



ADDITIONAL / TO FOLLOW AGENDA ITEMS

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

NOTTINGHAM CITY COUNCIL CITY COUNCIL

Date: Monday, 12 May 2014

Time: 2.00 pm

Place: Council Chamber - at the Council House

Constitutional Services Officer: Rav Kalsi **Direct Dial:** 0115 8763759

- 10 To consider a report of the Leader on Executive appointments, remits and first meetings.

3 - 28

This page is intentionally left blank

CITY COUNCIL - 12 MAY 2014

REPORT OF THE LEADER

EXECUTIVE APPOINTMENTS, REMITS AND FIRST MEETINGS – 2014-2015

1 SUMMARY

1.1 In my capacity as Leader of the Council, I have set out in this report my appointment of Portfolio Holders, their remits and other executive appointments for 2014-2015.

1.2 In May 2011 I was elected Leader for a term of four years, and I then appointed Councillor Graham Chapman as Deputy Leader, also for a term of four years. This report therefore only concerns the appointment and remits of Portfolio Holders and Executive Assistants.

1.3 Appendix One identifies my appointments to the positions of Portfolio Holder and Executive Assistant.

Appendix Two identifies my delegations to the remits of the Portfolio Holders and Executive Assistants.

Appendix Three identifies the membership, terms of reference and first meeting dates of the Executive Board, the Executive Board Commissioning Sub Committee, the Executive Board Strategic Regeneration Committee, East Midlands Shared Service Joint Committee and the City of Nottingham and Nottinghamshire Economic Prosperity Committee.

2 RECOMMENDATION

It is recommended that Council notes the following:

2.1 the appointments of Councillors as Portfolio Holders and Executive Assistants as detailed in Appendix One;

2.2 the remits of Portfolio Holders and Executive Assistants as detailed in Appendix Two;

2.3 the membership, terms of reference and first meeting date of the Executive Board, the Executive Board Commissioning Sub Committee, the Executive Board Strategic Regeneration Committee, the East Midlands Shared Service Joint Committee and the City of Nottingham and Nottinghamshire Economic Prosperity Committee as detailed in Appendix Three.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

3.1 To ensure that the Executive appointments, remits and their first meetings for 2014-2015 are noted.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

4.1 None.

5 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

5.1 None.

6 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

6.1 None.

7. EQUALITY IMPACT ASSESSMENT (EIA)

7.1 An EIA is not required as the report does not relate to new or changing services or policies.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

8.1 None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 Executive Arrangements report – 13 December 2010, and the minutes of that meeting.

9.2 Minutes of the meeting of the City Council on 20 May 2013

**COUNCILLOR JON COLLINS
LEADER OF THE COUNCIL**

PORTFOLIO HOLDER APPOINTMENTS

Portfolio Holder Name	Portfolio
Councillor Jon Collins	Leader and Portfolio Holder for Strategic Regeneration and Schools
Councillor Graham Chapman	Deputy Leader and Portfolio Holder for Resources and Neighbourhood Regeneration
Councillor Alan Clark	Portfolio Holder for Energy and Sustainability
Councillor Nicola Heaton	Portfolio Holder for Community Services
Councillor Dave Liversidge	Portfolio Holder for Community Safety, Housing and Voluntary Sector
Councillor Nick McDonald	Portfolio Holder for Jobs and Growth
Councillor David Mellen	Portfolio Holder for Children's Services
Councillor Alex Norris	Portfolio Holder for Adults, Commissioning and Health
Councillor Dave Trimble	Portfolio Holder for Leisure and Culture
Councillor Jane Urquhart	Portfolio Holder for Planning and Transportation

EXECUTIVE ASSISTANT APPOINTMENTS**Executive Assistant Name**

Councillor Cat Arnold	Joint Service Centres
Councillor Alex Ball	Housing and Regeneration
Councillor Rosemary Healy	Community Safety
Councillor Marcia Watson	Jobs and Growth
Councillor Sam Webster	Schools

PORTFOLIO HOLDER AND EXECUTIVE ASSISTANT ROLES AND RESPONSIBILITIES

Leader of the Council

The key responsibilities for the role of Leader of the Council are identified as follows:

- 1 Under the Strong Leader and Cabinet Executive Governance Model adopted by the City Council on 13 December 2010, the Leader is responsible for:
 - (i) the allocation and discharge of all executive functions;
 - (ii) determining the size of the executive, appointing its members and removing them at any time;
 - (iii) appointing a member of the Executive as the Deputy Leader or removing that person from Office and appointing a replacement.
- 2 To carry out the functions of his/her specifically allocated Portfolio as follows:
 - (i) working with partners to build a shared vision for the City, aiming to ensure that Council policies and plans, and those of the Council's partners, match that vision;
 - (ii) promoting the City, and the Council and its core values and objectives;
 - (iii) steering and overseeing the strategic use of resources and the strategic planning cycle of the Council to achieve its objectives;
 - (iv) leading the political development of the City, within the context of regional, national, European and international policy and strategic partnerships;
 - (v) leading the work of the Executive Board in developing, setting and implementing policy and in taking key decisions;
 - (vi) speaking and issuing statements on behalf of the City Council.
- 3 To report to Full Council on all appointments he/she makes to the Executive Board.
- 4 To ensure that the Code of Conduct is observed and that ethical behaviour is promoted.
- 5 To support open and transparent scrutiny, encouraging Full Council, the Executive and statutory partners to work constructively with Overview and Scrutiny to develop policies and strategies for the future and to improve Council services.
- 6 The Leader may give notice to the Chief Executive or any relevant Corporate Director that he/she requires a report or portfolio holder decision to be prepared for consideration by himself/herself or the appropriate decision making board/committee in relation to functions within his/her remit of responsibility. On receipt of this notice the Chief Executive or relevant Corporate Director will ensure that a report or portfolio decision form is produced for consideration within 14 working days or will provide reasons to the Leader as to why it cannot be produced within that timescale.

Deputy Leader of the Council

The key responsibilities for the Deputy Leader are identified as follows:

- 1 If the Leader is unable to act or the office of Leader is vacant, to deputise for and act in his/her place.
- 2 To provide assistance and support to the Leader and all portfolio holders in the delivery of their individual areas of responsibility.
- 3 Value for money and organisational health.
- 4 Improved cross-cutting service delivery.
- 5 To carry out the functions of his/her specifically allocated portfolio.
- 6 The Deputy Leader and Portfolio Holder(s) may give notice to the Chief Executive or any relevant Corporate Director that he/she requires a report or portfolio holder decision to be prepared for consideration by themselves or the appropriate decision making board/committee in relation to functions within their remit of portfolio responsibility. On receipt of this notice the Chief Executive or Corporate Director will ensure that a report or portfolio decision form is produced for consideration within 14 working days or will provide reasons to the Deputy Leader or Portfolio Holder as to why it cannot be produced within that timescale.

Portfolio Holders – general responsibilities

In addition to their specific portfolio responsibilities all Portfolio Holders also have the following common responsibilities:

- 1 Sharing responsibility with the Leader, Deputy Leader and other members of the Executive for the Executive business of the Council.
- 2 Promoting and being accountable for the services in their portfolio within the Council and the City as a whole, and nationally and internationally as required, representing the Council's views on matters of corporate or strategic policy within their portfolio.
- 3 Ensuring that the executive functions within the portfolio are performed in accordance with approved Council policies and strategies, and to the highest ethical standards.
- 4 Below the level of key decisions, and where not otherwise delegated, taking executive decisions in relation to executive functions within their portfolio, and in accordance with constitutional requirements. A portfolio holder may delegate decisions in respect of matters within their portfolio to an officer (subject to the financial limits set out in the constitution).
- 5 Reporting to the Leader, Executive Board and Overview and Scrutiny bodies on the performance of their portfolio, as reasonably required.
- 6 Directing, encouraging and developing Executive Assistants working on behalf of the Executive, and other Councillors and, generally, acting as a role model.

- 7 Approving capital expenditure in accordance with Financial Regulations on schemes within the remit of their portfolio which form part of the approved capital programme.
- 8 Speaking and issuing statements on behalf of their area of responsibility, in line with policy agreed by the Leader.
- 9 To support open and transparent scrutiny and to work constructively with Overview and Scrutiny to develop policies and strategies for the future and to improve Council services. To work collaboratively with scrutiny councillors (including attendance at scrutiny meetings, as required).
- 10 Any Portfolio Holder may give notice to the Deputy Chief Executive, Corporate Director and Chief Finance Officer that he/she requires a report or portfolio holder decision to be prepared for consideration by themselves or the appropriate decision making board/committee in relation to functions within their remit of portfolio responsibility. On receipt of this notice the Deputy Chief Executive, Corporate Director and Chief Finance Officer will ensure that a report or portfolio decision form is produced for consideration within 14 working days or will provide reasons to the Portfolio Holder as to why it cannot be produced within that timescale.

Portfolio Holder for Strategic Regeneration and Schools

The key responsibilities of a Portfolio Holder for Strategic Regeneration and Schools are identified as follows:

Strategic Regeneration and Development

- 1 Overview of all regeneration activity across the City;
- 2 City Centre major regeneration;

Schools

- 3 Education provision 3 – 16, including school reorganisation and governance, Academies and Free Schools;
- 4 Attendance;
- 5 Nottingham Learning Trust;
- 6 Chair – Crime and Drugs Partnership

Portfolio Holder for Resources and Neighbourhood Regeneration

The key responsibilities of a Portfolio Holder for Resources and Neighbourhood Regeneration are identified as follows:

Economic Development

- 1 Commercial, operational, investment land and property;
- 2 Commercialism;
- 3 Investment;
- 4 Neighbourhood regeneration;

Resources

- 5 Finance;
- 6 Information Technology, Legal and Democratic Services, Health and Safety, Risk Management and Emergency Planning;
- 7 Collection of council tax and national non-domestic rates;
- 8 Housing and council tax benefits;
- 9 Welfare rights;
- 10 Reputation and communications;

Human Resources

- 11 Corporate human resources;
- 12 Performance management;
- 13 Shareholder – Nottingham City Transport.

Portfolio Holder for Energy and Sustainability

The key responsibilities of a Portfolio Holder for Energy and Sustainability are identified as follows:

- 1 Climate change and carbon reduction;
- 2 Nature conservation – strategy;
- 3 Energy and energy bills;
- 4 Energy from waste including Enviroenergy (waste recycling group);
- 5 Nottingham Energy Partnership;
- 6 Waste disposal
- 7 International and European links.

Portfolio Holder for Community Services

The key responsibilities of a Portfolio Holder for Community Services are identified as follows:

Area Working

- 1 Neighbourhood management and engagement;
- 2 Community development;

Cleansing

- 3 Waste collection
- 4 Street Scene;

Customer Care

- 5 Implementation of Citizen First and customer focus.

Portfolio Holder for Community Safety, Housing and Voluntary Sector

The key responsibilities of a Portfolio Holder for Community Safety, Housing and Voluntary Sector are identified as follows:

Community Sector

- 1 Lead role with the community sector;
- 2 Volunteering;
- 3 Community centres;

Housing Regeneration

- 4 Physical neighbourhood transformation and regeneration;
- 5 Estate management – Council and private estates;
- 6 Private housing and private rented sector;
- 7 Performance of Nottingham City Homes (NCH) and Housing Associations;
- 8 Student housing;
- 9 Support to vulnerable People:
 - Homelessness;
 - Housing with Care and Support;
- 10 Strategic and retained housing functions;
- 11 Regeneration Land and Property (tied in with above);
- 12 Houses in multiple occupation.

Community Safety and Enforcement

- 13 Overview of the Council's Section 17 responsibilities;
- 14 Public and consumer protection;
- 15 Community Safety and Respect for Nottingham;
- 16 Community cohesion;
- 17 Licensing.

Portfolio Holder for Jobs and Growth

The key responsibilities of a Portfolio Holder for Jobs and Growth are identified as follows:

Jobs and Skills

- 1 Lead on skills and employment:
 - Employability in Schools;
 - Post 16 training, further education and higher education;
 - Developing opportunities for young people and adults;
 - Local Jobs for Local People and Making the Connections;
 - Investment initiatives;
 - Nottingham and Nottinghamshire Futures;
- 2 Social enterprise and enterprise development;

Business

- 3 Growth Plan delivery;
- 4 City centre and neighbourhood retail management;
- 5 Business support, development and liaison;
- 6 Procurement;
- 7 Sector development;
- 8 Inward investment;
- 9 Creative Quarter;

Tourism

- 10 Tourism and heritage.

Portfolio Holder for Children's Services

The key responsibilities of a Portfolio Holder for Children's Services are identified as follows:

- 1 Performing the lead role for Children's Services in accordance with statutory requirements and guidance;
- 2 Children's safeguarding and children's social care;
- 3 Children in care and care leavers;
- 4 Leading on Early Intervention;
- 5 Children's Partnership and Young People's Plan
- 6 Integrated Youth Service including the Youth Offending Team;
- 7 Early Years including Children's Centres;
- 8 Adult safeguarding;
- 9 Chair of One Nottingham.

Portfolio Holder for Adults, Commissioning and Health

The key responsibilities of a Portfolio Holder for Adults, Commissioning and Health are identified as follows:

Adults

- 1 Corporate strategies for older people;
- 2 Championing independent living:
 - Protection of vulnerable adults;
- 3 Support to vulnerable people, including:
 - Telecare;
 - Catering;

Health

- 4 Public Health and wellbeing, including:
 - Health Inequalities;
 - Smoking and avoidable injuries;
- 5 Chair of the Health and Wellbeing Board;
- 6 Public Health integration;
- 7 Mental health and wellbeing;
- 8 Teenage conception;
- 9 Wider health links;

Commissioning

- 10 Corporate strategic commissioning;
- 11 Lead on Commissioning of Children's Services;
- 12 Lead on Commissioning of Adults Services/DASS link.

Portfolio Holder for Leisure and Culture

The key responsibilities of a Portfolio Holder for Leisure and Culture and are identified as follows:

Leisure and Culture

- 1 Parks, allotments, open spaces and playgrounds;
- 2 Leisure Transformation Programme;
- 3 Museum and heritage sites;
- 4 Libraries, arts and events, museums, theatres and sport;
- 5 Lead on arms length venues – Ice Arena, Playhouse, Theatre Royal, Royal Centre;
- 6 Nature conservation – operational;
- 7 Markets, fairs and toilets;
- 8 Cemeteries and crematoriums.

Portfolio Holder for Planning and Transportation

The key responsibilities of a Portfolio Holder for Planning and Transportation are identified as follows:

Planning

- 1 Planning policy and development management;

Transportation

- 2 Nottingham Express Transit - Phases 1 and 2;
- 3 Traffic management and parking;
- 4 Highways design and maintenance;
- 5 Public transport;
- 6 Street lighting;
- 7 Corporate Council transport fleet.

Executive Assistants

The key responsibilities for the role of an Executive Assistant are identified as follows:

- 1 Executive Assistants will provide general political support to the Executive and will, mainly, achieve this by supporting particular Executive Councillors' portfolios and areas of executive work and be responsible in the first instance to a named Portfolio Holder. Their roles will include the following:

- (a) Development of policy in areas allocated by the Executive including leading policy development in particular areas of the Portfolio Holder's responsibilities.

This will involve attending weekly briefings with executive councillors and/or senior officers, contributing to the discussions of key issues facing the leadership of the council and its partners.

- (b) Assisting Executive Councillors in all elements of work within their portfolios, including:
 - (a) carrying out research and providing advice on executive functions, including briefings to support portfolio decisions;
 - (b) supporting liaison between the Executive Councillors and other Councillors, Corporate Directors and the Overview and Scrutiny function, and external organisations;
 - (c) representing the Executive Councillors at internal meetings and at consultation events with the voluntary sector, business and other partners, service users and citizens;
 - (d) representing the Executive Councillor and the Council at external meetings ensuring that the Council is represented at as many events as possible.
- (c) Development of knowledge, experience and expertise in the portfolio of the Executive Councillor through:
 - (i) attending conferences and development events for their portfolio area;
 - (ii) visiting frontline delivery points for the portfolio area;
 - (iii) reading and research as appropriate to keep up to date with issues in the portfolio area.

Executive Assistants do not have delegated authority to take executive decisions in relation to any executive functions.

An Executive Assistant may not participate in the business of the Overview and Scrutiny Committee nor any of its Review Panels involving a portfolio with which they are assisting. They may, however, be invited to attend the meeting in the capacity of expert witness.

**EXECUTIVE BOARD, EXECUTIVE BOARD COMMISSIONING SUB COMMITTEE,
EXECUTIVE BOARD STRATEGIC REGENERATION COMMITTEE, EAST
MIDLANDS SHARED SERVICES JOINT COMMITTEE AND THE CITY OF
NOTTINGHAM AND NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE –
MEMBERSHIP, TERMS OF REFERENCE AND FIRST MEETING DATES**

EXECUTIVE BOARD (10)

Membership (no substitutes allowed)

Councillor Jon Collins	Leader and Portfolio Holder for Strategic Regeneration and Schools
Councillor Graham Chapman	Deputy Leader and Portfolio Holder for Resources and Neighbourhood Regeneration
Councillor Alan Clark	Portfolio Holder for Energy and Sustainability
Councillor Nicola Heaton	Portfolio Holder for Community Services
Councillor Dave Liversidge	Portfolio Holder for Community Safety, Housing and Voluntary Sector
Councillor Nick McDonald	Portfolio Holder for Jobs and Growth
Councillor David Mellen	Portfolio Holder for Children's Services
Councillor Alex Norris	Portfolio Holder for Adults, Commissioning and Health
Councillor Dave Trimble	Portfolio Holder for Leisure and Culture
Councillor Jane Urquhart	Portfolio Holder for Planning and Transportation

Terms of reference

The City Council operates a Strong Leader and Cabinet form of governance as set out in the provisions of the Local Government Act 2000 (as amended).

The Executive Board has responsibility, delegated by the Leader, for the Council's functions which are not the responsibility of any other part of the Council, whether by law or under the constitution.

Accordingly the role of the Executive Board is to:

- (a) take key decisions;
- (b) require the development of plans and strategies for approval by full Council that form the Policy Framework, with the exception of the Licensing Policy, due to it being a non-executive function;
- (c) take all other decisions that are not delegated to a specific committee or individual within the Scheme of Delegation or any that have been reserved by the Leader;
- (d) respond to reports or recommendations received from the Overview and Scrutiny Panels within two months of receipt and to publish the response if the report or recommendation has been published, excepting when reports or recommendations have been received by individual members of the Executive, in which case the responsibility to respond and publish lies with that individual.

The Executive Board normally meets once per month at times agreed by the Leader.

The Executive Board's membership comprises the Leader of the Council, the Deputy Leader and up to eight other City Councillors. Political balance rules do not apply and the Board is currently a single party Executive.

Election of Leader

The Leader is elected by full Council at its post election annual meeting (or if the Council fails to elect a Leader at that meeting, at a subsequent meeting of the Council). The term of office of the Leader starts on the day of his/her election as Leader and ends on the day of the next post election annual meeting (under whole elections) unless he/she before that day:

- is removed from office or resigns;
- ceases to be a councillor;
- is disqualified from being a councillor.

Appointment of Executive and Scheme of Delegation

The Leader determines the size of the cabinet (Executive Board) and appoints between 2 and 9 members of the Council to be the Executive Board in addition to himself/herself, allocates any areas of responsibility (portfolios) to them, and may remove them from the Executive Board at any time. The Leader determines the responsibility for the discharge of the executive functions of the Council. The Leader will report to the Council on all appointments to and changes to the Executive Board.

There can be no co-optees or substitutes, nor can the Lord Mayor or Sheriff be members.

Representation for the minority groups is provided by giving Leaders of groups the right to attend and speak at Executive Board meetings, including when exempt items are being considered.

Executive Board members hold office until:

- (a) they resign from office;
- (b) they are no longer Councillors; or
- (c) they are removed from office by the Leader.

There are Executive Assistants to Portfolio Holders and their role is to support Executive Councillors in fulfilling their responsibilities, but **ONLY** Executive Councillors can formally make decisions and take part in Executive Board decision-making. Assistants can work with officers, represent Executive Councillors at meetings and offer advice and support.

The established sub-committees of the Executive Board are the Executive Board Commissioning Sub-Committee and the Executive Board City Centre Committee.

Absent Leader

If for any reason the Leader is unable to act or the office of Leader is vacant, the Deputy Leader must act in his/her place. If the Deputy Leader is unable to act or the office is vacant, the Executive Board must act in the Leader's place or arrange for a member of the Executive Board to do so.

Removal of Leader

Full Council has the power to remove the Leader by way of resolution by a simple majority. If the Council passes a resolution to remove the Leader, a new Leader is to be elected:

- (a) at the meeting at which the Leader is removed from office; or
- (b) at a subsequent meeting.

Date of first meeting

20 May 2014 at 2.00 pm

EXECUTIVE BOARD COMMISSIONING SUB COMMITTEE (5)

Membership (no substitutes allowed)

Councillor Jon Collins
Councillor Dave Liversidge
Councillor David Mellen
Councillor Alex Norris
Councillor Dave Trimble

Terms of reference

- (a) To review the implementation of the Commissioning Framework across the City Council and One Nottingham;
- (b) to evaluate the impact and success of the City Council and One Nottingham Commissioning Framework;
- (c) to approve procurement plans which have been identified for review in the annual work programme approved by the Sub-Committee, noting that the inclusion of a procurement plan within the annual work programme removes the individual delegated authority to approve the plan from the relevant Portfolio Holder, making it a decision that may only be taken by the Executive Board, its Sub-Committee, or the Leader;
- (d) to approve commissioning and de-commissioning and third sector grant aid proposals above £25,000 (including decisions that have been identified in the Notice of Key Decisions and Private Meetings of the Executive in accordance with regulations¹) subject to them being identified for review in the annual work programme approved by the Sub-Committee, but noting that there may be exceptional circumstances when urgent decisions are required to be taken that will not have been included in the work programme);
- (e) to review, by exception, outcomes achieved and delivery against the Nottingham Commissioning Framework's Guiding Principles of commissioning and de-commissioning and third sector grant aid proposals above £50,000;
- (f) to receive reports on urgent commissioning decisions taken by the Leader or relevant Portfolio Holder;
- (g) to approve the Framework for Grant Aid and the Voluntary Sector Investment

¹ S.9 Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012

Programme;

- (h) to co-opt two non-voting members to represent the Voluntary Sector, namely Nottingham Community and Voluntary Service and Nottingham Equal;
- (i) to co-opt the Chair of the Health and Wellbeing Board as a non-voting member.

The Sub-Committee is accountable to the Executive Board.

The Sub-Committee meets monthly and the membership comprises:

- The Leader of the Council;
- Those Portfolio Holders whose remits include commissioning which falls within the Corporate Commissioning Framework

Plus

- Three co-opted members (non-voting), one each from Nottingham Community and Voluntary Service and Nottingham Equal plus the Portfolio Holder whose remit includes Health.

The quorum for this Committee has been fixed at 2 executive members.

Date of first meeting

11 June 2014 at 2.00 pm

EAST MIDLANDS SHARED SERVICES JOINT COMMITTEE

Membership

Councillor Graham Chapman
Councillor Alan Clark

Terms of reference

Subject to the terms of the East Midlands Shared Services Partnership Agreement to:

- (a) Oversee and provide strategic direction for the development, implementation and on-going operation of EMSS;
- (b) Ensure the effective delivery of the shared service functions in accordance with the terms of the agreement
- (c) Monitor the effectiveness of those arrangements and make recommendations to the Member Authorities e.g. in the event of any changes to legislation, developments in best practice or the requirements imposed on Member Authorities;
- (d) On an annual basis, agree a three year business plan for EMSS including:
 - Service delivery, service development & financial objectives
 - Performance improvement & efficiency targets
 - Staffing
 - Business continuity planning
 - Risk management
- (e) Set annual capital, revenue and staffing budgets for EMSS and no later than 1st December in each year submit these to the Member Authorities for approval as part of the business plan
- (f) Monitor the operational performance of EMSS on a quarterly basis

- (g) Ensure service delivery is in accordance with the key performance indicators and agreed national, regional and local priorities
- (h) Ensure effective action is taken to remedy any under-performance in the delivery of services
- (i) Monitor the financial performance of EMSS – quarterly report and monthly updates
- (j) Determine the arrangements for support services in agreement with the Host Authority and in consultation with the Head of Shared Service
- (k) Produce an annual report to the member Authorities by no later than 30th June in each year covering the performance of EMSS in the 12 month period ending on the preceding 31st March
- (l) Co-operate with and participate in Overview and Scrutiny exercises of the Member Authorities into the activities of EMSS
- (m) Review the operation and effectiveness of the shared service arrangements at least every two years, consider ways in which the Shared Services partnership can be expanded and make recommendations to the Member Authorities as appropriate

RULES FOR CONDUCT OF MEETINGS AND PROCEEDINGS OF THE JOINT COMMITTEE

Preamble: The Joint Committee shall follow the normal arrangements which apply to the proceedings of local government committees with the following additional provisions applying:

1. Annual Meeting

- 1.1 The Joint Committee shall in every year hold an Annual Meeting
- 1.2 The first meeting held after the Annual Meeting of all the Member Authorities in any year shall be the Annual Meeting
- 1.3 The Joint Committee may in every year hold in addition to the Annual Meeting such other meetings as they may determine

2. Membership

- 2.1 The membership of the Joint Committee to comprise four elected members, two being drawn from each Council's Executive
- 2.2 Each Authority will have the right to appoint a substitute elected member drawn from their Executive to attend any meeting of the Joint Committee in place of an appointed elected member provided that the Secretary shall be given at least 24 hours notice of any such appointment

3. Appointment of Chairman, Vice Chairman, Secretary and Treasurer

- 3.1 The Joint Committee shall appoint one of its Members to be Chairman of the Joint Committee who shall subject to paragraph 3.2 and, unless he resigns his office or ceases to be a member of the Joint Committee, continue in office for a period of 24 months or until his successor becomes entitled to act

- 3.2 The first Chairman of the Joint Committee shall be a person nominated by Nottingham City and shall hold office for the period up to 31st May 2013
- 3.3 The Chairmanship of the Joint Committee following the initial appointment by Nottingham City shall rotate between Leicestershire and Nottingham City on a two year cycle
- 3.4 The Joint Committee shall appoint one of its Members to be Vice Chairman of the Joint Committee who shall subject to paragraph 3.5 and, unless he resigns his office or ceases to be a member of the Joint Committee, continue in office for a period of 24 months or until his successor becomes entitled to act
- 3.5 The first Vice Chairman of the Joint Committee shall be a person nominated by Leicestershire and shall hold office for the period up to 31st May 2013.
- 3.6 The Vice Chairmanship of the Joint Committee following the initial appointment by Leicestershire shall rotate between Nottingham City and Leicestershire on a two year cycle
- 3.7 The role of Secretary and Treasurer to the Joint Committee will be provided by Nottingham City Council

4. Casual Vacancies

- 4.1 On a casual vacancy occurring in the office of Chairman or Vice Chairman of the Joint Committee the vacancy shall be filled by the appointment by the Joint Committee of one of their members at the next meeting and the person so appointed shall hold office until the date upon which the person in whose place he is appointed would regularly have retired

5. Calling of Meetings

- 5.1 The Secretary of the Joint Committee shall summon the members to such meetings as may:
 - 5.1.1 have been agreed in accordance with paragraph 1.3;
 - 5.1.2 be called by the Chairman of the Joint Committee or, if the office of Chairman is vacant, the Vice Chairman of the Joint Committee at any time;
 - 5.1.3 be requisitioned by any two members of the Joint Committee giving notice in writing signed by them to the Secretary of the Joint Committee specifying the nature of the business to be transacted; or
 - 5.1.4 be requisitioned by any Member Authority giving notice in writing to the Secretary of the Joint Committee specifying the nature of the business to be transacted and signed by the Chief Executive or proper officer of the Member Authority
- 5.2 Unless the persons giving notice requisitioning a meeting in accordance with paragraph 5.1.3 or paragraph 5.1.4 agree otherwise any meeting consequent upon such a requisition shall so far as practicable be held within 10 working days of the date of the receipt of the requisition by the Secretary to the Joint Committee

5.3 At least five clear working days before a meeting of the Joint Committee:

5.3.1 notice of the time and place of the intended meeting shall be published at the offices of both Leicestershire and Nottingham City: and

5.3.2 a summons to attend the meeting, specifying the agenda for that meeting and signed by the Secretary to the Joint Committee shall be sent to:

5.3.2.1 every member of the Joint Committee; and

5.3.2.2 the proper officer of every Member Authority by sending by first class mail to the principal office address of the Member Authority or by sending an electronic copy by e-mail to any e-mail address notified to the Secretary of the Joint Committee for that purpose

5.4 The Secretary will draw up the agenda in consultation with both the Chairman and Vice Chairman.

5.5 No business shall be transacted at a meeting requisitioned by the members of the Joint Committee other than that specified in the agenda

6. Nominated Officers To Attend

6.1 The Head of Paid Service the Monitoring Officer and the s151 Officer of each Member Authority or their respective nominees shall be entitled to attend every meeting of the Joint Committee in the capacity of observer.

7. Quorum

7.1 The number of Members constituting a quorum shall be one quarter of the membership of the Joint Committee provided that in no case shall a quorum be less than three members and further provided that no item of business shall be transacted at a meeting of the Joint Committee unless at least one member from each Founding Member Authority ** is present and entitled to vote thereon.

8. Standing Orders

8.1 Subject to anything expressly provided herein the Standing Orders (Meeting Procedure Rules) of the Authority providing the Secretariat will apply to the Joint Committee

9. Voting

Given the composition of the Joint Committee, decisions shall normally be taken on the basis of consensus

10. Sub-Committees

The provisions of these Terms of Reference shall apply mutatis mutandis to meetings of subcommittees as they do to meetings of the Joint Committee

Date of first meeting

23 June 2014 at 10.30 am

EXECUTIVE BOARD STRATEGIC REGENERATION COMMITTEE

Membership, terms of reference and the date of first meeting to be confirmed in the addendum to the report.

THE CITY OF NOTTINGHAM AND NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE

Membership

Councillor Graham Chapman (Chair)
Councillor Jon Collins (substitute)

Terms of reference

1. Purpose

To bring together local authority partners in Nottingham and Nottinghamshire in a robust, formally constituted arrangement which will drive future investment in growth² and jobs in the City and County.

2. Governance

- 2.1 The Economic Prosperity Committee ("EPC") will act as a Joint Committee under Section 9EB of the Local Government Act 2000 and pursuant to Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 2.2 The EPC will comprise the local authorities within the Nottinghamshire area: Ashfield District Council, Bassetlaw District Council, Broxtowe Borough Council, Gedling Borough Council, Mansfield District Council, Newark and Sherwood District Council, Nottingham City Council, Nottinghamshire County Council and Rushcliffe Borough Council ("constituent authorities").
- 2.3 Political Proportionality rules will not apply to the EPC as so constituted.
- 2.4 The EPC will be a legally constituted body with powers delegated to it by the constituent authorities in the following areas:
 - a) to prioritise and make decisions on the use of the funding that the EPC may influence or control;
 - b) to review future governance requirements and delivery arrangements and how these can be best achieved in Nottingham and Nottinghamshire;
 - c) to have direct oversight of key economic growth focussed projects and initiatives that the EPC has influence over the funding of or contributes to;
 - d) to have strategic oversight of other key growth focussed projects and initiatives in Nottingham and Nottinghamshire.

² As exercised through the D2N2 LEP.

The EPC will not hold funds or monies on behalf of the constituent authorities.

- 2.5 The EPC's work plan and the outcome of any wider review into alternative governance may require a change in the delegated powers and terms of reference of the EPC and any such change would require the approval of all the constituent authorities.

3. Remit

- 3.1 The remit of the EPC will be:

- a) to act as a local public sector decision making body for strategic economic development, and to make recommendations to the D2N2 LEP on its investment and other priorities;
- b) to prioritise, commission and monitor both investment plans and all European Structural Investment Funds (SIF), and Single Local Growth Fund money that is available to Nottingham and Nottinghamshire via the D2N2 LEP and the EPC;
- c) to oversee the alignment of relevant local authority plans and ensure that they contribute to economic growth;
- d) to actively engage with a range of businesses in Nottingham and Nottinghamshire in relation to the EPC's decision making, and to engage with other stakeholders where appropriate;
- e) to consider and advise on the appropriateness and viability of alternative, successor economic governance arrangements;
- f) to ensure that potential benefits stemming from any overlaps with other LEPs are fully maximised.

4. Membership

- 4.1 One member from each constituent authority (such member to be the Leader/Elected Mayor or other executive member or committee chairman from each constituent authority) and for the purposes of these terms of reference this member will be known as the principal member.
- 4.2 Each constituent authority to have a named substitute member who must be an executive member where the authority operates executive governance arrangements. In those constituent authorities where governance is by committee, that alternate member shall be as per that authority's rules of substitution. All constituent authorities must provide no less than twenty four hours' notice to either the Chairman or the Secretary where a substitute member will be attending in place of the principal member. Regardless of any such notification, where both the principal member and the substitute member attends a meeting of the EPC the principal member shall be deemed as representing their authority by the Chairman or Vice Chair.
- 4.3 In the event of any voting member of the EPC ceasing to be a member of the constituent authority which appointed him/her, the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in his/her place.
- 4.4 Where a member of the EPC ceases to be a Leader / Elected Mayor of the constituent authority which appointed him/her or ceases to be a member of the Executive or Committee Chairman of the constituent authority which appointed him/her, he/she shall also cease to be a member of the EPC and the relevant

constituent authority shall as soon as reasonably practicable appoint another voting member in his/her place.

- 4.5 Each constituent authority may remove its principal member or substitute member and appoint a different member or substitute as per that authority's rules of substitution, and by providing twenty four hours' notice to the Chairman or the Secretary.
- 4.6 Co-options onto the Committee are not permitted.
- 4.7 Each constituent authority may individually terminate its membership of the EPC by providing twelve months written notice of its intent to leave the EPC to the Chairman or the Secretary. At the end of these twelve months, but not before, the authority will be deemed to no longer be a member of the EPC.
- 4.8 Where an authority has previously terminated its membership of the EPC it may re-join the EPC with immediate effect on the same terms as existed prior to its departure, where the EPC agrees to that authority re-joining via a majority vote.

5. Quorum

- 5.1 The quorum shall be 6 members. No business will be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of any meeting, the Chairman or Secretary after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

6. Chairman and Vice Chairman

- 6.1 The chairmanship of the EPC will rotate annually between the principal member of the City of Nottingham and the principal member of Nottinghamshire County Council. The position of Vice Chairman shall be filled by the principal member of one of the district/borough council members of the EPC and this role will rotate annually between district/borough councils. The Chairman or in his/her absence the Vice-Chairman or in his/her absence the member of the EPC elected for this purpose, shall preside at any meeting of the EPC.
- 6.2 Appointments will be made in May of each year. The first appointments will be made part way through the municipal year and will continue until May 2015, unless otherwise agreed.
- 6.3 Where, at any meeting or part of a meeting of the EPC both the Chairman and Vice Chairman are either absent or unable to act as Chairman or Vice Chairman, the EPC shall elect one of the members of the EPC present at the meeting to preside for the balance of that meeting or part of the meeting, as appropriate. For the avoidance of doubt, the role of Chairman and Vice-Chairman vests in the principal member concerned and in their absence the role of Chairman or Vice-Chairman will not automatically fall to the relevant constituent authority's substitute member.

7. Voting

- 7.1 One member, one vote for each constituent authority.
- 7.2 All questions shall be decided by a majority of the votes of the members present, the Chairman having the casting vote in addition to his/her vote as a member of the Committee. Voting at meetings shall be by show of hands.

- 7.3 On the requisition of any two Members, made before the vote is taken, the voting on any matter shall be recorded by the Secretary so as to show how each Member voted and there shall also be recorded the name of any Member present who abstained from voting.

8. Sub-Committees and Advisory Groups

- 8.1 The EPC may appoint sub-committees from its membership as required to enable it to execute its responsibilities effectively and may delegate tasks and powers to the sub-committee as it sees fit.
- 8.2 The EPC may set up advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of officers or members of the constituent authorities or such third parties as the EPC considers appropriate.

9. Hosting and Administration

- 9.1 The EPC will be hosted by Nottingham City Council and the Director of Legal and Democratic Services from that authority shall be Secretary to the Committee ("the Secretary"). The Host Authority will also provide s151 and Monitoring Officer roles and legal advice to the EPC. The administrative costs of supporting the committee will be met equally by the constituent authorities, with each authority being responsible for receiving and paying any travel or subsistence claims from its own members.
- 9.2 The functions of the Secretary shall be:
- a) to maintain a record of membership of the EPC and any sub-committees or advisory groups appointed;
 - b) to publish and notify the proper officers of each constituent authority of any anticipated "key decisions" to be taken by the EPC to enable the requirements as to formal notice of key decisions as given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to be met;
 - c) to carry out such notification to and consultation with members of any appointing constituent authority as may be necessary to enable the EPC to take urgent "key decisions" in accordance with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012;
 - d) to summon meetings of the EPC or any sub-committees or advisory groups;
 - e) to prepare and send out the agenda for meetings of the EPC or any sub-committees or advisory groups; in consultation with the Chairman and the Vice Chairman of the Committee (or sub-committee/ advisory group);
 - f) to keep a record of the proceedings of the EPC or any sub-committees or advisory groups, including those in attendance, declarations of interests, and to publish the minutes;
 - g) to take such administrative action as may be necessary to give effect to decisions of the EPC or any sub-committees or advisory groups;
 - h) to perform such other functions as may be determined by the EPC from time to time.

10. Meetings

10.1 The EPC will meet no less than quarterly and meetings will be aligned where necessary with deadlines for decisions on resources and investment plans.

10.2 Meetings will be held at such times, dates and places as may be notified to the members of the EPC by the Secretary, being such time, place and location as the EPC shall from time to time resolve. Meeting papers will be circulated five clear working days in advance of any meeting. The Chairman may choose to accept or reject urgent items that are tabled at any meeting.

10.3 Additional ad hoc meetings may be called by the Secretary, in consultation, where practicable, with the Chairman and Vice Chairman of the Committee, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:

- (a) from and signed by two members of the EPC, or
- (b) from the Chief Executive of any of the constituent authorities.

10.4 Urgent, virtual meetings facilitated via teleconference, video conferencing or other remote working methodologies may be called by the Secretary, in consultation, where practicable, with the Chairman and Vice Chairman of the EPC, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:

- (a) from and signed by two members of the EPC; or
- (b) from the Chief Executive of any of the constituent authorities.

Any such virtual meeting must comply with the access to information provisions and enable public access to proceedings.

10.5 The Secretary shall settle the agenda for any meeting of the EPC after consulting, where practicable, the Chairman or in their absence the Vice Chairman; and shall incorporate in the agenda any items of business and any reports submitted by:

- (a) the Chief Executive of any of the constituent authorities;
- (b) the Chief Finance Officer to any of the constituent authorities;
- (c) the Monitoring Officer to any of the constituent authorities;
- (d) the officer responsible for economic development at any of the constituent authorities; or
- (e) any two Members of the EPC.

10.6 The EPC shall, unless the person presiding at the meeting or the EPC determines otherwise in respect of that meeting, conduct its business in accordance with the procedure rules set out in paragraph 13 below.

11. Access to Information

11.1 Meetings of the EPC will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed.

11.2 These rules do not affect any more specific rights to information contained elsewhere under the law.

11.3 The Secretary will ensure that the relevant legislation relating to access to information is complied with. Each constituent authority is to co-operate with the Secretary in fulfilling any requirements.

11.4 Any Freedom of Information Act requests received by the EPC should be directed to the relevant constituent authority(s) for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by two or more constituent authorities, they will liaise with each other before replying to the request.

12. Attendance at meetings

12.1 The Chairman may invite any person, whether a member or officer of one of the constituent authorities or a third party, to attend the meeting and speak on any matter before the EPC.

12.2 Third parties may be invited to attend the EPC on a standing basis following a unanimous vote of those present and voting.

12.3 Where agenda items require independent experts or speakers, the Officer or authority proposing the agenda item should indicate this to the Secretary and provide the Secretary with details of who is required to attend and in what capacity. The participation of independent experts or speakers in EPC meetings will be subject to the discretion of the Chair.

13. Procedure Rules

13.1 Attendance

13.1.1 At every meeting, it shall be the responsibility of each member to enter his/her name on an attendance record provided by the Secretary from which attendance at the meeting will be recorded.

13.2 Order of Business

13.2.1 Subject to paragraph 13.2.2, the order of business at each meeting of the EPC will be:

- i. Apologies for absence
- ii. Declarations of interests
- iii. Approve as a correct record and sign the minutes of the last meeting
- iv. Matters set out in the agenda for the meeting which will clearly indicate which are key decisions and which are not
- v. Matters on the agenda for the meeting which, in the opinion of the Secretary are likely to be considered in the absence of the press and public

13.2.2 The person presiding at the meeting may vary the order of business at the meeting.

13.3 Disclosable Pecuniary Interests

13.3.1 If a Member is aware that he/she has a disclosable pecuniary interest in any matter to be considered at the meeting, the Member must withdraw from the room where the meeting considering the business is being held:

- (a) in the case where paragraph 13.3.2 below applies, immediately after making representations, answering questions or giving evidence;
- (b) in any other case, wherever it becomes apparent that the business is being considered at that meeting;

unless the Member has obtained a dispensation from their own authority's Standards Committee or Monitoring Officer. Such dispensation to be notified to the Secretary prior to the commencement of the meeting.

- 13.3.2 Where a member has a disclosable pecuniary interest in any business of the EPC, the Member may attend the meeting (or a sub –committee or advisory group of the committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

13.4 Minutes

- 13.4.1 There will be no discussion or motion made in respect of the minutes other except as to their accuracy. If no such question is raised or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.

13.5 Rules of Debate

13.5.1 Respect for the Chairman

A Member wishing to speak shall address the Chairman and direct their comments to the question being discussed. The Chairman shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. His/her ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

13.5.2 Motions / Amendments

A motion or amendment shall not be discussed unless it has been proposed and seconded. When a motion is under debate no other motion shall be moved except the following:

- i. To amend the motion
- ii. To adjourn the meeting
- iii. To adjourn the debate or consideration of the item
- iv. To proceed to the next business
- v. That the question now be put
- vi. That a member be not further heard or do leave the meeting
- vii. To exclude the press and public under Section 100A of the Local Government Act 1972

13.6 Conduct of Members

- 13.6.1 Members of the EPC will be subject to their own authority's Code of Conduct.

14. Application to Sub-Committees

- 14.1 The procedure rules and also the Access to Information provisions set out at paragraph 11 shall apply to meetings of any sub-committees of the EPC.

15. Scrutiny of decisions

15.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the EPC in accordance with that constituent authority's overview and scrutiny arrangements.

16. Winding up of the EPC

16.1 The EPC may be wound up immediately by a unanimous vote of all constituent authorities.

17. Amendment of this Constitution.

17.1 This Constitution can only be amended by resolution of each of the constituent authorities.

Date of first meeting

16 May 2014 at 10.00 am

This page is intentionally left blank