

# AUDIT COMMITTEE

## Constitutional Amendment – Composition of Cabinet Liaison Groups

### Report of the Chief Executive 21<sup>st</sup> January 2009

#### PURPOSE OF REPORT

To consider whether each Political Group represented on the Council should have the option to appoint a representative to participate in future Cabinet Liaison Groups.

**This report is public.**

#### 1.0 RECOMMENDATION

1.1 That Audit Committee consider the matter of whether or not each Political Group should have the option to appoint a representative to participate in Cabinet Liaison Groups formed in the future, and if so make an appropriate recommendation to Council Business Committee regarding the amendment of the Constitution.

#### 2.0 Introduction

2.1 A report has been requested by a Member on a possible change to the Council's Constitution to allow all Political Groups represented on the City Council the option to appoint a representative to future Cabinet Liaison Groups.

#### 3.0 Background

3.1 Members will be aware that Cabinet Liaison Groups are purely consultative and not decision-making bodies. They are chaired by a Member of Cabinet and there is no restriction on size although the group must be limited to what is manageable and effective for their purpose. They may be time limited or of longer standing, again depending on their purpose. Each Cabinet Liaison Group has its terms of reference and expected outputs approved by Cabinet before it meets.

3.2 Currently, the participants in Cabinet Liaison Groups are invited to take part by the Chairman and can be made up from any or all of the following:

- Other Members of Cabinet
- Other Members of Council not on Cabinet
- Others from outside the Council
- Council Officers

There is no requirement currently for the Chairman to invite an Elected Member from each Political Group represented on the Council to take part in a Cabinet Liaison Group.

#### **4.0 Options and Options Analysis (including risk assessment)**

4.1 Option 1 – to amend the Council’s Constitution to state that the Chairman of a Cabinet Liaison Group must invite a Member from each Political Group represented on the Council to take part in future Cabinet Liaison Groups. In accordance with Article 15 of the Constitution this will require a recommendation from this Committee to the Council Business Committee. This may result in larger Cabinet Liaison Groups but would ensure that each Political Group had a ‘voice’ on the Cabinet Liaison Group. Political Groups may perceive this as a fairer option. With this option, the Cabinet Member chairing the Cabinet Liaison Group may also have a wider information and advisory platform to inform executive decision-making and policy effectiveness.

4.2 Option 2 – to take no action with regard to amending the Constitution and continue with the current arrangement whereby the Chairman of the Cabinet Liaison Group decides who he/she will invite to take part, in view of the fact that Cabinet Liaison Groups are purely consultative and not decision-making bodies. There is a risk with this option that Members of Political Groups who are not invited to take part in a Cabinet Liaison Group will feel excluded from the consultative process.

#### **5.0 Conclusion**

5.1 In the light of the information contained in this report, Audit Committee is requested to consider whether it would be preferable to amend the Council’s constitution to state that the Chairman of a Cabinet Liaison Group must invite a Member from each Political Group represented on the Council to take part in future Cabinet Liaison Groups.

<b>RELATIONSHIP TO POLICY FRAMEWORK</b>
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None
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<b>CONCLUSION OF IMPACT ASSESSMENT</b>
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<b>(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b>
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None
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<b>FINANCIAL IMPLICATIONS</b>
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None directly arising.
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<b>SECTION 151 OFFICER’S COMMENTS</b>
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The Section 151 Officer has been consulted and has no further comments.
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<b>LEGAL IMPLICATIONS</b>
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Cabinet Liaison Groups are not subject to political balance legislation.
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Should Option 1 be adopted, the Council’s Constitution would need to be amended accordingly.
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**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

Part 4, Section 4, paragraph 2.9 of the Council's Constitution – Cabinet Procedure Rules; Cabinet Liaison Groups.

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