

REPORT OF THE CHIEF EXECUTIVE

APPOINTMENT OF COMMITTEES

Purpose of the Report

1. To consider the establishment of the Council Committees and make appointments of Chairmen and Vice-Chairmen.

Information and Advice

2. Under the Council's Constitution, the Annual Meeting of the Council has to establish such Committees as the Council sees fit.
3. At the last meeting of Council on 29th March 2012 it was agreed to change the governance arrangements to a committee system. At that time Council agreed to establish the following committees and sub-committees, set their terms of reference, fixed their size and allocated places to the political groups. It is proposed that their establishment be confirmed:-

| | |
|--|---|
| Administration Committee | Finance and Property Committee |
| Adult Social Care and Health Committee | Grant Aid Sub-Committee |
| Appeals Sub-Committee | Health Scrutiny Committee |
| Audit Committee | Joint Committee on Appointments to the Police Authority (until 15 Nov 2012) |
| Children and Young People's Committee | Joint Committee on Strategic Planning & Transport |
| Community Safety Committee | Joint City/Council Health Scrutiny Committee |
| Corporate Parenting Sub-Committee | Local Joint Resolutions Committee |
| Culture Committee | Nottinghamshire Pension Fund Committee |
| Early Years and Youth Services Sub-Committee | Pensions Investment Sub-Committee |
| Economic Development Committee | |

| | |
|--|---|
| Environment and Sustainability Committee | Pensions Sub-Committee |
| Personnel Committee | Shadow Health and Wellbeing Board |
| Planning & Licensing Committee | Standards Committee (until 1 July 2012) |
| Policy Committee | Transport and Highways Committee |
| Rights of Way Committee | |
| Senior Staffing Sub-Committee | |

4. With regard to the appointments to the Appeals Sub-Committee, Planning and Licensing Committee, Rights of Way Committee and the Senior Staffing Sub-Committee it is mandatory for the members to have received the appropriate training before sitting on these Committees/ Sub-Committees.
5. 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 the Appeals Sub-Committee, Health Scrutiny Committee, Planning and Licensing Committee, Rights of Way Committee, Senior Staffing Sub-Committee, Standards Committee and Joint Committees. As an ex-officio Member the Leader would have the right to speak but not to vote at meetings
6. In determining the membership of Committees, account must be taken of the requirements of the Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local Government and Housing Act 1989. These Regulations require that seats on Committees and Sub-Committees are allocated to the political Groups in a way which reflects the overall balance on the Council. Additional research has been undertaken since the Council meeting in March. The advice of the Monitoring Officer is that allocation of seats to comply with legislative requirements should be based on overall seat numbers rather than an individual committee numbers. The charts in the recommendation reflect this.

JOINT COMMITTEES

7. There are currently three Joint Committees between the County and Nottingham City Councils as follows:-
 - Joint Committee for Appointments to the Nottinghamshire Police Authority
 - Joint Committee on Strategic Planning and Transport
 - Joint City/ County Health Scrutiny Committee
8. The Joint Committee on Appointments to the Police Authority is a requirement but Council is recommended to continue with these other Joint Committees. It should be noted that the Police Authority will be replaced by an elected Police and Crime Commissioner in November 2012. A Police and Crime Panel will be established as a joint committee of all the local authorities in the County and City and a further report will be brought on this in due course.

9. The appointment of the Chairman and Vice-Chairman of the Joint Health Scrutiny Committee and the Joint Committee on Strategic Planning and Transport are undertaken in accordance with an agreement between the County and the City Councils. Under this agreement in 2012/13 the Chairman of both these Joint Committees will be nominated by the County Council and the Vice- Chairman by the City Council.

Mental Health Guardianship Panel

10. A pool of 16 Members (8 Conservative, 4 Labour, 2 Liberal Democrat and Social Democrat and 2 Independent) has been established from which a Mental Health Guardianship Panel can be formed to make decisions on renewal and discharge of guardianship under the Mental Health Act 1983. It is proposed to continue with these arrangements.

Combined Fire Authority

11. The County Council is required to appoint 12 members to the Combined Fire Authority. Appointments must be made in accordance with political proportionality.

Reason for Recommendations

12. Under the Council’s Constitution, the Annual Meeting of the Council has to establish such Committees as the Council sees fit.

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

Following discussions with the Leader and the other Groups the recommendations are as follows:-

- (a) that the Council confirm the establishment of the following Committees and Sub-Committees of Council with their previously agreed terms of reference and with the membership shown:-

| <u>Meeting</u> | <u>Size of Committee</u> | <u>Cons</u> | <u>Lab</u> | <u>Lib Dems & Soc Dem</u> | <u>Indepe-ndent</u> | <u>Other</u> |
|--------------------------|--------------------------|-------------|------------|-------------------------------|---------------------|--------------|
| Administration Committee | 9 | 5 | 2 | 1 | 1 | |

| <u>Meeting</u> | <u>Size of Committee</u> | <u>Cons</u> | <u>Lab</u> | <u>Lib Dems & Soc Dem</u> | <u>Independent</u> | <u>Other</u> |
|---|--------------------------|-------------|------------|-------------------------------|--------------------|----------------------------|
| Adult Social Care and Health Committee | 11 | 6 | 2 | 2 | 1 | |
| Appeals Sub-Committee (pool) | 11 | 6 | 2 | 2 | 1 | |
| Audit Committee | 9 | 5 | 2 | 1 | 1 | |
| Children and Young People's Committee | 11 | 6 | 3 | 1 | 1 | 4 non-voting co-optees |
| Community Safety Committee | 9 | 5 | 2 | 1 | 1 | |
| Corporate Parenting Sub-Committee | 9 | 5 | 2 | 1 | 1 | |
| Culture Committee | 11 | 6 | 2 | 2 | 1 | |
| Early Years and Youth Services Sub-Committee | 7 | 4 | 1 | 1 | 1 | |
| Economic Development Committee | 9 | 5 | 2 | 1 | 1 | |
| Environment and Sustainability Committee | 11 | 6 | 3 | 1 | 1 | |
| Finance and Property Committee | 11 | 6 | 3 | 1 | 1 | |
| Grant Aid Sub-Committee | 7 | 4 | 1 | 1 | 1 | |
| Health Scrutiny Committee | 6 | 3 | 1 | 1 | 1 | 4 District Council members |
| Joint Committee on Appointments to the Police Authority (until 15 Nov 2012) | 3 | 2 | 1 | 0 | 0 | 3 City Councillors |
| Joint Committee on Strategic Planning & Transport | 4 | 2 | 1 | 1 | 0 | 4 City Councillors |
| Joint City/Council Health Scrutiny Committee | 8 | 4 | 2 | 1 | 1 | 8 City Councillors |
| Shadow Health and Wellbeing Board | 18 | 3 | 1 | 1 | 0 | 13 |
| Local Joint Resolutions Committee | 6 | 3 | 1 | 1 | 1 | |

| <u>Meeting</u> | <u>Size of Committee</u> | <u>Cons</u> | <u>Lab</u> | <u>Lib Dems & Soc Dem</u> | <u>Independent</u> | <u>Other</u> |
|---|--------------------------|-------------|------------|-------------------------------|--------------------|-------------------------|
| Nottinghamshire Pension Fund Committee | 9 | 5 | 2 | 1 | 1 | |
| Pensions Investment Sub-Committee | 9 | 5 | 2 | 1 | 1 | 8 |
| Pensions Sub-Committee | 9 | 5 | 2 | 1 | 1 | 8 plus 2 pensioner reps |
| Personnel Committee | 9 | 5 | 2 | 1 | 1 | |
| Planning & Licensing Committee | 11 | 6 | 2 | 2 | 1 | |
| Policy Committee | 19 | 10 | 4 | 3 | 2 | |
| Rights of Way Committee | 11 | 6 | 2 | 2 | 1 | |
| Senior Staffing Sub-Committee | 9 or 5 | 5 or 3 | 2 or 1 | 1 or 1 | 1 or 0 | |
| Standards Committee (until 1 July 2012) | 7 | 4 | 1 | 1 | 1 | 4 |
| Transport and Highways Committee | 11 | 6 | 3 | 1 | 1 | |

- (b) That the Health Scrutiny Committee membership include 1 co-opted Councillor with voting rights from each of the following authorities:- Ashfield District Council, Bassetlaw District Council, Mansfield District Council and Newark and Sherwood District Council.
- (c) That the other representatives on the above Committees /Sub Committees be appointed as follows:-
- (1) 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.
 - (2) Health and Wellbeing Board: Two District/Boroughs Councillors, six NHS Clinical Commissioning Group representatives, one Health LINK, one Primary Care Trust Cluster representative, three officers – Corporate Director, Adult Social Care, Health and Public Protection, Corporate Director, Children, Families and Cultural Services, Director of Public Health
 - (3) Pensions Investment Sub-Committee: Three City Councillors, two Nottinghamshire District/Borough Council representatives, two Trade Union Representatives, one Admitted Body representative

- (4) Pensions Sub-Committee: Three City Councillors, two Nottinghamshire District/Borough Council representatives, two Trade Union representatives, one Admitted Body representative plus two pensioner representatives.
- (5) Standards Committee (until 1st July 2012): Four independent members
- (d) That the membership of the Administration Committee comprise Leader and Deputy Leader of the Council, Business Manager and the Deputy Business Manager of the Majority Group, the Cabinet Member for Finance and Property, Leaders of all three Opposition Groups and the Deputy Leader of the main Opposition Group.
- (e) That the Senior Staffing Sub-Committee when considering issues relating to the Chief Executive and Corporate Directors will have a membership of 9 Members (5 Conservative Group, 2 Labour Group, 1 Liberal Democrat and Social Democrat Group, 1 Independent Group; and when the Sub-Committee considers issues relating to other officers the membership will be 5 Members (3 Conservative Group, 1 Labour Group, 1 Liberal Democrat and Social Democrat Group) and that no Member must sit on the Sub-Committee unless they have received appropriate training.
- (f) That the Leader of the Council be an ex-officio member of all committees and sub-committees except the Appeals Sub-Committee, Planning and Licensing Committee, Rights of Way Committee, Senior Staffing Sub-Committee and Joint Committees; with the right to speak but not to vote.
- (g) That the Council make the following appointments of Chairman and Vice-Chairman until the Annual Meeting of the Council in May 2013, it being noted that the appointment of a Chairman and Vice-Chairman of the Senior Staffing Sub-Committee will be a matter for that Sub-Committee:-

| Committee | Chairman | Vice-Chairman |
|--|--------------------|-------------------------------------|
| Administration | Leader | Leader of the Main Opposition Group |
| Adult Social Care and Health | Kevin Rostance | Stuart Wallace |
| Appeals | Ged Clarke | Not applicable |
| Audit | Sheila Place | Mike Quigley MBE |
| Children and Young People | Philip Owen | Allen Clarke |
| Community Safety | Mick Murphy | David Taylor |
| Corporate Parenting Sub-Committee | Allen Clarke | Not Applicable |
| Culture | John Cottee | Liz Yates |
| Early Years and Youth Services Sub-Committee | Lynn Sykes | Dr John Doddy |
| Economic Development | Keith Girling | Gordon Wheeler |
| Environment and Sustainability | Richard Butler | John Hemsall |
| Finance and Property | Reg Adair | Eric Kerry |
| Grant Aid Sub Committee | Martin Suthers OBE | Joyce Bosnjak |
| Health and Wellbeing Board (shadow) | Martin Suthers OBE | To be appointed by Board |
| Health Scrutiny Committee | Sue Saddington | Wendy Quigley |
| Joint Cmte on Planning & Transport | TBC | City Councillor |
| Joint Health Scrutiny (with City) | Mel Shepherd MBE | City Councillor |

| Committee | Chairman | Vice-Chairman |
|---|------------------|-----------------------|
| Nottinghamshire Pension Fund | Michael J Cox | Stella Smedley MBE JP |
| Pensions Investment Sub-Committee | Michael J Cox | Stella Smedley MBE JP |
| Pensions Sub-Committee | Michael J Cox | Stella Smedley MBE JP |
| Personnel | Andy Stewart | Michelle Gent |
| Planning & Licensing | Chris Barnfather | Sybil Fielding |
| Policy | Kay Cutts | Martin Suthers OBE |
| Rights of Way | Bruce Laughton | Gail Turner |
| Standards Committee (until 1 July 2012) | Charles Daybell | To be appointed |
| Transport and Highways | Richard Jackson | Chris Barnfather |

(h) That, subject to similar resolutions being taken by the City Council Joint Committees be established as follows:-

| JOINT COMMITTEE | NOTTINGHAMSHIRE COUNTY COUNCIL | | | | |
|---|---------------------------------------|---------------------|---------------|---|--------------------|
| | TOTAL NO OF COUNCILLORS | CONSERVATIVE | LABOUR | LIBERAL DEMOCRAT & SOCIAL DEMOCRAT | INDEPENDENT |
| Jt City/County Health Scrutiny | 8 | 4 | 2 | 1 | 1 |
| Jt Cttee for Appointments to the Nottinghamshire Police Authority | 3 | 2 | 1 | 0 | 0 |
| Joint Cttee on Strategic Planning and Transport | 4 | 2 | 1 | 1 | 0 |

(i) That the pool of 16 members (8 Conservative Group, 4 Labour Group, 2 Liberal Democrat and Social Democrat Group and 2 Independent Group) be re-established from which a Mental Health Guardianship Panel can be formed, to make decisions on renewal and discharge of guardianship under the Mental Health Act 1983.

(j) That the 12 places on the Combined Fire Authority be allocated between the groups as follows:-

- Conservative Group 6
- Labour Group 3
- Liberal Democrat and Social Democrat Group 2
- Independent Group 1

(k) (1) That the appointment of members of the political groups to committees, sub-committees and joint committees be undertaken by the Team Manager, Governance and Scrutiny on behalf of the Chief Executive (the Proper Officer) acting 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.

- (2) That the Team Manager, Governance and Scrutiny be authorised to act on behalf of the Chief Executive to appoint people as co-optees to membership of committees or joint committees when required .

Mick Burrows
Chief Executive

For any enquiries about this report please contact: Chris Holmes

Constitutional Comments (JFW 3/5/12)

14. It is within the functions reserved to the County Council to decide the issues set out in this report

Background Papers

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.

None

Electoral Division(s) and Member(s) Affected

Nottinghamshire