

CORPORATE LEADERSHIP TEAM'S
REPORT TO COUNCIL

16th April 2025

Report Title: Constitution Update: Outside Bodies

Submitted by: Service Director, Legal & Governance

Portfolios: All

Ward(s) affected: All Wards

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To review the framework for appointments by the Council to outside bodies and update the constitution accordingly.			
<u>Recommendation</u> That Council <ul style="list-style-type: none">• Authorises the Service Director, Legal & Governance, to make the following amendments to add the following to section B1:6 of the Council's constitution.<ul style="list-style-type: none">a) 6.2 Appointees to Outside Bodies will serve a 4-year terms of office on Outside Bodies.b) 6.3 Council portfolio holders shall be appointed as of right to designated outside bodies.c) 6.4 Appointees to Outside Bodies shall provide a bi-annual report in relation to the business carried out/matters dealt with by the relevant Outside Body to full Council as appropriate.• Endorses the undertaking of an annual review of the Constitution including updates to the Scheme of Delegation and legislative changes.			
<u>Reasons</u> To clarify member reports from outside bodies and the basis of appointments to the same which are normally approved at the council AGM. The constitution be updated as required to reflect 4-year terms and that portfolio holders are appointed as of right to designated outside bodies, so that the Council constitution reflects the wishes of the Council.			

1. Background

- 1.1 The Council is obliged to nominate member representatives on outside bodies.
- 1.2 These nominations need to be made in line with the arrangements set out in section B1: 6.1 of the Council constitution (as set out in Appendix 1 to this report).

- 1.3 The proposed changes arise following clarifications sought through the Constitution Working Group process on length of terms and the process of member appointments to relevant outside bodies.
- 1.4 A full list of outside bodies for which the Council requires a representative, including those which will continue to be allocated to ward members, is set out in Appendix 1.

2. Issues

- 2.1 The Council's constitution does not currently set out a mechanism by which members provide reports from outside bodies and the basis of nominations to outside bodies and therefore requires further clarity to ensure there is no ambiguity in this regard.
- 2.2 The Constitution Working Group has also requested that the Service Director, Legal & Governance, undertakes a full annual review of the constitution, noting that there have been various changes to government legislation in the last number of years which should be accurately reflected in the Council constitution, and the constitution needs to be updated accordingly.
- 2.3 This annual review will also include necessary changes to the officer scheme of delegation.
- 2.4 The outcomes and attendant changes of the review will be brought to full Council as soon as is practicable.

3. Recommendation

3.1 It is recommended that Council:

- Authorises the Service Director, Legal & Governance, to make the following amendments to add the following to section B1:6 of the Council's constitution.
 - a) 6.2 Appointees to Outside Bodies will serve a 4-year terms of office on Outside Bodies.
 - b) 6.3 Council portfolio holders shall be appointed as of right to designated outside bodies.
 - c) 6.4 Appointees to Outside Bodies shall provide a bi-annual report in relation to the business carried out/matters dealt with by the relevant Outside Body to full Council as appropriate.
- Endorses the undertaking of an annual review of the Constitution including updates to the Scheme of Delegation and legislative changes.

4. Reasons

- 4.1 To ensure decision-making is transparent and accurately reflects the council constitution.

5. Options Considered

- 5.1 No alternative options are relevant.

6. Legal and Statutory Implications

- 6.1 The Council must ensure that its constitution accurately reflects the reality of decision-making and it does not act ultra vires.

7. **Equality Impact Assessment**

- 7.1 An equality impact assessment is not required as a result of the proposed changes to the Constitution.

8. **Financial and Resource Implications**

- 8.1 There are no direct financial or resource implications arising from these proposed changes.

9. **Major Risks & Mitigation**

- 9.1 There is a risk that if nominations are not made to outside bodies in accordance with the council constitution that this may potentially result in reputational damage with external stakeholders/outside bodies.

10. **UN Sustainable Development Goals (UNSDG)**

- 10.1 Appointments to outside bodies cover a diverse range of activities which would fall within UN Sustainable Development Goals.



11. **Key Decision Information**

- 11.1 This is not a key decision.

12. **Earlier Cabinet/Committee Resolutions**

- 12.1 Not applicable.

13. **List of Appendices**

- 13.1 Appendix 1 – Appointments to Outside Bodies.

14. **Background Papers**

14.1 None.

Appendix 1 - Appointments to Outside Bodies

Section B1: 6.1 of the Council constitution sets out the provisions relating to appointments to Outside Bodies as follows;

6.1 Council has decided that it will make appointments to the following outside bodies. Ward Members will typically be appointed to represent the Council on ward-based bodies. All other appointments to outside bodies shall be made by Cabinet.

- (a) Community Centre Management Committees
- (b) Residents' Associations
- (c) Charities and Charitable Trusts or Funds
- (d) Committees and Panels of Outside Bodies
- (e) Go Kidsgrove
- (f) Stoke-on-Trent and North Staffordshire Theatre Trust Limited (New Victoria Theatre)
- (g) Aspire Housing Board
- (h) Campaign to Protect Rural England – County Branch
- (i) Local Government Association
- (j) Locality Action Partnerships
- (k) Business Improvement District
- (l) Newcastle Partnership
- (m) Enjoy Staffordshire Destination Management Partnership
- (n) Staffordshire Health and Care Overview and Scrutiny Committee
- (o) Staffordshire Joint Sustainability Board
- (p) Corporate Parenting Panel
- (q) Staffordshire Police, Fire and Crime Panel and associated Panels
- (r) Stoke-on-Trent and Staffordshire Local Enterprise Partnership
- (s) Staffordshire Leaders' Board
- (t) Waste and Mineral Site Liaison Committees
- (u) West Midland Reserve Forces and Cadets Association
- (v) District Councils' Network
- (w) LGiU Assembly