

REPORT OF THE CHIEF EXECUTIVE

ESTABLISHMENT OF COMMITTEES

Purpose of the Report

1. To agree the establishment of the Council's Committees including the establishment of a new committee – COVID 19 Resilience, Recovery and Renewal Committee, review the allocation of seats on committees, and make appointments to the positions of Chairmen and Vice-Chairmen.

Information

2. Under the Council's Constitution, the Annual Meeting of the Full Council is required to establish such Committees as the Council sees fit and confirm their terms of reference and size. The chairman and vice chairman of each committee should also be appointed. It is a legal requirement to review the representation of different political groups of the Council on committees at the Annual Meeting.
3. Regulation 4(2) of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the Regulations) has now disapplied the requirement for such appointments to be made at an Annual Meeting, permitting them to be made at "such time as the Council may determine". Given that the previously scheduled Annual Meeting of the Council for 21 May 2020 was cancelled due to Coronavirus COVID19 emergency, this extraordinary meeting of Council has been called to consider some of the business ordinarily carried out at the Annual Meeting.
4. The current Committee structure governing the County Council was established by Full Council on 25 May 2017 with an addition of Communities and Place Review and Development Committee agreed at Full Council on 20 September 2018. The list of committees is included at Appendix A. The terms of reference of the Committees are set out in the Council's Constitution and it is proposed that their re-establishment for the forthcoming municipal year be confirmed.
5. It is proposed to establish an additional committee, the COVID 19 Resilience, Recovery and Renewal Committee. The Committee will review the Council's response, policy development in respect of the Council's recovery from COVID-19, including the Council's approach to the renewal of the local economy and renewal and reform of local government services, including the future structure of local government in Nottinghamshire.

6. There will be a membership of nine, drawn from members of the County Council. The Committee will meet at least four times a year. The proposed terms of reference for COVID 19 Resilience, Recovery and Renewal Committee are attached as Appendix C.
7. In determining the composition of Committees, account must be taken of the requirements of Section 15 of the Local Government and Housing Act 1989. This requires that seats on Committees and Sub-Committees are allocated to the political Groups of the Council in a way which reflects the overall balance on the Council. To comply with legislative requirements the allocation of seats is based on overall seat numbers rather than on individual committee numbers.
8. As reported earlier, Councillor John Knight is now a member of the Conservative and Mansfield Independent Members Group, this has resulted in one change to the allocation of seats, in relation to Policy Committee. The addition of the COVID 19 Resilience, Recovery and Renewal Committee has not altered the allocation of seats on other committees. The chart in Appendix A reflects the changes to the allocation of seats due to the change in membership of Groups and also includes the new committee. Paragraph 15 below sets out how members are appointed to committees.
9. The Council also appoints members to a number of other committees, joint committees and boards which, except for the Nottinghamshire and City of Nottingham Fire Authority, are not part of the requirements set out in paragraph 8 above. Appendix B provides details of these appointments which Council is asked to agree.
10. The Council is asked to appoint the Committee Chairmen and Vice-Chairmen for the municipal year as set out below:-

Committee	Chairman	Vice-Chairmen
Adult Social Care and Public Health	Tony Harper	Boyd Elliott, Francis Purdue-Horan
Children and Young People	Philip Owen	Tracey Taylor, Sue Saddington
Communities and Place	John Cottee	John Handley, Phil Rostance
Communities and Place Review and Development Committee	Gordon Wheeler	Errol Henry JP
Finance and Major Contracts Management	Richard Jackson	John Ogle, Roger Jackson
Governance and Ethics	Bruce Laughton	Kevin Rostance
Health and Wellbeing Board	Steve Vickers	Appointed by the Board
Health Scrutiny for Nottinghamshire	Keith Girling	Martin Wright
Improvement and Change Sub	Reg Adair	None
Joint Strategic Planning and Transport	City Councillor	Gordon Wheeler
Nottinghamshire Pension Fund	Eric Kerry	Stephen Garner
Personnel	Neil Clarke MBE	Keith Walker
Planning and Licensing	Chris Barnfather	Jim Creamer

Committee	Chairman	Vice-Chairmen
Policy	Mrs Kay Cutts MBE	Reg Adair
COVID 19 Resilience, Recovery and Renewal	John Knight	Reg Adair

11. The following Committees have alternative arrangements for appointing the Chairman:-

Committee	Chairman appointment
Governance and Ethics Sub	To be appointed by the sub-committee when required
Greater Nottingham Light Rapid Transit Advisory Committee	Appointed by Nottingham City Council
Local Joint Resolutions Committee	To be appointed by the committee when required
Senior Staffing Sub	To be appointed by the sub-committee when required

12. A number of committees have other representatives to be appointed, either following nomination by other organisations or following recruitment and selection procedures:-

- (a) Children and Young People's Committee: One representative of the Church of England Diocese, one representative of the Roman Catholic Diocese, and two Parent Governors
- (b) Health and Wellbeing Board: Seven District / Boroughs Councillors, six NHS Clinical Commissioning Group representatives, one Healthwatch, one NHS England, the Police and Crime Commissioner, three officers – Corporate Director, Adult Social Care and Health, Corporate Director, Children and Families, Director of Public Health
- (c) Nottinghamshire Pensions Fund Committee: Three City Councillors, two Nottinghamshire District / Borough Council representatives, two Trade Union Representatives, one Scheduled Body representative plus two pensioner representatives, all of whom are appointed as non-voting members.

13. No changes to these seat allocations are proposed. The established arrangements for appointments are set out in paragraph 15 below.

14. As in previous years, it is proposed that the Leader be appointed as an ex-officio member of all committees and sub-committees of which she is not a voting full member, except Health Scrutiny for Nottinghamshire Committee, Mental Health Guardianship Panel, Planning and Licensing Committee and Joint Committees. As an ex-officio Member the Leader would have the right to speak but not to vote at meetings.

15. It is the responsibility of the Chief Executive (Proper Officer) to enact the wishes of the Groups of the Council in appointing members to the committees based on the proportionality set out in Appendix A. This is in accordance with the provisions of the Local Government and Housing Act 1989, the Local Government Act 2000, the relevant Statutory Regulations and the Council's Standing Orders. As set out in paragraph 12 above, the Chief Executive also has responsibility for appointing co-optees to committees when required. As in previous years, it is proposed to delegate these responsibilities to the Team Manager, Democratic Services to enable the effective management of the appointments.

Other Options Considered

16.No other options considered

Reason/s for Recommendation/s

17.As set out in paragraphs 2 and 3, the Council may establish the composition of and appointments to its Committees under the new Regulations at such a time as it may determine.

Statutory and Policy Implications

18.This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

19.It is a legislative requirement that before a council makes or revises a member's allowances scheme it must have regard to a report from an Independent Remuneration Panel (IRP). The last report of the Council's Independent Remuneration Panel (June 2017) recommended that all committee chairmen and vice chairmen receive the same level of allowance. As the Independent Remuneration Panel will need to be reconvened in less than a year following the County Council elections in May 2021, it is proposed that the Panel consider the additional committee when reconvened then and until that time its remuneration should comply with the recommendation of the IRP set out above.

20.One additional Special Responsibility Allowance (SRA) will be attached to the new Committee, a Chairman at £22,848pa. The Vice-Chairman position will be held by the Deputy Leader and therefore no SRA will be attached to this post. This will be funded from contingency.

RECOMMENDATIONS

It is recommended:-

- 1) That the Council establishes a COVID 19 Resilience, Recovery and Renewal Committee with the terms of reference set out in **Appendix C** of the report and approves the Special Responsibility Allowance referred to in Paragraph 20 and authorises the Council's Constitution to be amended accordingly.
- 2) That the Council confirm the establishment of the Committees and Sub-Committees of the Council and the allocation of seats as set out in **Appendix A**. The Committees and Sub-Committees to be established with their existing terms of reference as set out in the Council's Constitution.

- 3) That the Council confirm the membership and allocation of seats and its continued participation of the Joint Committees set out in **Appendix A** and confirm the establishment or continued participation as applicable in the other committees, joint committees and boards, and allocation of seats, as set out in **Appendix B**.
- 4) That the Council make the appointments of Chairmen and Vice-Chairmen set out in Paragraph 10, and agrees the arrangements for appointing the Chairman of the Committees set out in Paragraph 11 until the Annual Meeting of the Council in May 2021.
- 5) That the other representatives on the committees / sub-committees set out in Paragraph 12 be agreed.
- 6) That the Leader of the Council be an ex-officio member of all committees and sub-committees except Health Scrutiny for Nottinghamshire Committee, Mental Health Guardianship Panel, Planning and Licensing Committee and Joint Committees.
- 7) That the appointment of members of the political Groups of the Council to committees, sub-committees, joint committees and boards be undertaken by the Team Manager, Democratic Services on behalf of the Chief Executive (the Proper Officer) in order to give effect to the wishes of the political Groups of the Council.
- 8) That the Team Manager, Democratic Services be authorised to act on behalf of the Chief Executive (Proper Officer) to appoint people as co-optees to committees when required.

Anthony May
Chief Executive

For any enquiries about this report please contact:

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Constitutional Comments (HD 18/05/2020)

21. Full Council has the authority to determine the recommendations set out in the report

Financial Comments (NS 17/05/2020)

22. The additional cost of the SRA as set out in paragraph 20 will require to be met from an allocation from contingency. In accordance with the County Council's Financial Regulations requests for virement of budget below £50,000 can be granted by the Section 151 Officer. Use of this delegated authority will be reported to the Finance & Major Contracts Management Committee in due course.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Revised Committee System and Other Amendments to the Constitution report – Full Council 25th May 2017 (published)
- Appointment of Committees report – Full Council 25th May 2017 (published)
- LGPS Central Asset Pooling – Governance Arrangements – Full Council 12th January 2017 (published)
- Health and Wellbeing Board Governance and Management – Health and Wellbeing Board 7th March 2018 (published)
- Communities and Place Review and Development Committee report – Full Council 20th September 2018 (published)
- [Council Constitution](#) as amended on 1st January 2020 (published)

Electoral Divisions and Members Affected

- All