local Government Act 1972 requires Members to attend a meeting of the authority at least once in 6 months. In the event that they do not do so, then they automatically cease to be a Member of the Council. This applies unless the reason for the failure to attend is one that has been approved by Council. This is known as the 6 month rule.
- 4.2 Members will recall that, in May 2020 following the commencement of the first national lockdown in response to the Covid-19 pandemic, full Council approved reasons for a leave of absence to be granted to Members who may find that the 6 month rule would otherwise be engaged due to them not being able to attend a council meeting as a result of Covid-related matters. Those matters were:-
- That no meetings that a Member was entitled to attend was due to be held prior to the 6 month rule being engaged;
 - Where a member was ill or self-isolating as a result of Covid-19 symptoms or as a result of a household member being ill or displaying symptoms;
 - Where an individual Member was advised, for other reasons to self-isolate or shield; and
 - Where an individual Member was unable to attend a meeting through remote means.
- 4.3 In March 2021, there were changes made to the shielding scheme and the legislation permitting remote meetings was expected to come to an end. Council felt, however, that there was still a need for Members to seek a leave of absence in circumstances relating to Covid and approval was given that “during the declared pandemic, any Councillors who are unable to attend Council meetings, having followed Government, Public Health England and NHS advice relating to Covid-19 will have an approved reason for non-attendance at meetings provided that such member has notified the Monitoring Officer of the need to rely upon such reason before the expiry of 6 months since they last attended a meeting”. Council agreed to review this by no later than 31 March 2022.
- 4.4 Whilst the vaccination programme has progressed significantly since March 2021, the pandemic has developed with the arrival of new variants of the virus and, recently, the highest daily number of cases seen in the UK since the pandemic began. That being the case, it is

considered prudent to approve, once again, the reason for absence as set out in paragraph 4.3 above.

- 4.5 Additionally, full Council are asked to approve a leave of absence of up to 6 months for Cllrs Terry Kiernan and Jackie Loveridge. Cllr Kiernan requires a period of recuperation following surgery and Cllr Loveridge is experiencing a period of ill-health. If approved, it is proposed that the leave of absence will run until 12 July 2022 although both Members can return to duties prior to this date should they feel able to do so.

Change in Cabinet Membership

- 4.6 In December 2021, Cllr David Wright decided to step down from his position on Cabinet as a result of increased caring responsibilities. As a result, there has been a change to the Cabinet membership and the responsibilities of each Cabinet member. Full Council is asked to note the updated Cabinet membership and responsibilities set out below:-

Cllr Shaun Davies	Leader of the Council
Cllr Richard Overton	Deputy Leader and Cabinet Member for Housing, enforcement and Transport
Cllr Lee Carter	Cabinet Member for Neighbourhood Services, Regeneration and the High Street
Cllr Andy Burford	Cabinet Member for Adult Social Care and Health, Integration and Transformation
Cllr Rae Evans	Cabinet Member for Finance, Governance and Customer Services
Cllr Kelly Middleton	Cabinet Member for Leisure, Public Health and Wellbeing, Equalities and Partnerships
Cllr Shirley Reynolds	Cabinet Member for Children, Young People and Families
Cllr Carolyn Healy	Cabinet Member for climate Change, Green Spaces, Natural and Historic Environment and Cultural Services
Cllr Paul Watling	Cabinet Member for Stronger and Safer Communities
Cllr Eileen Callear	Cabinet Member for Visitor Economy, Employment and Skills

Political Balance

- 4.7 In accordance with the Local Government and Housing Act 1989, it is necessary to review the political balance of an authority following elections and changes to group membership. In November 2021, there was a change in membership to the Liberal Democrat/Independent group in that the Independent Member is no longer a member of that group.
- 4.8 In December 2021, there was an election to the Dawley & Aqueduct ward of the Borough Council which resulted in a Labour member being returned. This filled the vacancy left by a former Labour councillor and so did not have any effect on the political balance of the authority. The change in party membership referred to at paragraph 4.7 above has had a slight change to the political balance, in that the Liberal Democrat proportion has changed from 9.26% to 7.41% and the Independent Member comprises 1.85%. The full political balance, therefore is as follows:-
- | | |
|-------------------|--------|
| Labour | 64.81% |
| Conservative | 25.93% |
| Liberal Democrats | 7.41% |
| Independent | 1.85% |
- 4.8 As a result of the change in the group membership, the Liberal Democrat group would lose a seat on the committees of the council. The legislation sets out the seats should be allocated to groups only; this excludes those members who chose to sit individually. This would result in an unallocated seat (a vacancy) on one committee. The legislation also states that an authority can choose to allocate seats using different arrangements provided that there are no objections to such arrangements
- 4.9 Given that there is little merit for there to be an unallocated seat on any committee and, given that there has been minimal change in seat allocations arising out of the change to group membership, it is proposed that 1 seat be allocated to the Independent Member – this would, essentially, maintain the current position.
- 4.10 As a result of changes to the Cabinet membership, there have also been changes made to the Labour membership of some Committees. Members are formally asked to approve the seat allocation as set out in **Appendix 1**.

Honorary Aldermen

- 4.11 Prior to the onset of Covid-19, discussions had taken place amongst group leaders regarding the designation of Honorary Aldermen with agreement to proceed with matters. These arrangements were halted in light of the uncertainty caused by the pandemic. Officers have been

asked to recommence the process for the appointment of Honorary Aldermen.

- 4.12 The honorary status of Alderman is given for eminent services to the Council by past elected Members with appointment being made at a special meeting of the Council. The criteria for appointment, the role of aldermen and the rights they can exercise are set out below:-

a. Criteria

Candidates should have rendered eminent services by way of exceptional contribution to the Borough and its Council in terms of length of service and/or achievements whilst in office, for example:-

- Having held high office – Mayor, Leader, Cabinet Member or Committee Chair - for a significant period of time;
- Having held some other officer such as Deputy Mayor or Vice Chair but also having demonstrated eminent service such as long service as a Borough Councillor;
- Other services in the capacity as Councillor, for example, nominated on outside bodies;
- No known misdemeanours;
- That candidates agree to step down from active politics at least in so far as refusing further nominations as a Borough Councillor;
- That candidates are able to command support across the political spectrum and work as a civic figure in an ambassadorial role.

b. The role of Aldermen

As well as promoting civic pride in the Borough and its Council, Honorary Aldermen may:-

- Attend all civic events as invited;
- Assist, with the Mayor's permission, the hosting of receptions/functions as required;
- Support the work of the Mayor's Charity;
- Act in an ambassadorial role for the Council when requested to do so;
- Assist the Council, when invited and able, to perform cross party functions of the council or on specific sites.

c. Rights of Aldermen

Honorary Aldermen will be entitled to:-

- Wear a badge of office as directed by the Chief Executive;
- Attend, when invited, civic events;
- Be invited as a spectator to Council meetings;
- Participate in civic processions, taking precedence immediately after Honorary Freemen, with precedence amongst the Aldermen according to the number of years of service on the Council;
- Be added a roll of Honorary Aldermen, kept by the Chief Executive; and
- Enjoy such other privileges as the Council may confer upon them from time to time.

4.13 Nominations to the role of Aldermen will be made by a Group Leader of the Council on the candidate's behalf with each group's entitlement to nomination in a four year period being based upon the political balance of the Council. Group Leaders will then meet to agree whether or not an application should be put forward for approval to a meeting of Council. Nominations should be submitted to the Chief Executive.

4.14 It is proposed that Aldermen will be created at a special meeting of Council in or around April 2022.

5. PREVIOUS MINUTES

[Hyperlink to minutes of AGM 2020 and Council meeting of March 2021]

6. BACKGROUND PAPERS

[Hyperlink to papers for AGM 2020 and Council meeting of March 2021]

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