

**Agenda item 9**  
**Council Issues**

**1. Changes to arrangements for approval of member and officer travel**

**Introduction**

- 1.1 The 'foreign travel committee' was set up more than a decade ago. It was part of a suite of measures designed to demonstrate transparency and value for money in paying for members and officer travel.
- 1.2 The terms of reference of the committee are in paragraph 8.1.4 of the constitution:

**8.1.4 Committee to consider applications to undertake certain duties by Members and Foreign Travel by Officers**

Membership: Five Members of the Council.

- (a) To determine whether a duty should be an approved duty by a Member:
- where it involves travel abroad;
  - where the total cost for the Member is estimated to exceed £500 when only one Member is involved; or
  - where the aggregate costs for all the Members is estimated to exceed £1,000 when more than one Member is involved.
- (b) To approve expenditure on foreign travel by officers.

The Committee currently:

- Approves any payment member travel where more than £500 is to be spent in total.
  - Approves any payment relating to member or officer travel overseas
  - Approves the list of officer teams who are pre-approved to travel overseas subject to a reporting requirement.
  - Approves the annual report setting out overseas travel undertaken by these pre-approved teams.
- 1.3 In addition, the committee has received some reports relating to some business-related overseas travel even though it is not to be funded by the Council. The committee has no formal role in approving such travel, but some have felt comforted that the travel has been endorsed by the committee and that the proposed travel has been disclosed.
- 1.4 There is no current concern relating to overseas or costly travel and the committee has not refused any request for some years, although it has on occasion sought further information about requests. That does not mean that there is no risk of problems arising in future.

- 1.5 However the operation of the committee is quite cumbersome, involving scarce time from members and officers. There is therefore a proposal to dissolve the committee and replace with an officer approval process.
- 1.6 It's proposed that all travel which would currently be considered by the Committee or by a team which was previously pre-approved by the Committee will be subject to an approval process by which it will need to be approved by two out of the three of Head of the Paid Service, Section 151 officer or Monitoring Officer. If that is not possible because of the people involved then the approval of a deputy s151 or monitoring officer will suffice instead.
- 1.7 It is proposed that all foreign travel by officers or members will be reported annually to the Audit, Governance and Standards Committee. This will give transparency to the process.
- 1.8 This will entail changes to the constitution, to some officer policies and to the scheme of members allowances.

**Impact on political balance**

- 1.9 The dissolution of the Committee would see a reduction in the number of ordinary committees from four to three and the reduction in the number of ordinary committee seats from thirty-four to twenty-nine. This has the potential to impact on the balance of other committees. The political balance has been modelled based on the current political balance between registered political groups and the remaining committee places. The proposal would result in the balance of Development and Regulation Committee being changed as follows:

<b>Group</b>	<b>Current</b>	<b>After abolition of FTC</b>
Conservative	9	8
Non-Aligned Group	1	2
LD	1	1
Lab	1	1

**Recommendation:**

- 1. That Council agree to remove section 8.1.4 of the Constitution as above and renumber the Constitution accordingly and that the new process is implemented from September 2022.
- 2. Note that the proposed scheme for councillors allowances takes account of this proposed change.
- 3. Note the impact on political balance.

**2. Speaking for Cabinet Members in motions**

## **Summary of the issue**

- 2.1 Overall within the Constitution (16.9.6 ii a), there is a maximum time limit of 40 minutes per motion and any amendments thereto. Speech limits during a debate are currently as follows:
  - Mover of a motion – five minutes
  - One speech by a Cabinet Member or their nominee – five minutes
  - Any other member – three minutes
- 2.2 The Constitution (paragraph 16.9.6) makes provision for an extended speech of up to five minutes to be made by the relevant Cabinet Member, or another Member nominated to speak on their behalf. The Member is allowed to speak for up to five minutes, the same as the mover of a motion. All other speeches are subject to a three-minute limit
- 2.3 However, at the May 2022 meeting of Council the ‘mental health in schools motion’ arguably related to a number of portfolios and the cabinet member responsible for children’s mental health services was given five minutes but another Cabinet Member whose portfolio covered mental health was given three minutes as described in the Constitution.
- 2.4 Following the May 2022 meeting, a suggestion has been put forward by the Leader of the Council, that any Cabinet Member whose portfolio is relevant to the debate, should be given five minutes and it should not be limited to one cabinet member.
- 2.5 The Constitutional Working Group having discussed this have asked that paragraph 16.9.5 relating to Cabinet Member’s nominee’s speech be removed and subsequent paragraphs be removed and that paragraph 16.9.6 (to become 16.9.5) (i) (b) be changed to allow all relevant portfolio holders to speak for five minutes in any debate.

## **Recommendations:**

1. Delete paragraph 16.9.5 of the Constitution and renumber current paragraphs 16.9.6 to 16.9.18 and alter cross-references as necessary.
2. Amend the newly renumbered paragraph 16.9.5(1)(b) to read as follows:
  - (b) a speech made by a Cabinet Member where the question relates to a matter under their portfolio responsibility (such speech may be made at the time an amendment is proposed or seconded) – five minutes.

## **3. Dates of forthcoming Council meetings**

- 3.1 It is necessary to schedule a meeting to be held in May 2023. Paragraph 16.1 of the Constitution states that the Annual meeting of the Council shall be held

on the Tuesday following the first Thursday in May, in any year other than a year in which there are ordinary elections of Members to the Council.

- 3.2 A suggestion has been put forward by the Leader of the Council that due to Members' involvement in supporting other local elections during that period, moving the date of Council back by a week in May would allow more time for preparation.
- 3.3 It is proposed to amend paragraph 16.1 (ii) to state that the meeting be held on the Tuesday following the second Thursday in May.

**Recommendations:**

1. That the Council amends Paragraph 16.1 (ii) to read:  
(ii) in any other year, on the Tuesday following the Second Thursday in May.
2. That the Council meeting in May 2023 be held on Tuesday 16 May 2023.

**4. Health and Wellbeing Board Review**

- 4.1 A Cabinet Member Action Decision FP/443/06/22 - Revised Terms of Reference for the Essex Health and Wellbeing Board (HWB), was published on 16 June 2022.
- 4.2 In anticipation of the introduction of the Health and Social Care Act 2022, much of which came into force on 1 July 2022, and the significant re-shaping of the health landscape in Essex, a review of the HWB, in terms of its purpose and terms of reference, has been undertaken over the last six months, to ensure it remains a strong and effective Board, the place where priorities are shaped, and the forum everyone can look to for leadership on health and care in Essex.
- 4.3 The recommended option was to adopt the new Terms of Reference. In a changing landscape, the role of the Health and Wellbeing Board is fundamental in driving an Essex-wide agenda for health and wellbeing in line with the new Health and Wellbeing Strategy and the ambitions within Everyone's Essex. The new, proposed Terms of Reference will equip the HWB to do this.
- 4.4 The decision taken by the Leader of Council agreed to adopt the revised Terms of Reference for the Essex Health and Wellbeing Board as set out in Appendix 1 and agreed that the new Terms of Reference should come into force on 1 July 2022.
- 4.5 The Board is a committee of the Council and therefore the Terms of Reference are set out in Article 8 of the Constitution, Council Committees, paragraph 8.1.8.

**Recommendation:**

1. That paragraph 8.1.8 of the constitution be amended as set out in the appendix to this report.