



|                                       |   |             |
|---------------------------------------|---|-------------|
| <b>Audit and Governance Committee</b> |   | Agenda Item |
| <b>9<sup>th</sup> June 2023</b>       |   | <b>3</b>    |
|                                       |   |             |
| Title:                                | Co-Option of Independent member from Constituent Councils |             |
| Report of:                            | Edwina Adefehinti – Interim Monitoring Officer            |             |
| Lead Member:                          | Cllr Edna Murphy  |             |
| Public Report:                        | Yes   |             |
| Key Decision:                         | NA  |             |
| Voting Arrangements:                  | Majority  |             |

#### Recommendations:

- |   |  |
|---|--|
| A | Consider the co-option of an independent member (and substitute) from a Constituent Council. |
|---|--|

#### 1. Purpose

- |     |   |
|-----|---|
| 1.1 | The purpose of the report is to ask the Audit and Governance Committee to consider the appointment an independent member (and substitute), from a Constituent Council for the ensuing year. |
|-----|---|

#### 2. Proposal

- |     |   |
|-----|---|
| 2.1 | The Combined Authority Board has agreed to use its discretion to provide independent members a seat on both the Audit and Governance Committee and the Overview and Scrutiny Committee. Recognising the process operated through the exercise of discretion in previous years to provide an independent Member with a seat but ensuring the political balance of the Committee is not compromised, it has been proposed that the Audit and Governance Committee consider the co-option of an independent member (from a constituent Council) to the Committee. The co-opted member would not be given voting rights. Should the Audit and Governance Committee agree to the co-option of an independent member, authority may be delegated from the Combined Authority Board to the Committee to appoint a co-optee. The co-option would be for the municipal year 2023/24. |
| 2.2 | An appointment would not compromise the political balance of the Committee. The co-opted member (and substitute) is without voting rights but may be given voting rights by resolution of the combined authority.   |
| 2.3 | If the Committee wished to pursue co-opting an Independent Member (and substitute), this would be actioned by recommendation to the Combined Authority including amendment to the Constitution, formally allowing for co-opted members. A process of selection would follow which could include seeking expressions of interests with a random selection made by an independent officer of the authority, witnessed by the Monitoring Officer.  |

### 3. Background

|     |  |
|-----|--|
| 3.1 | The Combined Authority at its Annual General Meeting on 31 <sup>st</sup> May 2023 confirmed the appointment of members nominated by constituent councils to the Audit and Governance Committee.  |
| 3.2 | The Board also requested that the Audit and Governance Committee consider the co-option of an independent member (and substitute) from a Constituent Council for the municipal year 2023/24. The substitute will not necessarily be required to be a named substitute from the same Constituent Council. |

### 4. Appendices

|     |             |
|-----|-------------|
| 4.1 | <i>None</i> |
|-----|-------------|

### 5. Implications

#### Financial Implications

|     |   |
|-----|---|
| 5.1 | In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, no remuneration is to be payable by the Combined Authority to its members including co-opted members of the Overview and Committee. |
|-----|---|

#### Legal Implications

|     |   |
|-----|---|
| 6.1 | <p>The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 provides for members of the Overview and Scrutiny Committee appointed from the constituent councils and those who are appointed other than from the constituent councils. The CFGS guidance referred to within the main body of the report describes three categories of members:</p> <ol style="list-style-type: none"><li>1 Members of the committee appointed from a constituent authority. These members have a vote and are taken into account for the purpose of political proportionality. Such members would be nominated by their home authority, subject to proportionality requirements...</li><li>2 Members of the Committee appointed from a non-constituent authority. These members do not have a vote. Such members would be nominated by their home authority....</li><li>3 Members of the Committee who are co-opted, because of their skills and experience, or for some other reason. These members do not have a vote and are not taken into account for the purpose of political proportionality. A separate appointment process will be required for these people.</li></ol> <p>The appointment of an Independent Member (and Substitute) would fall under 'some other reason' as described above. An amendment to the Constitution would formalise this approach and a fair and transparent process would need to be implemented for such appointments.</p> <p>The Committee also has the option to recommend to the Combined Authority the appointment of a co-opted member to address a skill and/or capacity gap. This approach would more closely align with CFGS guidance.</p> |
|-----|---|

#### Public Health Implications

|     |      |
|-----|------|
| 7.1 | None |
|-----|------|

#### Environmental & Climate Change Implications

|     |      |
|-----|------|
| 8.1 | None |
|-----|------|

#### Other Significant Implications

|     |      |
|-----|------|
| 9.1 | None |
|-----|------|

#### Background Papers

|      |   |
|------|---|
| 10.1 | <a href="#">CA Board AGM Agenda, Decision Summary and Minutes</a> |
|------|---|