

REPORT OF THE CHIEF EXECUTIVE

ESTABLISHMENT OF COMMITTEES

Purpose of the Report

1. To agree the composition of the Council’s Committees and make appointments to the positions of Chairmen and Vice-Chairmen and to note the Cabinet Member and Deputy Cabinet Member appointments made by the Leader of the Council.

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 was established by Full Council on 12 May 2022 and there are no proposed changes to this structure or terms of reference.

The Cabinet

4. Cabinet carries out all of the County Council’s functions which are not the responsibility of any other part of the Council, whether by law or under the Constitution.
5. Cabinet appointments and portfolio responsibilities are determined by the Leader of the Council. The Leader has decided to appoint a Cabinet of 10 members. The proposed positions and portfolio responsibilities were reported to Full Council on 31 March 2022 and noted on 12 May 2022. There are no proposed changes to these arrangements.
6. The Council is asked to note the following appointments made by the Leader:-

Portfolio	Cabinet Member	Deputy Cabinet Member
Deputy Leader and Cabinet Member for Transformation	Bruce Laughton	N/A
Cabinet Member Business Management	Chris Barnfather	N/A

Cabinet Member for Adult Social Care and Public Health	Matt Barney	Scott Carlton
Cabinet Member for Children and Young People	Tracey Taylor	Sinead Anderson
Cabinet Member for Communities	John Cottee	Tom Smith
Cabinet Member for Economic Development and Asset Management	Keith Girling	Reg Adair
Cabinet Member for Finance	Richard Jackson	André Camilleri
Cabinet Member for Personnel	Gordon Wheeler	Jonathan Wheeler
Cabinet Member for Transport and Environment	Neil Clarke MBE	Mike Adams

Overview and Select Committees

7. Section 21 of the Local Government Act 2000 requires that a Local Authority with Executive arrangements establish overview and scrutiny committees. The current committee structure was established by Full Council on 12 May 2022, with the name of the Children and Young People’s Select Committee changing to the Children and Families Select Committee at Full Council on 24 November 2022. The current committee structure is:-

- Overview Committee
- Adult Social Care and Public Health Select Committee
- Children and Families Select Committee
- Place Select Committee

It was also agreed to establish a Health Scrutiny Committee to carry out health scrutiny in accordance with Section 244 (and Regulations under that section) of the National Health Services Act 2006 as amended by the Local Government and Public Involvement in Health Act 2007 relating to local health service matters.

8. 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. The Committees and allocation of seats are set out in Appendix A of this report (To Follow – awaiting outcome of Kirkby South by-election).

Committees

9. On 12 May 2022, Full Council agreed to establish Committees to carry out non-executive functions of the Council, and there are no proposals to make any changes to these arrangements. As set out in paragraph 8 above, all seats on Committees and Sub-Committees are required to be allocated to the political Groups of the Council in a way which reflects the overall balance on the Council. The Committees and allocation of seats are set out in Appendix A of this report (To Follow – awaiting outcome of Kirkby South by-election).

10. 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.

11. The Council is asked to appoint the Committee Chairmen and Vice-Chairmen for the municipal year as set out below:-

Committee	Chairman	Vice-Chairman
Overview Committee	Boyd Elliott	To be confirmed
Adult Social Care and Public Health Select Committee	Roger Jackson	To be confirmed
Children and Families Select Committee	Sam Smith	To be confirmed
Place Select Committee	Nigel Moxon	To be confirmed
Governance and Ethics	Philip Owen	Johno Lee
Health and Wellbeing Board	Dr John Doddy	Appointed by the Board
Health Scrutiny Committee	Mrs Sue Saddington	Bethan Eddy
Joint Strategic Planning and Transport	Neil Clarke MBE	City Councillor
Nottinghamshire Pension Fund	Eric Kerry	Mike Introna
Planning and Rights of Way Committee	Mike Quigley MBE	To be confirmed

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

Committee	Chairman appointment
Governance and Ethics Sub-Committee	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 Committee	To be appointed by the committee when required

13. 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 Families Select Committee: One representative of the Church of England (Diocese of Southwell and Nottingham), one representative of the Roman Catholic Church (Diocese of Nottingham), and two Parent Governors

- (b) Health and Wellbeing Board: One Councillor from each of the seven Nottinghamshire District and Borough Councils, one representative of the NHS Nottingham and Nottinghamshire Integrated Care Board, two representatives from each of the three Nottinghamshire NHS Place-Based Partnerships (Bassetlaw, Mid-Nottinghamshire and South Nottinghamshire), one representative of NHS England, one representative of Healthwatch Nottingham and Nottinghamshire, one representative of the Office of the Nottinghamshire Police and Crime Commissioner, and three County Council officers (the Corporate Director for Adult Social Care and Health, the Corporate Director for Children and Families and the Director of Public Health)
- (c) Nottinghamshire Pension 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.
14. No changes to these seat allocations are proposed. The established arrangements for appointments are set out in paragraph 16 below.
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 Constitution. As set out in paragraph 14 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.
16. 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 and in certain other circumstances. The currently appointed Independent Persons are Ian Bayne, Craig Coles and Rob White and it is recommended to appoint them as the Council's Independent Persons for the forthcoming year. 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

17. No other options considered, it is a requirement of the Constitution that Full Council establishes committees for the forthcoming municipal year.

Reason/s for Recommendation/s

18. To ensure that the Council has appropriate executive and non-executive structures in place.

Statutory and Policy Implications

19. 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

20. Cabinet Members, Cabinet Support Members, Committee Chairmen and Committee Vice-Chairmen are entitled to claim Special Responsibility Allowances (SRAs).
21. The Members Allowances Scheme was agreed at Full Council on 12 May 2022 and updated on 24 November 2022. There are no changes to the allowances scheme.

RECOMMENDATIONS

It is recommended:-

- 1) That the Council note the Leader's appointments to the Cabinet and their portfolio responsibilities, and the appointment of Deputy Cabinet Members as set out in paragraph 6.
- 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** until the Annual Meeting of the Council in May 2024.
- 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** until the Annual Meeting of the Council in May 2024.
- 4) That the Council make the appointments of Chairmen and Vice-Chairmen set out in Paragraph 12, and agrees the arrangements for appointing the Chairman of the Committees set out in Paragraph 13 until the Annual Meeting of the Council in May 2024.
- 5) That the other representatives on the committees / sub-committees set out in Paragraph 14 be agreed.
- 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, Craig Coles and Rob White as the Council's Independent Persons until the Annual Meeting of the Council in May 2024.

Adrian Smith
Chief Executive

For any enquiries about this report please contact:

Marjorie Toward, Service Director, Customers, Governance and Employees and Monitoring Officer

Constitutional Comments (CEH 26/04/2023)

22. Council has the authority to consider the report and recommendations.

Financial Comments (SES 26/04/2023)

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

24. Cabinet Members, Cabinet Support Members, Committee Chairmen and Committee Vice-Chairmen are entitled to claim Special Responsibility Allowances (SRAs).

25. The Members Allowances Scheme was agreed at Full Council on 12 May 2022 and updated on 24 November 2022. There are no changes to the allowances scheme.

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.

- [Change to Council Governance Arrangements report to Full Council](#) – 31 March 2022 (published)
- [Establishment of Committees report to Full Council](#) – 12 May 2022 (published)
- [Members' Allowances Scheme report to Full Council](#) – 12 May 2022 (published)
- [Members' Allowances Scheme – Update report of the Independent Remuneration Panel report to Full Council](#) – 24 November 2022 (published)
- [Council Constitution](#) (published)

Electoral Division(s) and Member(s) Affected

- All