

REPORT OF THE CHIEF EXECUTIVE

ESTABLISHMENT OF COMMITTEES

Purpose of the Report

1. To agree the composition of the Council's Committees, 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 updated on 24 November 2022, 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 decided to appoint a Cabinet of 10 members. Further to the appointments reported to Full Council on 7 December 2023 the Leader has recently notified the Monitoring Officer of one change to Cabinet Member appointments with effect from 17 May 2024 as follows:

- Cabinet Member for Adult Social Care – Councillor Jonathan Wheeler

Overview and Select Committees

6. 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.

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. The Committees and allocation of seats are set out in Appendix A of this report.

Committees

8. On 12 May 2022, Full Council agreed to establish Committees to carry out non-executive functions of the Council. It is proposed to make one change to the Committees structure.
9. It is proposed that the Joint Committee on Strategic Planning and Transport (JCSPT) be changed to the Joint Committee on Mineral and Waste Planning. At its meeting on 12 April 2024, JCSPT agreed to make changes to its Terms of Reference to focus on its statutory role around minerals and waste Local Plan preparation. The membership of the Committee will remain the same, with meetings taking place on an ad hoc basis as and when required. The terms of the reference for the new committee are attached at Appendix C.
10. 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.
11. 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.
12. Section 116ZA of the Local Government and Public Involvement in Health Act 2007 (as amended by the Health and Care Act 2022), requires upper tier Local Authorities and Integrated Care Boards (ICBs) to establish Integrated Care Partnerships (ICPs) as equal partners. In July 2022, the Nottingham and Nottinghamshire ICP was established as a joint committee of Nottingham City Council, Nottinghamshire County Council and NHS Nottingham and Nottinghamshire ICB, with updated Terms of Reference subsequently confirmed in November 2022. Since this date, the ICP has met five times in its role as 'guiding mind' of the Integrated Care System; developing and publishing an Integrated Care Strategy for Nottingham and Nottinghamshire and reviewing its early impact.

13. On 22 March 2024, the ICP met and considered its terms of reference in light of its initial period of operating, to ensure their ongoing fitness for purpose. As a result, no material amendments are proposed, with the ICP's purpose, principles of working, membership, chair and vice-chair arrangements, and meeting frequency all felt to be appropriate and working well. A small number of minor changes were proposed; these relate to providing greater clarity on the difference between the ICP and the Health and Wellbeing Boards and the removal of references that are specific to the ICP's first period of operation. The updated terms of reference are attached with tracked changes at Appendix D.
14. 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	Glynn Gilfoyle*
Adult Social Care and Public Health Select Committee	John Ogle	David Martin*
Children and Families Select Committee	Mike Introna	Francis Purdue-Horan*
Place Select Committee	Mike Adams	Tom Hollis*
Governance and Ethics	Philip Owen	Callum Bailey
Health and Wellbeing Board	Dr John Doddy	Appointed by the Board
Health Scrutiny Committee	Roger Jackson	Bethan Eddy
Joint Committee on Mineral and Waste Planning	City Councillor	Neil Clarke MBE
Nottinghamshire Pension Fund	Eric Kerry	Mrs Sue Saddington
Planning and Rights of Way Committee	Mike Quigley MBE	Jim Creamer*

* Nominated by Opposition Group Leaders

15. 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

16. 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, one representative of the Nottingham and Nottinghamshire Voluntary, Community and Social Enterprise Alliance, 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.

17. No changes to these seat allocations are proposed. The established arrangements for appointments are set out in paragraph 19 below.

18. 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 17 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.

19. On 7 March 2024, the Cabinet Member for Business Management approved appointments to the East Midlands Combined County Authority (EMCCA) Board, as an outside body as delegated to the Cabinet Member under Local Choice Function 11, as set out in the Constitution. The appointments made were:

- a. The Leader of the Council and Deputy Leader of the Council were appointed to act as members of the EMCCA on behalf of Nottinghamshire County Council;
- b. The Leader was designated to act as the Lead Member on behalf of Nottinghamshire County Council;
- c. The Cabinet Member for Transport and Environment and the Cabinet Member for Finance and Resources were appointed to act as a substitute member of the EMCCA on behalf of Nottinghamshire County Council in the absence of either of the above members (if required)

20. EMCCA will establish a number of committees which will be appointed to following the arrangements set out in the Constitution. The committees EMCCA currently anticipate establishing are:

- Transport Advisory Committee
- Skills and Employment Advisory Committee
- Investment Committee
- Overview and Scrutiny Committee
- Audit and Governance Committee

21. 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.

Other Options Considered

22. It is a requirement of the Constitution that Full Council establishes committees for the forthcoming municipal year.

23. To not support the revised Terms of Reference for the Joint Committee on Mineral and Waste Planning and the ICP but that would result in the existing Terms of Reference no longer being fit for purpose.

Reason/s for Recommendation/s

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

25. The Terms of Reference of the Joint Committee on Mineral and Waste Planning and the ICP have been updated in partnership with the other Constituent authorities and address the changed remit and updated operating models respectively.

Statutory and Policy Implications

26. 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

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

28. 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 change made by the Leader to Cabinet Member appointments effective from 17 May 2024, as set out in paragraph 5.
- 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 2025 and agree the revised Terms of Reference for the Joint Committee on Mineral and Waste Planning as set out in **Appendix C**.
- 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 2025.
- 4) That the Council make the appointments of Chairmen and Vice-Chairmen set out in Paragraph 15 and agrees the arrangements for appointing the Chairman of the Committees set out in Paragraph 16 until the Annual Meeting of the Council in May 2025.
- 5) That the other representatives on the committees / sub-committees set out in Paragraph 17 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 2025.
- 9) That the revised terms of reference for the Nottingham and Nottinghamshire Integrated Care Partnership, as attached as **appendix D**, be approved.

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 (KK 23/04/2024)

29. The proposals in this report are within the remit of Full Council

Financial Comments (SES 23/04/2024)

30. 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.

- [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)
- [Membership of Committees report to Full Council](#) – 24 November 2022 (published)
- [Members' Allowances Scheme – Update report of the Independent Remuneration Panel report to Full Council](#) – 24 November 2022 (published)
- [Changes to Cabinet Member Arrangements and Appointment of Committee Chairmen and Vice-Chairmen report to Full Council](#) – 7 December 2023 (published)
- [Future Operation of the Joint Committee on Strategic Planning and Transport report to JCSPT](#) – 12 April 2024 (published)
- [Establishment of Joint Committee – Nottingham and Nottinghamshire Integrated Care Partnership report to Full Council](#) – 7 July 2022 (published)
- [Nottingham and Nottinghamshire Integrated Care Partnership – Revised Terms of Reference report to Full Council](#) – 24 November 2022 (published)
- [Appointments to East Midlands Combined Authority](#) report to Cabinet Member for Business Management – 7 March 2024 (published)
- [Council Constitution](#) (published)

Electoral Division(s) and Member(s) Affected

- All