

CITY COUNCIL - 18 MAY 2007

REPORT OF THE LEADER OF THE COUNCIL

APPOINTMENTS AND FIRST MEETINGS OF BOARDS, COMMITTEES, PANELS, JOINT BODIES ETC 2007/08

1. SUMMARY

1.1 This report sets out details of first meetings of, the Executive Board, committees, panels, joint bodies etc for 2007/08 as follows:-

- Appendix 1 - terms of reference and first meeting date of the Executive Board;
- Appendix 2 - terms of reference and first meeting dates of other Council bodies which require appointment by Council;
- Appendix 3 - terms of reference and first meeting dates of Joint bodies, for information.

1.2 Any changes to previous terms of reference have been highlighted in tracked changes within the text to enable members' to identify proposed changes easily.

1.3 An addendum to this report detailing the proposed membership, substitutes and chairing arrangements (where applicable), and the portfolio arrangements for the Executive Board, will be available for members to collect from the Council House on the morning of Friday 18 May 2007.

1.4 Up to six substitutes may be appointed by each group for each committee, sub-committee or panel etc with the exception of those for which substitutes are not permitted. Those committees where substitutes are not permitted have been highlighted in the appendices to this report.

1.5 This report also requests a minor change to the Constitution which clarifies the terms of reference of the Executive Board (see Appendix 1), in light of the 'local choice' provisions of the Constitution.

2. RECOMMENDATIONS

It is RECOMMENDED that:-

(1) that the Constitution be amended by the deletion of the following function from the list of functions to be exercised only by full Council:-

“(f) Appointing representatives to outside bodies”;

(2) the terms of reference and first meeting date of the Executive Board be agreed;

(3) the membership and portfolio arrangements of the Executive Board be agreed;

(4) the revised membership and terms of reference of the Standards Committee as endorsed at its meeting held on 6 September 2006, be agreed and that a recruitment process for two additional independent members be undertaken with the outcome reported to full Council, for approval, at a future date;

(5) the membership, chairing arrangements, revised terms of reference and first meeting date of the Licensing Committee, be agreed;

(6) the membership, chairing arrangements, revised terms of reference and first meeting date of the Regulatory and Appeals Committee, be agreed;

(7) the membership, chairing arrangements, terms of reference and first meeting dates of other Council bodies be agreed;

(8) the City Council membership of joint bodies be agreed and the dates of first meetings and terms of reference be noted;

(9) substitutes, where applicable, be agreed.

**COUNCILLOR JON COLLINS
LEADER**

EXECUTIVE ARRANGEMENTS

EXECUTIVE BOARD

In the current constitution, the making of appointments to outside bodies is a function reserved to be exercised by full Council (Appendix 6(c) of the Constitution). However, it is also identified in Appendix 6 (d) of the Constitution as a matter delegated to Executive Board as a local choice function. It has been past practice for Council to delegate this function to the Executive Board and for the sake of clarity it is recommended that the Constitution be amended by deletion of the following function from full Council's terms of reference:-

“(f) appointing representatives to outside bodies”,

Accordingly, under the Executive Board's Terms of Reference set out below for approval, such appointments would then clearly fall to be made by the Executive Board.

Terms of Reference

The Council's functions which are not the responsibility of any other part of the Council, whether by law or under the constitution.

Membership - Portfolio Holder arrangements will be available for members to collect from the Council House on the morning of Friday 18 May 2007.

Date of first meeting

22 May 2007 - 2.00 pm

COUNCIL BODIES

OVERVIEW AND SCRUTINY COMMITTEE

Terms of Reference

- (a) oversees and manages the Council's overview and scrutiny function, setting terms of reference and membership for its standing panels and task and finish panels;
- (b) oversees and manages the Council's overview and scrutiny programme to an annual plan;
- (c) to have specific responsibility for the overview and scrutiny of major corporate policies and for areas of service provision not provided for elsewhere including strategic housing and community safety;
- (d) Commissions reviews from its standing panels, setting terms of reference, membership and timescales as necessary, and may undertake reviews itself, if considered necessary, in respect of policy development, executive decisions and matters of wider local concern;
- (e) ensures that all responsibilities placed upon overview and scrutiny bodies are carried out, including holding the executive to account, undertaking a policy development and review role and scrutinising and making recommendations on matters which are the responsibility of the Council and on concerns or areas of interest in the wider City;
- (f) manages the call-in process in accordance with the Overview and Scrutiny Rules in Appendix 6 (i) of the Core Constitution and may, for this purpose appoint a sub-committee with delegated powers.

All scrutiny bodies have authority under the Overview and Scrutiny Procedure Rules to invite people other than Council members and officers to attend meetings on a regular or occasional basis to give evidence, answer questions, discuss issues of local concern and/or act in an advisory role.

Date of first meeting

18 May 2007 - at the rising of Annual Council

AREA COMMITTEES

Terms of Reference

- (a) To approve, ensure the delivery of and monitor neighbourhood action plans and other relevant area plans;
- (b) to lead and co-ordinate regeneration and renewal activity at an area level;
- (c) to undertake and co-ordinate consultation within their areas;
- (d) within budgetary limits, to be empowered to undertake any measures to achieve the following objectives:-
 - (i) the promotion or improvement of the economic well being of their area;
 - (ii) the promotion or improvement of the social well being of their area;
 - (iii) the promotion or improvement of the environmental well being of their area.
- (e) to agree priorities, work programmes and variations in performance standards, including through Neighbourhood Renewal processes, in respect of the following services:-
 - Footpaths replacement;
 - Street lighting;
 - Patch maintenance;
 - grounds maintenance on community parks and playgrounds (excluding heritage sites and Bulwell Hall and Bulwell Forest Golf Courses);
- (f) in respect of services in the local area, and if urgent, via a panel of the Chair, Vice-Chair, an opposition member (if there is one) and a community representative, to approve:-

Housing environmental improvements;

Highway environmental improvements of a local nature;

Minor traffic schemes, diversions and closures under highways and road traffic legislation, of a local nature;

Applications for footpath closures on grounds of amenity or development;

and to be consulted on proposals for the following services in relation to the local area:-

Licensing applications;

Strategic planning applications;

Schools re-organisation;

Detailed proposals for landscaping, open space provision, park equipment provision and other local enhancements relating to agreements under section 106 of the Town and Country Planning Act 1990 and section 278 of the Highways Act 1980;

- (g) to be part of the process for monitoring and scrutinising the performance of local services (provided by the Council and other bodies) and provide feedback and recommendations on their effectiveness to the Executive Board and the Overview and Scrutiny Committee, to include:-

Refuse collection;

Housing - void properties;

Community Safety;

Voluntary sector grants - a half yearly report.

- (h) to contribute to Best Value Reviews;

- (i) to advise the Executive Board and Overview and Scrutiny Committee on local needs and priorities and on the impact of Council policy on their areas;

- (j) to input local needs and priorities, identified through area working, to the preparation of corporate budgets, policies and strategies;
- (k) to prepare, implement and review local projects in consultation with local communities and secure funding from appropriate sources;
- (l) to build partnerships between other public, private, voluntary and community organisations, local residents' and tenants' associations;
- (m) to suggest and/or approve proposals of local significance to rationalise the City Council's operational property holdings and to be consulted on any proposals to dispose of operational property holdings in their area of more than local significance; a proportion of capital receipts to be retained in accordance with a scheme to be determined by the Executive Board;
- (n) to allocate grants in amounts not exceeding £5000 to community or voluntary organisations for purposes of benefit to the area covered by the committee, within a framework to be approved and reviewed from time to time by the Executive Board;
- (o) to make appointments to outside bodies (where the body relates to the area concerned) as specified by the Executive Board;
- (p) to approve any further matters delegated from time to time by Council or the Executive Board.

Membership (no substitutes allowed)

Members representing the wards within the area of each Committee.

Bulwell and Bulwell Forest (Area 1)

Membership

Labour Group

Councillor Campbell
Councillor Clark
Councillor Hartshorne
Councillor Heppell
Councillor Klein

Conservative Group

Councillor Davie

Date of first meeting

4 June 2007 - 5.30 pm

Basford and Bestwood (Area 2)

Membership

Labour Group

Councillor Arnold
Councillor Grocock
Councillor Lee
Councillor Newton
Councillor Smith
Councillor Wildgust

Date of first meeting

5 June 2007 - 5.00 pm

West Area (Aspley, Leen Valley and Bilborough)

Membership

Labour Group

Councillor Chapman
Councillor Cresswell
Councillor James
Councillor Unczur
Councillor Watson
Councillor Wood

Liberal Democrat Group

Councillor Foster
Councillor Long

Date of first meeting

6 June 2007 - 5.30 pm

Arboretum, Berridge, Radford and Park (Area 4)

Membership

Labour Group

Councillor Ahmed
Councillor Aslam
Councillor Bryan
Councillor Bull
Councillor Ibrahim
Councillor Jones
Councillor A Khan

Liberal Democrat Group

Councillor Marshall

Date of first meeting

7 June 2007 - 6.00 pm

Mapperley and Sherwood (Area 5)

Membership

Labour Group

Councillor Dewinton
Councillor Edwards
Councillor Griggs
Councillor Munir
Councillor Parbutt
Councillor Urquhart

Date of first meeting

12 June 2007 - 5.30 pm

St Anns and Dales (Area 6)

Membership

Labour Group

Councillor Collins
Councillor Johnson
Councillor G Khan
Councillor Liversidge
Councillor Mellen
Councillor Williams

Date of first meeting

5 June 2007 - 7.00 pm

Wollaton and Lenton Abbey (Area 7)

Note: Due to prior knowledge that one member of this Area Committee will not be in attendance at its first meeting and in order to facilitate the appointment of a Chair by avoiding equality of representation at the first meeting, approval for this appointment is sought from full Council.

Membership

Conservative Group

Councillor Benson

Councillor Cowan (**Chair**)

Councillor Culley

Liberal Democrat Group

Councillor Oldham

Councillor Sutton

Date of first meeting

7 June 2007 - 6.15 pm

Dunkirk and Lenton and Bridge (Area 8)

Note: Quorum for this Area Committee only is fixed at 2 City Councillors

Membership

Labour Group

Councillor MacLennan

Councillor Mir

Councillor Trimble

Liberal Democrat Group

Councillor Akhtar

Date of first meeting

6 June 2007 - 6.00 pm

Clifton and Wilford (Clifton South and Clifton North - Area 9)

Note: Due to equality of representation on this Area Committee, the Chair for this meeting will be agreed by Council.

Membership

Labour Group

Councillor Gibson
Councillor Malcolm
Councillor Packer

Conservative Group

Councillor Clarke-Smith
Councillor Price
Councillor Spencer

Date of first meeting

13 June 2007 - 7.00 pm

APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

Terms of Reference

The terms of reference of the Committee are:-

- (a) to undertake the appointment process in respect of the Chief Executive and Corporate Directors (long listing, short listing and formal interview) and, subject to having ascertained the views of the Executive Board in accordance with Standing Orders, to make recommendations to Council;
- (b) to determine the terms and conditions of City Council employees and procedures for disciplinary action and dismissal;
- (c) to designate proper officers;
- (d) to designate officers as Head of Paid Service, Section 151 Officer and as Monitoring Officer and to ensure the provision of sufficient staff and other resources;
- (e) to exercise any other personnel functions which cannot be the responsibility of the Executive;
- (f) to receive reports on action taken in respect of terms agreed for the Chief Executive, Corporate Directors and Services Directors leaving the employment of the Council where those terms included compensation;
- (g) to determine redundancies and efficiency retirements for Corporate Directors and Services Directors and to determine efficiency retirement for the Chief Executive;
- (h) to appoint an independent person to investigate matters of misconduct and capability involving the Chief Executive, Section 151 Officer and Monitoring Officer.

Date of first meeting

5 June 2007 - 2.00 pm

DEVELOPMENT CONTROL COMMITTEE

Terms of Reference

- (a) To exercise the functions of the Council relating to town and country planning and development control as specified in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended (the Functions Regulations) and including the following, together with associated powers of enforcement:-
- (i) applications for planning permission;
 - (ii) applications for consent for the display of advertisements;
 - (iii) plans deposited under building regulations;
 - (iv) listed buildings consent;
 - (v) Conservation Area consent;
 - (vi) Tree Preservation Orders;
 - (vii) demolitions;
 - (viii) the approval of planning briefs;
- (b) to exercise the functions of the Council relating to the regulation of the use of highways and rights of way as set out in Schedule 1 of the Functions Regulations.

Date of first meeting

23 May 2007 - 2.30 pm

LICENSING COMMITTEE

The revised sections of the terms of reference are highlighted in bold in the text below.

Terms of Reference

To undertake those functions of the Licensing Authority ~~as prescribed by section 7 of the Licensing Act 2003~~ **and the Gambling Act 2005.**

~~To undertake those functions of the Licensing Authority as prescribed by section 7 (1) and 7 (3) of the Licensing Act 2003.~~

The Committee therefore deals with applications/**notifications** ~~for licences~~ relating to:-

- (i) the sale/**supply** ~~by retail~~ of alcohol;
- ~~(ii) the supply of alcohol by or on behalf of a club to its members~~
(ii) the provision of Regulated Entertainment e.g. plays, films, indoor sporting events, live music, dancing etc. and;
- (iii)** the provision of late night refreshment;
- (iv) various types of gambling premises and gaming permits.**

~~To determine applications for permits:-~~

~~(a) for amusement machines under Section 34 of and Schedule 9 to the Gaming Act 1968; and~~

~~(b) for amusements with prizes under Section 16 of and Schedule 3 to the Lotteries and Amusements Act 1976 where the applications relate in part to premises licensed to supply alcohol for consumption on the premises and in part to premises not so licensed.~~

The Committee should carry out its functions ~~under Section 7 (1) of the Licensing Act 2003~~ with a view to promoting the licensing objectives which **for the Licensing Act 2003** are:-

- the prevention of crime and disorder

- public safety
- the prevention of public nuisance
- the protection of children from harm

And for the Gambling Act 2005 are:-

- **preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;**
- **ensuring that gambling is conducted in a fair and open way; and**
- **protecting children and other vulnerable persons from being harmed or exploited by gambling.**
- ~~These functions are also the responsibility of the Regulatory Committee until a date to be fixed by the Secretary of State.~~

Date of first meeting

18 May 2007 - at rising of Overview and Scrutiny Committee.

REGULATORY AND APPEALS COMMITTEE

The revised sections of the terms of reference are highlighted in bold in the text below. These terms of reference now incorporate the former Appeals Panel responsibilities.

Terms of Reference

1. To deal with applications for local licences **and registrations** of various kinds including:-
 - licensing and registration functions and functions relating to health and safety at work set out in Schedule 1 of the Functions Regulations and
 - regulation, under the Nottingham City Council Act 2003, of occasional sales and dealers in second hand goods;

but excluding

- licensing matters which are **statutorily** the responsibility of the Licensing Committee*

~~*The Committee will deal with entertainment, cinema, theatre and late night refreshment licensing, until these become the sole responsibility of the Licensing Committee at a date to be fixed by the Secretary of State.~~

2. **Individual case panels selected by the Corporate Services Director from the wider group of Regulatory Committee members to constitute an Appeals Panel to hear and determine:-**
 - (a) **appeals relating to housing rents and homelessness;**
 - (b) **appeals relating to the refusal/revocation of registration under the Council's Control Scheme for Houses in Multiple Occupation;**
 - (c) **day care and childminding representations;**
 - (d) **access to personal files appeals;**
 - (e) **representations under the Data Protection Act 1998;**
 - (f) **Approved Premises (Marriages) appeals;**

- (g) statutory complaints concerning education matters;**
- (h) recommendations from the Social Services Complaints Review Panel.**

The Committee also provides two representatives for the Social Services Complaints Review Panel and carries out any other appellate functions which, by virtue of statutory provision or any procedure agreed by the Council, require member determination.

Date of first meeting

22 June 2007 - 2.00 pm

STANDARDS COMMITTEE (10)

The revised sections of the terms of reference are highlighted in bold in the text below and were the subject of a report of the Monitoring Officer to the Standards Committee on 6 September 2006, where their endorsement was received.

Terms of Reference

- (a) To promote and maintain high standards of conduct by members and co-opted members;
- (b) to advise the Council on the adoption or revision of its code of conduct, to monitor its operation and to assist members and co-opted members in observing it;
- (c) to arrange training and advice for members and co-opted members on matters relating to the Council's code of conduct, **and related probity issues**;
- (d) to receive annual reports from the monitoring officer relating to complaints from the public, internal complaints, whistle-blowing and any other matters relating to conduct and propriety;
- (e) to consider **reports and** recommendations from the District Auditor relevant to **the Code of Conduct and related probity issues** ~~these matters~~;
- (f) to hear cases under the Council's procedure for dealing with complaints about members' conduct; ~~and~~
- (g) to consider matters referred to it under relevant legislation;
- (h) **to make recommendations regarding the settlement of cases of maladministration**;
- (i) **to keep under review and make recommendations on the content of the Code of Conduct for officers and any protocols in connection with member/officer relations**;

- (j) **granting dispensations to Councillors, co-opted members and church and parent governor representatives in relation to the Code of Conduct, as permitted by legislation;**
- (k) **to review the operation of the Council's Confidential Reporting Code and make recommendations for any changes to it;**
- (l) **to respond to consultation exercises carried out by government and other agencies on issues related to the work of the Committee;**
- (m) **to consider any other matters referred to it by the Monitoring Officer.**

Membership

Comprises six City Councillors and **four** members (the independent members) who are not councillors or officers and who satisfy the statutory conditions to ensure their independence. The independent members are entitled to vote at meetings. Substitutes are not permitted.

The Leader of the Council may not be a member of the Standards Committee. Only one member of the Executive can be a member. **The Chair of the Committee shall be drawn from the independent members and in the event of equality of votes on any issues, shall have a casting vote.**

The 2 Independent members are **Mr David Hibbert and Mr Brian Wells**, approval is sought from full Council for the commencement of the recruitment process for a further two independent members. Details of the Councillor membership will be circulated in the addendum to this report.

Date of first meeting

13 June 2007 - 11.00 am

CITY CENTRE WORKING GROUP

Terms of Reference

- (a) To co-ordinate the provision of services within the City Centre;
- (b) to make arrangements to consult with interested parties on matters of concern and interest that impact on the City Centre;
- (c) to identify the needs and priorities of the commercial sector, local residents and other interested parties with regard to the City Centre and bring these to the attention of service providers;
- (d) to build partnerships and develop links between public, private, voluntary and community organisations and local residents;
- (e) to prepare, implement and monitor a City Centre Action Plan;
- (f) to appoint task groups, as necessary, to facilitate the operation of the Working Group;
- (g) to be accountable to the Nottingham Crime and Disorder Reduction Partnership for the monitoring and delivery of the Safer City Centre Community Safety Plan;
- (h) to provide direction and scrutiny for specific area management operations e.g. the Street Wardens' scheme, and other operations as directed from time to time.

Date of first meeting

5 June 2007 - 2.00 pm

JOINT BODIES

JOINT COMMITTEE FOR APPOINTMENTS TO THE POLICE AUTHORITY (3)

Terms of Reference

To appoint Councillor Members to the Nottinghamshire Police Authority in accordance with relevant legislation.

Date of first meeting

18 June 2007 - 2.00pm

NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AND RESCUE AUTHORITY (6)

Lead Member - To be notified

Date of first meeting

1 June 2007 - 10.30 am

JOINT CITY AND COUNTY HEALTH SCRUTINY COMMITTEE (8)

Terms of Reference

To scrutinise health matters which impact on the Greater Nottingham area (i.e. both the Nottingham City Council area and the Broxtowe, Gedling, Hucknall and Rushcliffe areas of Nottinghamshire).

Date of first meeting

13 June 2006 - 10.30 am

CITY HEALTH AND SOCIAL CARE GOVERNANCE BOARD (4)

Terms of Reference

- (a) to exercise approval of a programme of partnerships, including the formation of new partnerships, between and involving Nottingham City Council and Nottingham City Primary Care Trust or successor bodies;
- (b) to exercise approval of the budget for each partnership, within the budgets available through the formal budget processes of the partners;
- (c) to scrutinise the actions and expenditure of each partnership;
- (d) to receive reports from the following bodies or their successor bodies as appropriate:-

Nottingham City Council

Nottingham City Primary Care Trust

NHS Trusts

Learning Disability Partnership Board

The Finance Officers Group*

Appropriate Joint Commissioning Fora and Management Groups

* Finance Officers Group consists of representatives of Nottingham City Council, Nottingham City Primary Care Trust and Nottinghamshire Healthcare Trust or their successor bodies.

The management groups include children's services, physical disability and sensory impairment, mental health, older persons mental health and other groups as appropriate

- (e) to report to the Local Strategic Partnership via Nottingham City Council and Nottingham City Primary Care Trust or their successor bodies as appropriate on issues which affect those bodies;
- (f) to secure appropriate partnership arrangements for and between Health and Social Care Services;

- (g) to review the implementation of all relevant legislation relating to the discharge of the functions of relevant partnerships requiring programme or financial approval from the Governance Board;
- (h) to contribute to policy, practice and operational guidelines for the partnership provision of Health and Social Care services within the City in liaison with the City Council, Nottingham City Primary Care Trust and the NHS Trusts or their successor bodies and other relevant partners and/or stakeholders (as appropriate) and to monitor and review the impact of any such policies;
- (i) to promote the provision of services in partnership under the Health Act 1999 and any subsequent relevant legislation, directions or orders;
- (j) to ensure that plans and budgets, as detailed above, are consistent with the relevant plans/policies and approved budgets of the City Council, the Nottingham City Primary Care Trust and the NHS Trusts or their successor bodies;
- (k) to ensure that appropriate consultation and dialogue is undertaken with partnership stakeholders;
- (l) to ensure that the Core Values of the City Council and of the Nottingham City Primary Care Trust or their successor bodies are taken into consideration in the approval of programmes and partnerships, approvals of budgets, expenditure undertaken by partnerships and scrutiny of any action.

Date of first meeting

1 June 2007 - 2.00 pm

GREATER NOTTINGHAM LIGHT RAPID TRANSIT ADVISORY COMMITTEE (5)

Terms of Reference

To advise on issues relating to the construction and operation of the system (within the constraints of the contractual arrangements).

Date of first meeting

12 June 2007 - 4.30 pm

JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT (4)

Terms of Reference

To advise the City Council and Nottinghamshire County Council on strategic planning and transport matters.

Date of first meeting

15 June 2007 - 2.00 pm

NOTTINGHAM EXPRESS TRANSIT (NET) DEVELOPMENT BOARD (4)

Terms of Reference

- (a) To monitor progress and provide informed comment on the NET Line One development and operations;
- (b) to promote the concept and realisation of light rail within their own organisations and externally, both locally and to Central Government;
- (c) to advise on studies and proposals for new lines, utilising experience from NET Line One;

- (d) to provide the assistance and support of their nominating organisations in the effective realisation of a conurbation-wide NET network, fully integrated with development, regeneration and other transport initiatives;
- (e) to act as a focus for independent private sector comment and advice on all matters relating to NET;
- (f) to hear comment and advice from the GNLRT Advisory Committee, making representation as appropriate to the Line One Concessionaire and Promoters.

Date of first meeting

22 May 2007 - 4.30 pm