

REPORT OF THE CHIEF EXECUTIVE

ESTABLISHMENT OF COMMITTEES

Purpose of the Report

1. To agree the establishment of the Council's Committees, 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. The current Committee structure governing the County Council was established by Full Council on 25th May 2017 with an addition to the structure of Communities and Place Review and Development Committee agreed at Full Council on 20th 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.
4. 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. The advice of the Monitoring Officer is that to comply with legislative requirements the allocation of seats should be based on overall seat numbers rather than on individual committee numbers. The chart in Appendix A reflects this. No changes to current seat allocations are proposed. Paragraph 10 below sets out how members are appointed to committees.
5. 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 4 above. Appendix B provides details of these appointments which Council is asked to agree.
6. 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 | Andy Sissons |
| 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 | Gordon Wheeler | City Councillor |
| Nottinghamshire Pension Fund | Eric Kerry | Stephen Garner |
| Personnel | Neil Clarke MBE | Keith Walker |
| Planning and Licensing | Chris Barnfather | Jim Creamer |
| Policy | Mrs Kay Cutts MBE | Reg Adair |

7. 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 |

8. 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, Health and Public Protection, Corporate Director, Children, Families and Cultural Services, 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.
9. No changes to these seat allocations are proposed. The established arrangements for appointments are set out in paragraph 11 below.
10. 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.
11. 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 8 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.
12. It is a legal requirement for the County Council to appoint Independent Persons, whose views must be sought and taken into account if a Code of Conduct complaint against a Councillor is investigated. At the annual meeting in May 2018 the County Council decided that due to the length of time that the current Independent Persons had been appointed, a full recruitment process be undertaken for 2019-20, with Governance and Ethics Committee overseeing the process. Governance and Ethics Committee resolved on 1 May for Ian Bayne and Craig Coles to be recommended for appointment as the Council's Independent Persons for the forthcoming year and a further interview is due to be held for an additional candidate. Should any further appointments be recommended by Governance and Ethics Committee then a further report will be brought to Council to seek approval to their appointment.

Other Options Considered

13. No other options considered

Reason/s for Recommendation/s

14. As set out in paragraph 2, the Annual Meeting of the Council has to establish the composition of its Committees.

Statutory and Policy Implications

15. 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

There are no financial implications arising from this report.

RECOMMENDATIONS

It is recommended:-

- 1) 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.
- 2) 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.
- 3) That the Council make the appointments of Chairmen and Vice-Chairmen set out in Paragraph 6, and agrees the arrangements for appointing the Chairman of the Committees set out in Paragraph 7 until the Annual Meeting of the Council in May 2020.
- 4) That the other representatives on the committees / sub-committees set out in Paragraph 8 be agreed.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) That the Council appoints Ian Bayne and Craig Coles as the Council's Independent Persons until the Annual Meeting of the Council in May 2020.

Anthony May
Chief Executive

For any enquiries about this report please contact:

Marjorie Toward, Service Director, Customers, Governance and Employees

Constitutional Comments (HD 3/5/2019)

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

Financial Comments (SES 07/05/2019)

17. There are no specific financial implications arising directly from this report.

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)
- [Council Constitution](#) as amended on 21st September 2018 (published)

Electoral Divisions and Members Affected

- All