

Non-Executive Committees 2021/22 – Terms of Reference

Appointments and Conditions of Service Committee

- a) To undertake the appointment process (long listing, short listing and formal interviews) (or to appoint a politically balanced panel to undertake long listing and short listing) in respect of the Chief Officers (as referred to in paragraph 1(a) of the Officer Employment Procedure Rules (Standing Orders on Employment Matters), subject to having ascertained the views of the Executive Board in accordance with Standing Orders;
- b) to approve the appointment of Chief Officers (as referred to in paragraph 1(a) of the Officer Employment Procedure Rules (Standing Orders on Employment Matters));
- c) to determine the terms and conditions of City Council employees and procedures for disciplinary action and dismissal;
- d) to designate Proper Officers;
- e) 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;
- f) to exercise any other personnel functions which cannot be the responsibility of the Executive;
- g) to receive reports on action taken in respect of terms agreed for the Chief Executive, Deputy Chief Executive, Corporate Directors and the Senior Leadership Management Group (SLMG) leaving the employment of the Council where those terms included compensation;
- h) to determine redundancies, ill health retirements, flexible retirements and terminations of employment by mutual agreement on grounds of business efficiency, under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS pension and award additional LGPS pension for the Chief Executive, Deputy Chief Executive, Corporate Directors and Directors subject in the event of a proposed dismissal to relevant notification to the proper officer, and the Executive and relevant consultation with nominated elected members and relevant approval as specified in the Officer Employment Procedure Rules (Part 4);
- i) to determine flexible retirements and terminations of employment by mutual agreement on the grounds of business efficiency, terminations of employment under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales)

Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS pension and award additional LGPS pension for any employee who is part of the Senior Leadership Management Group below the level of Director. The Committee also determines terminations of employment by mutual agreement, and following consultation with the appropriate Portfolio Holder(s), on the grounds of business efficiency under the DCR for employees where any proposed compensation payment is in excess of £30,000;

- j) to approve any proposals for significant restructuring of the Council's management structure;
- k) to approve any proposals from the Chief Executive for changes to salary levels (including ranges of salaries) for Corporate Directors and the Deputy Chief Executive;
- l) to consider any grievances relating to or raised by the Chief Executive. Members involved in considering these will not be able to participate in any further consideration of the matter at other committees.

NB - "Significant restructuring"

- (i) the transfer of a significant function between Council departments, or to an external body, or
- (ii) the addition or deletion of a Corporate Director or Director post to or from a department.

The Committee is accountable to Council, has 8 members and is politically balanced. One place is reserved for the relevant Portfolio Holder with a remit covering Resources (or their substitute) in relation to matters in respect of the appointment process for the Chief Executive and Corporate Director and the dismissal process for the Chief Executive.

Where practical, members of this committee should not also be members of Audit Committee, Investigating and Disciplinary Committee, or Appeals Committee.

Audit Committee

Description

Balance requirements: The members of the committee drawn from the Council will be non-executive and numbers will be politically balanced

Status: Audit Committee is a Non-Executive Committee

Overview of purpose: Audit committees in local authorities are necessary to satisfy the requirements of the Accounts and Audit (England) Regulations 2015, which state that a local authority is responsible

“for a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives; ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk”.

Also, in England, Section 151 of the Local Government Act 1972 requires every local authority to “make arrangements for the proper administration of its financial affairs”.

CIPFA’s ‘Audit Committees - Practical Guidance for Local Authorities and Police 2018’ is recognised best practice for audit committees in local authorities throughout the UK.

Best practice also encompasses the relevant sections of

- Delivering Good Governance in Local Government (CIPFA)
- the Public Sector Internal Audit Standards 2017 (IIA & CIPFA)
- the Local Government Application Note 2019 on PSIAS (CIPFA)
- the Code of Practice on Managing the Risk of Fraud and Corruption 2014 (CIPFA)

Accountable to: Full Council

Reporting arrangements: Annually, the Chair will present to Full Council, a report on the work of the committee.

Purpose

1. The Audit Committee is a key component of Nottingham City Council’s corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. Provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment.
3. Provide independent review of the Council’s governance, risk management and control frameworks.
4. Oversee the financial reporting and annual governance processes.
5. Oversee internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.
6. Consider assurance of the Council’s financial and non-financial performance to the extent that it affects the Council’s exposure to risk and weakens the control environment including emphasis on
 - Governance risks around high level financial strategy and reserves

- Governance risks connected to asset realisation
- Governance of Capital Programme and projects
- Value for Money and Delivering Objectives
- Governance of linked incorporated bodies

The Council has already established an Overview & Scrutiny Committee and Companies Governance Executive Sub-Committee which are responsible for detailed scrutiny. Work programmes should be coordinated.

7. Oversee proposed and actual changes to the Council's policies and procedures pertaining to governance, including making recommendations to Council on non-executive amendments to the Constitution.

Objectives

The Committee will achieve its purpose by carrying out the following functions:

Governance, Risk & Control

1. Review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
2. Review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account Internal Audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.
3. Consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
4. Consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
5. Receive and consider the results of reports from external inspectors, ombudsman and similar bodies and from statutory officers.
6. Monitor the effective development and operation of risk management in the Council.
7. Monitor progress in addressing risk-related issues reported to the committee.
8. Consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
9. Review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
10. Monitor the counter-fraud strategy, actions and resources.
11. Review the governance and assurance arrangements for Council owned companies, significant partnerships or other collaborations, including reports of companies assurance.
12. Commission work from internal and external audit.
13. Consider arrangements for and the merits of operating quality assurance and performance management processes.
14. Consider the exercise of officers' statutory responsibilities and of functions delegated to officers.
15. Effectively scrutinise, review and monitor treasury management strategies and policies in accordance with guidance issued to local authorities, and make appropriate recommendations to the responsible body.
16. Consider any appeals made by an employee against decisions made by the Appointments and Conditions of Service Committee relating to a grievance made against the Chief Executive. Members involved in considering these will not be able to participate in any further consideration of the matter at other committees.

Financial Reporting

17. Review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
18. Consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
19. Approve the Council's Statement of Accounts and associated governance and accounting policy documents

External Audit

20. Support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.
21. Consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
22. Consider specific reports as agreed with the external auditor.
23. Comment on the scope and depth of external audit work and to ensure it gives value for money.
24. Advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

Internal Audit

25. Undertake the duties of the Board mandated by PSIAS (as identified in Table 1 below).
26. Consider reports from the Head of Internal Audit on internal audit's performance during the year, including the performance of external providers of internal audit services.
27. Consider the Head of Internal Audit's annual report.
28. Consider summaries of specific internal audit reports as requested.

Accountability Arrangements

29. Report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
30. Report to Full Council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
31. Publish an annual report on the work of the committee.

Table 1: Duties Of The Board (Audit Committee) Mandated By PSIAS	
PSIAS ref	Duty of the Board
1000	Approve the Internal Audit charter
1110	Approve the risk-based internal audit plan, including internal audit's resource requirements, including any significant changes, the approach to using other sources of assurance and any work required to place reliance upon those other sources.

Table 1: Duties Of The Board (Audit Committee) Mandated By PSIAS	
PSIAS ref	Duty of the Board
1110	Approve decisions relating to the appointment and removal of the Chief Audit Executive
1110	Receive an annual confirmation from the Chief Audit Executive with regard to the organisational independence of the internal audit activity
1110	Make appropriate enquiries of the management and the Chief Audit Executive to determine whether there are inappropriate scope or resource limitations
1110	The chair to provide feedback for the Chief Audit Executive's performance appraisal
1111	Provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.
1112	Consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
1130	Approve significant additional consulting services agreed during the year and not already included in the audit plan, before the engagement is accepted
1312	Contribute to the QAIP and in particular, to oversee the external quality assessment of internal audit that takes place at least once every five years.
1320	Receive the results of the Quality Assurance and Improvement Programme from the Chief Audit Executive
2020 & 2030	Receive communications from the Chief Audit Executive on internal audit's audit plan and resource requirements including the approach to using other sources of assurance, the impact of any resource limitations and other matters
2060	Receive communications from the Chief Audit Executive on the internal audit activity's purpose, authority, responsibility and performance relative to its plan. Reporting must also include significant risk exposures and control issues, including fraud risks, governance issues and other matters needed or requested by senior management and the board.
2600	Receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

Membership and Chairing

The membership will consist of 9 non-executive members (politically balanced) and up to 2 external independent members.

Make-up of membership

- Councillors may not be a member of the Executive
- The Chair cannot be a Chair of the Board of any of the Council's Group of companies.
- From March 2022 an additional exclusion to membership for any Councillor or external independent member serving as a director of any of the Council's Group of companies
- External independent members will have full voting rights

Substitutes

Councillor member substitutes are permitted

No substitutes will be accepted for independent members

Quorum

The standard quorum will apply

Frequency of Meetings

There will normally be six meetings per year. Additional meetings may be called at the discretion of the Chair.

Duration

The committee will meet as set out above unless and until the constitution determines otherwise.

Governance Improvement Board

Description

The Improvement Board is a politically balanced committee of Council, established to oversee the delivery of the Action Plan responding to the Report in the Public Interest concerning the Council's Governance Arrangements for Robin Hood Energy Ltd (the PIR) and to review wider governance issues at Nottingham City Council. The committee is accountable to Council and will provide progress reports to Council every six months.

Purpose

The purpose of the Improvement Board is to:

- (a) deliver and drive progress against the PIR Action Plan
- (b) support improvement in the Council's wider governance arrangements
- (c) ensure that a range of voices, including those independent of the Council, contribute to the development of governance at Nottingham City Council.

Objectives

The Board's objectives are to:

- (a) steer the implementation of the PIR Action Plan and wider governance improvements
- (b) monitor progress on the implementation of the PIR Action Plan
- (c) assess Nottingham City Council's current governance arrangements and identify and make recommendations to Council on areas for improvement
- (d) review the Constitution in relation to governance improvement and recommend amendments to the Leader in relation to executive matters and to Council for non-executive matters
- (e) identify best practice and gather views on matters within the Board's remit from relevant internal and external sources, including the appointed co-opted members and members of the Executive, Overview and Scrutiny Committees and the Audit Committee
- (f) make decisions, including spending decisions relating to non-executive areas of the governance improvement programme
- (g) make recommendations to the Executive on executive areas of the governance improvement programme.

Membership and Chairing

The Board will consist of ten members, including two co-opted independent members who have full voting rights. The membership will consist of:

- The Leader of the Council
- Chair of Overview and Scrutiny Committee
- Chair of Audit Committee
- Representative of minority political groups (nominated by the leader of the largest minority political group)
- Four other Councillors
- Two independent members

The Board will be chaired by one of the Councillor members but cannot be chaired by the Leader, or by the Chair of Overview and Scrutiny Committee or the Chair of the Audit Committee.

The Vice-Chair will be taken by one of the two independent members.

Substitutes

Substitute members can be appointed to this Board. Up to three named substitutes can be appointed for each of the following members:

- The Leader: to be substituted by a member of the Executive.
- Chair of Overview and Scrutiny: to be substituted by one of the two Vice Chairs of Overview and Scrutiny or, if not available, another member of the Overview and Scrutiny committee.
- Chair of Audit: to be substituted by the vice chair of the Audit Committee or, if not available, another member of the Audit Committee.

For all other Councillor members up to six named substitutes may be appointed.

No substitutes may be appointed for independent members.

Quorum

The quorum for this Board is five, which must include at least one independent member.

Frequency of Meetings

The Board will meet as required for the period covered by the PIR Action Plan.

Duration

The Board will initially meet for the duration of the Action Plan. After that period, every six months, it will review its need to meet.

Licensing Committee

To undertake those functions of the Licensing Authority prescribed by the Licensing Act 2003 (and any Regulations or Orders made under that Act), the Gambling Act 2005 (including the power to prescribe fees under section 212), and powers and functions relating to late night levy requirements under Chapter 2 Part 2 of the Police Reform and Social Responsibility Act 2011 (and any Regulations made under that Chapter) other than matters which are specifically reserved to full Council.

The Committee is accountable to Council (as Licensing Authority), has between 10 and 15 members (not politically balanced) and meets as and when required.

The Licensing Committee has established a Special Licensing Panel (to consider complex or contentious licensing applications and reviews of licences) and a number of “ordinary” Licensing Panels to deal with all other contested applications except:

- where representations are received relating to ‘cumulative impact’. Cumulative impact other than in a designated Saturation Zone;
- any contested application which a Panel feels should be referred to the main Committee.

Licensing Panels

To determine contested applications under the Licensing Act 2003 and Gambling Act 2005.

Licensing Panels are accountable to the Licensing Committee, have 3 members (derived from the Licensing Committee and not politically balanced), are chaired by the Chair and Vice-Chair of the Licensing Committee, and meet as they are required.

Special Licensing Panel

Comprises the Chair and Vice-Chair of the Licensing Committee, and one other member to be drawn from the membership of the full Committee.

Meets as required to determine complex or contentious licensing applications and to determine reviews of licences in accordance with the allocation procedure agreed by the Licensing Committee.

Note: The Licensing Officer/Manager is responsible for the referral of applications and reviews to the Special Licensing Panel following consultation with the Chair and Vice-Chair of the Licensing Committee.

Licensing Decision Making – List of Delegated Functions

The Authority, in the majority of cases, follows the table of delegated functions set out below. However, in circumstances where it seems appropriate to the Authority, any

particular matter may be dealt with otherwise than is indicated in this table whilst having due regard to statutory requirements. For example, an officer may choose not to exercise their delegated power and refer the matter to the Panel or a Panel itself may choose to refer the matter to the Committee.

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
<u>Licensing Act 2003</u>			
Application for personal licence with unspent convictions or immigration penalty		All cases where an objection or immigration objection notice is served	No objection made
Review of personal licence where the holder has been convicted of a relevant offence, foreign offence, or been required to pay an immigration penalty		All Cases	
Application for premises licence/club premises certificate	Representation relating to Cumulative Impact other than in a designated saturation zone	Representation made	No representation made
Application for provisional statement	Representation relating to Cumulative Impact other than in a designated saturation zone	Representation made	No representation made
Application to vary premises licence/club premises certificate (<i>other than an application for a Minor Variation</i>)	Representation relating to Cumulative Impact other than in a designated saturation zone	Representation made	No representation made
Application for Minor variation			All cases
Application to vary designated premises supervisor		Police representation made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		Police representation made	All other cases
Application for interim authority		Police representation made	All other cases
Application to review premises licence/club premises certificate		All cases	

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
(including summary reviews)			
Decision on whether a complaint or objection is irrelevant, repetitious, frivolous, vexatious, etc			All cases
Decision to object where Local Authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a representation to a temporary event notice		All cases	
<u>Gambling Act 2005</u>			
Application for premises licence including applications for reinstatement under S195 Gambling Act		<ol style="list-style-type: none"> 1. Representation made and not withdrawn (S154 (4)(a)) and/or 2. Where the Licensing Authority considers that a condition should be added to the licence under S169 (1)(a) or a default condition should be excluded under S169(1)(b) 	All other cases
Application to vary premises licence		<ol style="list-style-type: none"> 1. Representation made and not withdrawn (S154 (4)(b)) and/or 2. Where the Licensing Authority considers that a condition should be added to the licence under S169 (1)(a) or a default condition should be excluded under S169(1)(b) 	All other cases

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
Application for transfer of premises licence		Representation made and not withdrawn (S154(4)(c))	All other cases
Application for provisional statement		<ol style="list-style-type: none"> 1. Representation made and not withdrawn (S154(4)(d)) and/or 2. Where the Licensing Authority considers that a condition should be added to the licence under S169 (1)(a) or a default condition should be excluded under S169(1)(b) 	All other cases
Review of premises licence		All cases	
Consideration of Temporary Use Notices (including notices modified under section 223)		<ol style="list-style-type: none"> 1. All cases where an objection notice has been received 2. All cases where a counter notice may be required 	All other cases
Application for Club Gaming/Club Machine Permits, renewals and variations (including those leading to cancellation of permit) under Sch12 para 15		<ol style="list-style-type: none"> 1. Objection made and not withdrawn (Sch12 para 28 (2)) 2. Refusal of a permit proposed on the grounds listed in Sch 12 para 6(1)(a)-(d), or para 10(3) as applicable 	All other cases
Cancellation of Club Gaming/Club Machine Permits under Sch 12 para 21		Where a permit holder requests a hearing under para 21(2) or makes representations	All other cases
Cancellation of Club Gaming/Club Machine Permits under Sch 12 para 22 (non payment of annual			All Cases

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
fee)			
Applications for other permits registrations and notifications			All cases
Cancellation and variation of Licensed Premises Gaming Machine permits under Sch 13 para 16		Where permit holder requests a hearing under para 16 (2) or makes representations	All other cases
Cancellation of Licensed Premises Gaming Machine permits under Sch 13 para 17 (non payment of annual fee)			All Cases

*These powers are delegated to the Regional Licensing and Policy Manager, the Principal Licensing Officers, the Chief Licensing Trading Standards and ASB Officer, Director for Community Protection and Corporate Director for Community Services.

Planning Committee

- (a) All non-executive functions of the Council as a Local Planning Authority, except for matters reserved to or falling solely within the remit of full Council or Executive Board. e.g. as the Development Plan forms part of the Council's policy framework the Executive Board is responsible for formulating the Development Plan, for approval by full Council, and in doing so will consult the Planning Committee;
- (b) to exercise the functions of the Council relating to the regulation of the use of highways, street works and rights of way as set out in Schedule 1 of the Functions Regulations (including all powers of enforcement);
- (c) to be consulted, and provide comments to Executive Board, on draft Local Development Documents;
- (d) to exercise the functions of the Council in relation to the registration of town and village greens and common land except where the power is exercisable solely for the purpose of giving effect to:
 - (i) an exchange of lands effected by an order under either section 19(3) of or paragraph 6(4) of Schedule 3 to the Acquisition of Land Act 1981; or
 - (ii) an order under section 147 of the Inclosure Act 1845.

The Planning Committee is accountable to Council, has 16 members (politically balanced) and usually has 12 meetings per annum. Whilst a number of delegations to officers exist the following matters must be referred to the Committee:

- (i) no application can be determined by officers where the decisions would:
 - result in the granting of planning permission that would be a significant departure from the adopted Development Plan; or
 - result in the approval of an application for a similar scheme, on the same site, that has been previously refused by the Committee; or
 - directly conflict with the recommendation of any external statutory consultee unless those concerns will be overcome by condition or planning obligation;
- (ii) any application which gives rise to complex or sensitive issues should be referred to Committee for determination. For the purposes of this section, 'complex or sensitive' includes:
 - 1) an application that has generated significant public interest that is contrary to the officer recommendation;
 - 2) a major application on a prominent site, where there are important land-use, design or heritage considerations;
 - 3) an application for the conversion of family housing to a house in multiple occupation (HMO) in an area where there is already a high concentration of HMOs and where the recommendation would conflict with adopted planning policies;
 - 4) an application in relation to which a Nottingham City Councillor has submitted a written request (giving valid planning reasons), within the statutory consultation period, for the application to be determined by Committee;

- 5) where an application has been submitted by a Nottingham City Councillor or on behalf of a Nottingham City Councillor;
- 6) an application that is recommended for approval, but where any planning obligations are proposed to be waived, or are substantially less than typically required by adopted planning policies.

Ward Councillor Speaking Rights

- (1) Subject to prior arrangement with the Chair of the Committee, Ward Councillors may address the Committee on Planning Applications which are within their ward and being considered by the Committee. Ward Councillors will not however be permitted to take part in any debate on that application;
- (2) where the Councillor concerned is a member of the Planning Committee, they shall withdraw from the Committee room immediately after speaking and prior to any debate on the application. The Councillor will not take part in any consideration of that application at either that or any other meeting of the Planning Committee;
- (3) any such address shall last no more than 5 minutes per Ward Councillor;
- (4) subject to the approval of the Chair, more than one ward Councillor may address the Committee on the same application.

Regulatory and Appeals Committee

- (a) To deal with applications for local licences and registrations of various kinds including:
 - (i) those licensing and registration functions and functions relating to health and safety at work which are contained in Schedule 1 of the Functions Regulations and are listed below under I, II and III;
 - (ii) the Nottinghamshire County Council Act 1985;
 - (iii) regulation, under the Nottingham City Council Act 2003, of occasional sales and dealers in second-hand goods;
 - (iv) but excluding matters which are statutorily the responsibility of the Licensing Committee;
- (b) to deal with all powers relating to smoke free premises listed in paragraph F of Schedule 1 of the Functions Regulations;
- (c) to provide individual case panels selected by the Corporate Director for Strategy and Resources and the Chief Finance Officer from a wider group of Regulatory and Appeals Committee members to constitute an Appeals Panel to hear and determine:
 - (i) appeals relating to housing rents and homelessness;
 - (ii) appeals relating to the refusal / revocation of registration under the Council's Control Scheme for Houses in Multiple Occupation;
 - (iii) day care and childminding representations;
 - (iv) access to personal files appeals;
 - (v) representations under the Data Protection Act 1998;
 - (vi) Approved Premises (Marriages) Appeals;
 - (vii) statutory complaints concerning education matters;
- (d) to exercise all powers and duties conferred on Nottingham City Council by the Nottingham City Council Act 2013;
- (e) unless specifically catered for elsewhere, the adoption or approval of any plan or strategy relating to the Licensing and Regulatory functions listed in Part B of Schedule 1 of the Functions Regulations 2000.

The Committee is accountable to Council, has 14 members (politically balanced), and meets as and when required.

I. Licensing and Registration Functions

- 1 Power to issue licences authorising the use of land as a caravan site ("site licences")
- 2 Power to license the use of moveable dwellings and camping sites
- 3 Power to license hackney carriages and private hire vehicles
- 4 Power to license drivers of hackney carriages and private hire vehicles
- 5 Power to license operators of hackney carriages and private hire vehicles
- 6 Power to register pool promoters
- 7 Power to grant track betting licences
- 8 Power to license inter-track betting schemes
- 9 Power to grant permits in respect of premises with amusement machines
- 10 Power to register societies wishing to promote lotteries

- 11 Power to grant permits in respect of premises where amusements with prizes are provided
- 12 Power to license sex shops and sex cinemas, and sexual entertainment venues
- 13 Power to license performances of hypnotism
- 14 Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis
- 15 Power to license pleasure boats and pleasure vessels
- 16 Power to license market and street trading
- 17 Duty to keep list of persons entitled to sell non-medicinal poisons
- 18 Power to license dealers on game and the killing and selling of game
- 19 Power to register and license premises for the preparation of food
- 20 Power to license scrap yards
- 21 Power to issue, amend or replace safety certificates (whether general or special) for sports grounds
- 22 Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds
- 23 Power to license premises for the breeding of dogs
- 24 Power to license pets shops and other establishments where animals are bred or kept for the purposes of carrying on a business
- 25 Power to register animal trainers and exhibitors
- 26 Power to license zoos
- 27 Power to license dangerous wild animals
- 28 Power to license knackers' yards
- 29 Power to license the employment of children
- 30 Power to approve premises for the solemnisation of marriages and civil partnerships
- 33 Power to license persons to collect for charitable and other causes
- 34 Power to grant consent for the operation of a loudspeaker
- 35 Power to license agencies for the supply of nurses
- 36 Power to issue licences for the movement of pigs
- 37 Power to license the sale of pigs
- 38 Power to license collecting centres for the movement of pigs
- 39 Power to issue a licence to move cattle from a market
- 40 Power to sanction use of parts of buildings for storage of celluloid
- 41 Power to approve meat product premises
- 42 Power to approve premises for the production of minced meat or meat preparations
- 43 Power to approve dairy establishments
- 44 Power to approve egg product establishments
- 45 Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to- eat foods
- 46 Power to approve fish products premises
- 47 Power to approve dispatch of purification centres
- 48 Power to register fishing vessels on board which shrimps or molluscs are cooked
- 49 Power to approve factory vessels and fishery product establishments
- 50 Power to register auction and wholesale markets
- 51 Duty to keep register of food business premises
- 52 Power to register food business premises

54 Power to register motor salvage operators

II. Functions relating to health and safety at work

- 1 Functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connections with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer.

III. Conditions etc. and Enforcement

- 1 The functions of imposing any conditions, limitation or other restriction on any approval, consent, licence, permission or registration granted in the exercise of any of the above functions and determining any other terms to which any such approval, consent, licence, permission or registration is subject.
- 2 The function of determining whether, and in what manner, to enforce:
 - (a) any contravention or failure to comply with an approval, consent, licence, permission or registration granted as mentioned above; or
 - (b) any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject.
- 3 The function of:
 - (a) amending, modifying or varying any such approval, consent, licence, permissions or registration as is mentioned above, or any conditions, limitation or term to which it is subject; or
 - (b) revoking any such approval, consent, licence, permission or registration
- 4 The function of determining:
 - (a) whether a charge should be made for any approval, consent, licence, permit or registration as is mentioned above; and
 - (b) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge
- 5 The power to enforce byelaws.

Standards Committee

- (a) To promote and maintain high standards of conduct by Councillors and co-opted members;
- (b) to advise the Council on the adoption or revisions of its Code of Conduct, to monitor its operation and to assist Councillors and co-opted members in observing it;
- (c) to agree the local arrangements for the investigation of allegations that the Code of Conduct has been breached, and arrangements under which decisions on allegations can be made;
- (d) to arrange training and advice for Councillors and co-opted members on matters relating to the Council's Code of Conduct, and related probity issues;
- (e) to receive annual reports from the Monitoring Officer relating to complaints under the Code of Conduct, the Confidential Reporting Code and any other matters relating to conduct and propriety;
- (f) to consider reports and recommendations from the External Auditor relevant to the Code of Conduct and related probity issues;
- (g) to hear cases under the Council's procedure for dealing with complaints about Councillors' and co-opted members' conduct;
- (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 colleagues and protocols in connection with Councillor/colleague relations;
- (j) granting dispensations to Councillors and co-opted members 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;
- (n) granting and supervising exemptions from political restriction.

The Committee is accountable to Council and has 8 members (politically balanced).

The Committee meets as and when required.

Standards Hearings Sub Committee

- (a) To hear cases in accordance with the Council's procedure for dealing with complaints about Councillors' and co-opted members' conduct;
- (b) to decide whether to uphold complaints made against Councillors and Co-opted Members having first considered the views of the Council's Appointed Independent Person;
- (c) to determine what action to take based upon the outcome of the hearing.

The Sub Committee is accountable to the Standards Committee.

The Sub Committee has 5 members (politically balanced) who must be members of the Standards Committee.

The quorum for the Sub Committee is 3.

If a single case is heard over more than one meeting, the same Sub Committee members must be present at all meetings. If exceptional circumstances mean this is not possible the Monitoring Officer will decide how to proceed.

The Committee meets as and when required.

Overview and Scrutiny Committee

Description

The Overview and Scrutiny Committee (the Committee) is a politically balanced Non-Executive Committee of Council. While the Council operates an Executive form of governance the establishment of an Overview and Scrutiny Committee is a statutory requirement in order to discharge the functions conferred by the Localism Act 2011 and other relevant legislation. The Committee is accountable to Council and will report annually to Council on its activities during the previous year.

The Committee will offer constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance.

Purpose

The purpose of the Overview and Scrutiny Committee is to:

- (a) hold local decision-makers, including the Council's Executive and the Boards of the Council's group of companies, to account for their decisions, actions, performance and management of risk
- (b) review existing policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (c) contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (d) explore any matters affecting Nottingham and/ or its citizens
- (e) make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive
- (f) review decisions made but not yet implemented by the Council's Executive in accordance with the Call-in Procedure.

Objectives

The Overview and Scrutiny Committee will:

- (a) develop and manage a work programme to ensure all statutory and other roles and responsibilities are fulfilled to the required standard and which covers review and development of key strategic issues, policies and strategies relevant to Nottingham and its residents, and which adds value through the examination of issues of local importance and concern, in accordance with the scope and approach set out in the Overview and Scrutiny Procedure Rules in Part 4 of this Constitution
- (b) monitor the effectiveness of that work programme and the impact of outcomes from overview and scrutiny activity
- (c) regularly review the decisions, actions and performance of the Council's Executive and other relevant local decision makers, including the Council's group of companies, in order to fulfil its role in holding those decision makers to account. This role will be co-ordinated with those of the Audit Committee and the Companies Governance Executive Sub-Committee.
- (d) receive petitions in accordance with the Council's Petitions Scheme
- (e) consider any relevant matter referred to it by any of its members and consider any relevant local government matter referred to it by any Nottingham City Councillor.

The Overview and Scrutiny Committee has no decision making powers but has the power to:

- (a) require members of the Council's Executive, and certain other local decision makers, to: provide information to the Committee, to attend meetings, and answer questions posed by the Committee in relation to their Executive role
- (b) invite other persons to attend meetings of the Committee to provide information and/ or answer questions
- (c) make recommendations and provide reports to relevant decision makers, and in particular the Council's Executive, on matters within their remits. The Council's Executive and other relevant decision makers have a duty to respond in writing to such recommendations within two months of receipt.

The Overview and Scrutiny is required to consider Crime and Disorder matters at least once every Municipal Year:

Further detail on the rules and procedures relating to Overview and Scrutiny, including the Call-in Procedure, can be found in the Overview and Scrutiny Procedure Rules contained within Part Four of this Constitution.

Sub-Committees

The Overview and Scrutiny Committee may choose to establish sub-committees to discharge any of its functions.

A standing Overview and Scrutiny Call-in Sub-Committee will be established to review decisions taken but not yet implemented by the Council's Executive in accordance with the Call-in procedure outlined in the Overview and Scrutiny Procedure Rules in Part Four of this Constitution.

Note: Separate Committees will be established by Council for the scrutiny of health and social care and the scrutiny of issues related to children and young people. These are not sub-committees this Committee.

Membership and Chairing

The Overview and Scrutiny Committee has 12 members.

Members of the Executive are excluded from membership of the Committee

Executive Assistants responsible for assisting on a Portfolio within the remit of this Committee are excluded from membership of the Committee.

The Chair of the Committee will be appointed by Full Council at its Annual General Meeting. If the Chair changes in year, the Committee will appoint a Chair for the remainder of the Municipal Year at its next available meeting.

The Chair cannot be a Chair of the Board of any of the Council's Group of companies.

The role of Vice Chair will be held jointly by the Chair of the Health Scrutiny Committee and the Chair of the Children and Young People Scrutiny Committee.

The Overview and Scrutiny Committee may choose to appoint non-Councillor members to the Committee or its sub-committees. Voting arrangements for co-optees will be in accordance with Paragraph 12 of Schedule 1 to the Local Government Act 2000 (as amended by section 115 of the Local Government Act 2003) as outlined in a procedure approved by Council and included in the Overview and Scrutiny Procedure Rules.

Substitutes

Substitute members are permitted for this committee.

Quorum

The standard quorum for Council committees applies to this committee.

Frequency of Meetings

The Overview and Scrutiny Committee will meet a minimum of three times per year. The usual frequency of meetings will be once a month, with the exception of August.

Duration

There is no limit on the lifespan of the Overview and Scrutiny Committee.

Scheme of voting rights for co-opted members of overview and scrutiny

In accordance with Paragraph 12 of Schedule 1 to the Local Government Act 2000 (as amended by section 115 of the Local Government Act 2003) Nottingham City Council has agreed that non-statutory co-opted members of overview and scrutiny committees/panels may be given voting rights at the discretion of the relevant scrutiny committee.

1. The Scheme

1.1 The Council would like to draw on the experience and knowledge of people within Nottingham when undertaking its scrutiny function. While there will be occasions where non-voting co-opted members will add value to the scrutiny process, there are benefits to giving the co-opted members voting rights, including:

- giving a more active voice on behalf of the public in scrutiny;
- improving the quality of decision making by including broader based views;
- giving co-opted members the same status as the rest of committee and therefore encouraging an equal sense of ownership and involvement;
- promoting a partnership approach to scrutiny.

1.2 This scheme enables the committees to give voting rights to non-statutory co-opted members of an overview and scrutiny committee/panel, if it so wishes. It does not mean that all non-statutory co-opted members will automatically be given voting rights.

2 Appointments

2.1 The committee will agree the process for selecting and appointing the non-statutory co-opted members.

3 When a Co-optee may vote

3.1 Where co-optees have been appointed as voting co-optees they may exercise a vote in considering items of business on agendas for the overview and scrutiny committee/panel to which they have been appointed.

4 General Principles

4.1 This Scheme and arrangements made in accordance with its terms shall be subject to review by Council, including upon recommendation from the Overview and Scrutiny Committee.

4.2 Co-opted members will be subject to the Members' Code of Conduct and must sign a declaration of office and complete a Register entry of any relevant interests.

4.3 Co-opted members will be entitled to allowances to assist with expenses in accordance with the Council's Members' Allowances Scheme.

Overview and Scrutiny Call-in Panel

The Call-in Panel is a sub-committee of the Overview and Scrutiny Committee set up to determine the validity of call-in of Executive decisions and whether a decision should be referred back to the decision maker or, in certain cases, to Council, in accordance with the Constitution and Call-in Procedure.

The Call-in Panel comprises 9 Councillors.

The Chair of the Overview and Scrutiny Committee will chair the Call-in Panel. The Scrutiny Vice-Chairs will be Vice-Chairs of the Call-in Panel

Health Scrutiny Committee

- a) To set and manage its work programme to fulfil the overview and scrutiny roles and responsibilities for health and social care matters, including, the ability to:
 - (i) hold local decision-makers, including the Council's Executive, to account for their decisions, action and performance;
 - (ii) review policy and contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham residents;
 - (iii) explore any matters affecting Nottingham and/ or its residents;
 - (iv) make reports and recommendations to relevant local agencies in relation to the delivery of their functions, including the Council and its Executive;
- b) to exercise the Council's statutory role in scrutinising health services for Nottingham City in accordance with the National Health Service Act 2006 as amended and associated regulations and guidance;
- c) to engage with and respond to formal and informal consultations from local health service commissioners and providers;
- d) to scrutinise the commissioning and delivery of local health and social care services to ensure reduced health inequalities, access to services and the best outcomes for citizens;
- e) to hold the Health and Wellbeing Board to account for its work to improve the health and wellbeing of the population of Nottingham City and to reduce health inequalities;
- f) to work with the other scrutiny committees, to support effective delivery of a co-ordinated overview and scrutiny work programme;
- g) to respond to referrals from, and make referrals to, Healthwatch Nottingham as appropriate;
- h) to commission time-limited panels (no more than 1 panel at any one time) to carry out a review of a matter within its remit. Commissioning includes setting the remit, initial timescale and size of membership to meet the needs of the review to be carried out. Such review panels will be chaired by the Chair of the Health Scrutiny Committee;
- i) to monitor the effectiveness of its work programme and the impact of outcomes from its scrutiny activity;
- j) to appoint a lead health scrutiny Councillor for the purposes of liaising with stakeholders on behalf of the health scrutiny function, including the Health and Wellbeing Board, Healthwatch Nottingham and the Portfolio Holder with responsibility for health and social care issues;
- k) to co-opt people from outside the Council to sit on the Committee or any review panels it commissions to support effective delivery of the work programme.

Membership

The Committee has 12 members. Membership must not include members of the Executive Board. The Committee is politically balanced.

Chairing

The Chair will be one of the Vice-Chairs of Overview and Scrutiny Committee and is appointed by Full Council. The Vice-Chair will be appointed at the first meeting of the Health Scrutiny Committee from the membership of the Committee.

Children and Young People Scrutiny Committee

Purpose

To provide robust scrutiny of issues and services relevant to the wellbeing and safeguarding of children and young people, in the light of recommendations from the Council's Ofsted Inspection April 2014, and the Jay and Casey Reports (Child Sexual Exploitation in Rotherham). The work of the Committee should aim to drive and support services to find solutions to problems and/ or set aspirational targets and instil public confidence.

Remit

- a) To set and manage a work programme to fulfil overview and scrutiny responsibilities in relation to children and young people to:
 - (i) provide an appropriate and robust level of challenge to those in authority and hold local decision-makers, including the Council's Executive, to account for their decisions, action and performance;
 - (ii) review policy and contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham's children and young people;
 - (iii) explore any matters affecting Nottingham's children and young people;
 - (iv) make reports and recommendations to relevant local agencies in relation to the delivery of their functions, including the Council and its Executive, and monitor implementation of all accepted recommendations;
- b) to work with the other scrutiny committees, to support effective delivery of a co-ordinated overview and scrutiny work programme;
- c) to consider referrals from partners and citizens to support effective delivery of a co-ordinated work programme;
- d) to invite, take account of and respond to the views of local people (including children and young people) about their concerns and the delivery of services in relation to children and young people;
- e) to be required to consider the following issues / topics when developing the work programme, though the Committee's scrutiny activity need not be limited to these matters:
 - (i) safeguarding;
 - (ii) Looked After Children;
 - (iii) vulnerable children and young people (eg in relation to disability, domestic violence, missing);
 - (iv) Child Sexual Exploitation;
 - (v) Early Intervention;
 - (vi) educational attainment;
 - (vii) commissioning of services for children and young people;
 - (viii) performance of services for children and young people;

- f) to consider potential risks to children and young people, how they are being managed and to report concerns as soon as possible to the appropriate individuals/ bodies if risk is identified;
- g) to monitor the progress made by, and effectiveness of the Council and its partners, in addressing the areas of concern and specific recommendations for actions made by Ofsted and any other relevant inspection/ assessment bodies;
- h) to have regard to the work of other committees/panels/boards, such as the Corporate Parenting Board and the Local Safeguarding Board, to avoid duplication, but to ensure that such bodies are held to account when appropriate;
- (i) to commission time-limited panels (no more than 1 panel at any one time) to carry out a review of a matter within its remit. Commissioning includes setting the remit, initial timescale and size of membership to meet the needs of the review to be carried out. Such review panels will be chaired by the Chair of the Children and Young People Scrutiny Committee;
- i) to co-opt people from outside the Council to sit on the Committee or any review panels it commissions to support effective delivery of the work programme.

Membership

The Committee has 9 members. Membership must not include members of the Executive Board. The Committee is politically balanced.

When the Committee plans to consider an education issue, the statutory education cooptees* must be invited to be full and equal members of the Committee with voting rights for that specific item.

*Church of England Diocese representative/Roman Catholic Diocese representative/Parent Governors representatives.

Chairing

The Chair will be one of the Vice-Chairs of Overview and Scrutiny Committee and is appointed by Full Council. The Vice-Chair will be appointed at the first meeting of the Children and Young People Scrutiny Committee from the membership of the Committee.

Corporate Parenting Board

- (a) To secure councillor and cross-departmental involvement and commitment throughout the Council to deliver better outcomes for children in our care;
- (b) to ensure that Nottingham City Council enables children in its care to:
 - have safe and stable care;
 - be well looked after;
 - be prepared for adult life;
 - to grow into emotionally balanced and resilient young people;
- (c) to raise the profile of looked after children and their carers, and act as champions for the needs and rights of looked after children in the Council's various service areas, political groups and settings;
- (d) to invite people other than City Councillors and officers to attend meetings of the Board, on a regular or occasional basis, to act in an advisory role and to feed in the views of children and young people in care;
- (e) to make a commitment to prioritising the needs of looked after children and their carers;
- (f) to report regularly to the Children's Partnership Board (acting as the Children's Trust) on matters relating to partnership;
- (g) to report annually to full Council on progress and to consider matters referred to it by full Council and the Executive Board.
- (h) to make recommendations through the Executive Board on potential strategic change required within the Council to embed this agenda;
- (i) to have the ambition to raise the standards of core services to looked after children;
- (j) to promote achievement and help build aspirations;
- (k) to listen to the views of looked after children and young people and their carers and to involve them in the development and assessment of services;
- (l) to encourage looked after children to become active citizens;
- (m) to monitor the Council's provision for looked after children;
- (n) to oversee the provision of work placements and apprenticeships for looked after children by the City Council;
- (o) to identify best practice in other Councils, and to import these ideas as appropriate.

The Corporate Parenting has 10 members, and is politically balanced. The membership will include the Portfolio Holder with a remit covering Children or Early Years.

The Corporate Parenting Board usually meets 6 times per year.

Greater Nottingham Light Rapid Transit Advisory Committee

The Committee, established under the powers of The Nottingham Express Transit System Order 2009, advises Nottingham City Council ('the promoter') on the operation of the Nottingham Express Transit (NET) system.

- (a) To be consulted by, and advise the promoter on the operation of the NET system;
- (b) to consider representations made to the Committee by members of the public in relation to the NET system; and
- (c) to make representations or recommendations to the promoter in relation to the operation of the NET system.

The members of the Committee are appointed by the Council and shall include 5 Nottingham City Councillors, 5 Nottinghamshire County Councillors and 1 person appointed by each of the following groups representing users of the NET system:

- East Midlands Chamber of Commerce
- Nottingham Federation of Small Businesses
- Nottingham Trent University
- Nottinghamshire Better Transport
- Pedals
- RideWise
- Travel Watch East Midlands
- Nottingham City Disability Involvement Group

Members from the groups representing users of the NET system are appointed for a three-year term.

The Chair is appointed by the Committee on an annual basis, at the first meeting of the municipal year.

A quorum is 3 members of the Committee.

The Committee is accountable to Nottingham City Council and usually has 4 meetings per year.

Health and Wellbeing Board

The Nottingham City Health and Wellbeing Board brings together key local leaders to improve the health and wellbeing of the population of Nottingham and reduce health inequalities through:

- developing a shared understanding of the health and wellbeing needs of its communities from pre-birth to end of life including the health inequalities within and between communities;
 - providing system leadership to secure collaboration to meet these needs more effectively;
 - having strategic influence over commissioning decisions across health, public health and social care encouraging integration where appropriate;
 - recognising the impact of the wider determinants of health on health and wellbeing;
 - involving patient and service user representatives and councillors in commissioning decisions.
- a) Publish and refresh the Joint Strategic Needs Assessment, including the Pharmaceutical Needs Assessment to provide an evidence base for future policy and commissioning decisions;
 - b) produce a Joint Health and Wellbeing Strategy to identify priorities and provide a strategic framework for future commissioning;
 - c) consider local commissioning plans to ensure that they are in line with the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy; and specifically to consider the NHS Nottingham City Clinical Commissioning Group's commissioning plans to ensure that they are in line with the Joint Health and Wellbeing Strategy and to provide an opinion for publication;
 - d) liaise with NHS England as necessary on the NHS Nottingham City Clinical Commissioning Group's annual assessment;
 - e) encourage integrated working between health and social care commissioners including, where appropriate, supporting the development of arrangements for pooled budgets, joint commissioning and integrated delivery under Section 75 of the National Health Service Act 2006;
 - f) oversee the Better Care Fund¹;
 - g) encourage close working between health and social care commissioners and the Board itself;
 - h) encourage close working between health and social care commissioners and those responsible for the commissioning and delivery of services related to the wider determinants of health;

¹ Given that some members of the Board represent provider organisations, strategic funding decisions relating to the Better Care Fund are delegated to the Health and Wellbeing Board Commissioning Sub-Committee which is a commissioner-only body

- i) establish one or more sub-committees to carry out any functions delegated to it by the Board;
- j) delegate any of its functions to an officer;
- k) establish one or more time limited task and finish groups to carry out work on behalf of the Board;
- l) carry out any other functions delegated to it by Nottingham City Council under Section 196(2) of the Health and Social Care Act 2012.

In the interests of public accountability and transparency the Board is subject to the statutory overview and scrutiny function of Nottingham City Council. All Board partner organisations agree to provide information to; attend meetings of; and answer questions from the relevant City Council overview and scrutiny committee about the planning, provision and operation of services within their area as required by the committee to carry out its statutory scrutiny functions. Partners will not, however, be required to give:

- confidential information which relates to and identifies an individual unless the information is disclosed in a form ensuring that individuals' identities cannot be ascertained, or an individual consents to disclosure;
- any information, the disclosure of which is prohibited by or under any enactment;
- any information, the disclosure of which would breach commercial confidentiality.

The committee will give reasonable notice of the request for information and/or attendance at a meeting.

Membership

Voting members

Nottingham City Council Portfolio Holder with a remit covering health
Nottingham City Council Portfolio Holder with a remit covering children's services
Two further City Councillors
Four representatives from Greater Nottingham Clinical Commissioning Partnership
Nottingham City Council Corporate Director for People
Nottingham City Council Director of Adult Social Care
Nottingham City Council Director of Public Health
One representative of the Healthwatch Nottingham Board
One representative of NHS England

Non-voting members

One representative of Nottingham University Hospitals NHS Trust
One representative of Nottinghamshire Healthcare NHS Foundation Trust
One representative of Nottingham CityCare Partnership
One representative of Nottingham City Homes
One representative of Nottinghamshire Police
One representative of Department for Work and Pensions
One representative of Nottingham Universities

One representative of Nottinghamshire Fire and Rescue Service
Up to two individuals representing the interests of the Third Sector
Nottingham City Council Chief Executive

Political proportionality does not apply to membership of the Board.

All members of the Board are accountable to the organisation/ sector which appointed them. Each member has a responsibility to communicate the Board's business through their respective organisation/ sector's own communication mechanisms.

Each Board member can nominate up to 3 substitutes and any one of those named substitutes can attend a Board meeting in their place. Substitutes must be from the same organisation/ sector as the Board member and be of sufficient seniority and empowered by the relevant organisation/ sector to represent its views; to contribute to decision making in line with the Board's Terms of Reference and to commit resources to the Board's business.

If a member of the Board misses 3 consecutive meetings without giving apologies, their continued membership of the Board will be reviewed with the organisation that they represent.

The Board may, with agreement of Nottingham City Council's Full Council, add additional voting or non-voting members to support effective delivery of its responsibilities.

Chairing

The Chair of the Board will be the Nottingham City Council Portfolio Holder with a remit covering health.

The Vice Chair of the Board is appointed by the Board and shall be one of the Greater Nottingham Clinical Commissioning Partnership members.

Voting arrangements

It is expected that most decisions will be agreed by consensus but, where this is not the case, then only those members listed as voting members may vote. Voting on all issues will be by show of hands.

The Chair of the Board shall have a second or casting vote.

Meeting arrangements

The Board meets every other month. The Chair of the Board, in consultation with the Vice Chair, can convene special meetings of the Board as appropriate.

All business of the Board shall be conducted in public in accordance with Section 100A of the Local Government Act 1972 (as amended). When the Board considers exempt information and/or confidential information is provided to Board members in

their capacity as members of the Board all Board members agree to respect the confidentiality of the information received and not disclose it to third parties unless required to do so by law or where there is a clear and over-riding public interest in doing so.

The quorum for meetings shall be three voting members and must include at least one Nottingham City Council councillor and one representative of the Clinical Commissioning Group.

Where a decision is required before the next Board meeting, the Chair may act on recommendations of officers in consultation with the Vice Chair through the following process:

- i. circulation of details of the proposed decision to all Board members for consultation; and
- ii. there being clear reasons why the decision could not have waited until the next full Board meeting.

The decision will be recorded and reported to the next full Board meeting.

All voting members of the Board are governed by the Nottingham City Council Code of Conduct. In addition, all Board members may also be bound by a code of conduct/professional standards of the organisation/sector that they represent.

Health and Wellbeing Board Commissioning Sub Committee

The role of the Health and Wellbeing Board Commissioning Sub Committee is:

- (a) to provide advice and guidance to the Health and Wellbeing Board in relation to strategic priorities, joint commissioning and subsequent action plans and commissioned spend and strategic direction;
- (b) to accept delegated actions from the Health and Wellbeing Board and report back on progress and outcomes;
- (c) to performance manage the Health and Wellbeing Board commissioning plan and to agree changes to that plan based on monitoring and performance management considerations. This includes the ability to request deep dives to enable greater focus on specific areas;
- (d) to provide collective oversight, support and performance management to areas of work identified by the Sub Committee as being of highest priority. Areas of focus will be jointly commissioned activity or where there is significant system impact;
- (e) for every Section 75 Agreement, where responsibility has been delegated to the Sub Committee, to carry out the following roles in line with requirements of the relevant Agreement:
 - i. take funding decisions, including Key Decisions, on pooled budgets;

- ii. take decisions on commissioning arrangements for jointly commissioned services; and
- iii. have oversight to ensure that arrangements are properly managed with, as a minimum, annual reports from the relevant Agreement lead(s)

A record of which Section 75 Agreements have been delegated to the Sub-Committee and reporting arrangements can be found in the 'Health and Wellbeing Board Commissioning Sub Committee role in relation to Section 75 Agreements' document

- (f) to have oversight of any other Nottingham City Council/ Greater Nottingham Clinical Commissioning Partnership joint funding and joint commissioning arrangements either in place now or in development for the future;
- (g) establish one or more time limited task and finish groups to carry out work on behalf of the Sub Committee;
- (h) delegate any of its functions to an officer;
- (i) carry out any other functions delegated to it by the Health and Wellbeing Board.

Meeting Arrangements

The Health and Wellbeing Board Commissioning Sub Committee will meet on a bi-monthly basis following directly on from Health and Wellbeing Board meetings.

Extraordinary meetings of the Health and Wellbeing Board Commissioning Sub Committee may be called by the agreement of 2 voting members (one of whom must represent Nottingham City Council and one of whom must represent Greater Nottingham Clinical Commissioning Partnership) if a decision is required urgently.

If an urgent decision is required that cannot wait for an extraordinary meeting to be called then the Director for Commissioning and Procurement (Nottingham City Council) and the Associate Director of Joint Commissioning and Planning (Greater Nottingham City Clinical Commissioning Partnership), as the two Sub-Committee Chairs, can act through the following process:

- circulation of details of the proposed decision to all Sub-Committee members for consultation; and
- there being clear reasons why the decision could not have waited until a full Sub Committee meeting.

The decision will be recorded and reported, along with the reasons for urgency, to the next full Sub Committee meeting.

Executive decisions are subject to the Nottingham City Council call-in procedure in accordance with the Overview and Scrutiny Procedure Rules. In accordance with those rules, the call-in procedure does not apply where a decision is urgent and the Chair of the Overview and Scrutiny Committee agrees both that the decision proposed is reasonable in all the circumstances and that it must be treated as a matter of urgency. The reasons for urgency will be reported alongside the decision.

The quorum for the meeting is 2 voting members, one of whom must represent Nottingham City Council and one of whom must represent Greater Nottingham Clinical Commissioning Partnership.

The meeting will be chaired in rotation by the Director for Commissioning and Procurement (Nottingham City Council) and the Associate Director of Joint Commissioning and Planning (Greater Nottingham City Clinical Commissioning Partnership). In the absence of both of these members, the Chair will pass to the voting member present from the body due to chair the meeting.

Nottingham City Council and Greater Nottingham Clinical Commissioning Partnership have one vote each, shared between its voting members.

The chair of the meeting will not have a casting vote. In the event that agreement cannot be reached on a decision to be taken by the Sub-Committee, the matter will be referred to a meeting of the Sub-Committee which will be convened within the next 10 working days for this purpose by the Corporate Director of Strategy and Resources (Nottingham City Council).

Membership

Voting Members	Organisation
Portfolio Holder with a remit covering health	Nottingham City Council
Portfolio Holder with a remit covering adult social care	Nottingham City Council
Director of Commissioning and Procurement	Nottingham City Council
Associate Director of Joint Commissioning and Planning	Greater Nottingham Clinical Commissioning Partnership
GP Lead	Greater Nottingham Clinical Commissioning Partnership

Substitution for voting members is permissible provided that the Chair is notified of the substitution in advance of the meeting and the substitution is to a named substitute. Substitutes must be of sufficient seniority and empowered by their organisation to represent its views and to contribute to decision making in line with Sub Committee's terms of reference.

Non-Voting Members	Organisation
Director of Public Health	Nottingham City Council
Director of Adult Social Care	Nottingham City Council
Head of Commissioning	Nottingham City Council
Head of Commercial Finance	Nottingham City Council
Director of Children's Integrated Services	Nottingham City Council
Assistant Director of Commissioning – Mental Health, Children and Families	Greater Nottingham Clinical Commissioning Partnership
Representative	Healthwatch Nottingham

All voting members are required to comply with the requirements of the Nottingham City Council Code of Conduct and, as a matter of best practice, it is also expected that all non-voting members will also observe the principles contained in the Code and comply with its requirements.

Minutes of Sub Committee Meetings

The Health and Wellbeing Board will be informed of the Sub Committee's decisions by the inclusion on its agenda of the minutes of the Sub Committee's meetings.

Joint Committee for Strategic Planning and Transport

1. Nottinghamshire County Council and Nottingham City Council established a Joint Committee between the two Authorities to advise on strategic planning and transport matters in Greater Nottingham in April 1998.
2. This protocol agreed between the two Authorities on the establishment and operation of the Joint Committee requires a two yearly review, to ensure it remains relevant to the needs of the Joint Committee.

Role

3. The role of the Joint Committee is to advise the County Council and City Council on strategic planning and transport matters of mutual concern in order to facilitate the sustainable development and growth of Greater Nottingham and to assist in meeting the Duty to Cooperate (S110 of the Localism Act).

Responsibilities

4. The Joint Committee will be responsible for providing advice on strategic planning and transport matters, including advice in relation to the following:
 - (a) The preparation of coordinated and aligned Local Plans to provide a coherent and consistent planning framework across Greater Nottingham, including consideration of significant evidence base studies, such as Strategic Housing Market Assessments and Economic/Employment Land reports;
 - (b) Local Plans/Development Plan Documents and Strategies prepared by other Local Planning Authorities;
 - (c) The approach to, and use of, planning contributions arising from development in Greater Nottingham where this is of strategic importance;
 - (d) Liaison with statutory bodies;
 - (e) Liaison with the D2N2 Local Enterprise Partnership and Local Nature Partnership;
 - (f) Co-ordination of policies and management for minerals and waste matters, including the Local Aggregates Assessment and the joint Replacement Waste Local Plan ;
 - (g) The provision of infrastructure, including transport, social and green infrastructure, to support future growth, particularly where this has cross boundary implications;
 - (h) Nottinghamshire Local Transport Plan (2011 – 2026);
 - (i) Nottingham Local Transport Plan (2011 – 2016);

- (j) Strategic issues arising from the management of the Traffic Control Centre;
 - (k) Strategic issues arising from public transport operations, including rail services and High Speed 2, Bus Quality Partnerships and the development of the Nottingham Express Transit;
 - (l) Strategic issues arising from air quality reviews and assessments within or impacting on Greater Nottingham.
5. To assist the Joint Committee in carrying out the responsibilities in paragraph 4 above, they shall be entitled to receive information and to comment where they deem appropriate on other relevant matters including:
- (a) Planning applications within and adjacent to Greater Nottingham subject to the statutory timetable;
 - (b) Major development proposals in areas within and surrounding Greater Nottingham;
 - (c) Significant developments in the highway and transport networks;
 - (d) Major strategic initiatives of either Authority in Greater Nottingham e.g. tackling climate change.
 - (e) Economic strategies for Greater Nottingham;
 - (f) Government legislation, regulations, guidance and initiatives affecting strategic planning and transport matters.
6. The Joint Committee will have regard to the views and resolutions of the Greater Nottingham Joint Planning Advisory Board.

Area of Responsibility

7. The Joint Committee will be responsible for advising on strategic planning and transport matters across the whole area known as Greater Nottingham. Greater Nottingham is defined as the Nottingham Core Housing Market Area and Hucknall. It comprises the local authority areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe, plus the Hucknall part of Ashfield and the relevant parts of Derbyshire and Nottinghamshire County Councils, however, the remit of this Committee excludes Erewash Borough in Derbyshire.

Relationship to Parent Authorities

8. The views of the Joint Committee will be communicated to the appropriate Executive or other body or bodies of the County and City Councils as soon as possible following a resolution by the Joint Committee. Where the Joint

Committee has expressed a view on particular matters that is the subject of a report to any of the parent executive bodies, the recommendation of the Joint Committee will be included in the report.

Membership

9. The Joint Committee will be composed of four members from each authority. Member substitutes are allowed.
10. With the agreement of the Chair and Vice Chair, advisory members may be invited to the Committee from time to time to assist the Joint Committee in carrying out the responsibilities in paragraphs 4 to 7 above. Such members will not have voting rights.
11. The appropriateness of advisory members will be reviewed in accordance with paragraph 12.

Chair and Vice Chair

12. The Chair and Vice Chair will be appointed every two years and alternate between each Authority. The Vice Chair will always be appointed by the Authority not holding the Chair.

Frequency of Meetings

13. The Joint Committee will meet at least 4 times a year.

Organisation and Conduct of Meetings

14. Notice of meetings, circulation of papers, conduct of business at meetings and voting arrangements will follow the Standing Orders of the Authority which holds the Chair, or such Standing Orders which may be approved by the parent Authorities. Meetings will be open to members of the public.

Officer Support

15. The secretariat of the Joint Committee will alternate every two years between the two Authorities with the Chair. The costs of operating the Joint Committee will be met by the Council providing the secretariat services. The work of the Joint Committee will be serviced by a Joint Officer Steering Group which will assist the Chair and Vice Chair in setting agendas and brief them prior to meetings. They will also be responsible for communicating the views of the Joint Committee.

Disagreement Between the two Authorities

16. Where the members of the Joint Committee cannot arrive at a view on a particular issue which enjoys the support of the majority of members, that issue should be referred back to the relevant executive bodies of the two Councils.
17. Participation in the Joint Committee will not deter either Authority from expressing a dissenting opinion on any specific issue. The right to make representations at any consultation stage in the development plan making process or at an Examination in Public will not in any way be curtailed by membership of the Joint Committee.

Review

18. The role and operation of the Joint Committee will be kept under review, with a further complete review of its responsibilities and workings to be carried out not later than two years from the adoption of this revised protocol.

Police and Crime Panel

1. to review and submit a report or recommendation on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner;
2. to review the annual report and put questions regarding the report to the Police and Crime Commissioner at a public meeting, and submit a report or recommendation as necessary;
3. to hold a confirmation hearing and review, submit a report, and recommendation as necessary in respect of proposed senior appointments made by the Police and Crime Commissioner (Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner);
4. to review and submit a report and recommendation as necessary on the proposed precept;
5. to review or scrutinise decisions made or other action taken by the Police and Crime Commissioner in connection with the discharge of the Commissioner's functions;
6. to submit reports or recommendations to the Police and Crime Commissioner with respect to the discharge of the Commissioner's functions;
7. to support the effective exercise of the functions of the Police and Crime Commissioner;
8. to fulfil functions in relation to complaints in accordance with the Panel's responsibilities under the Police Reform and Social Responsibility Act 2011 (the Act);
9. to appoint an Acting Police and Crime Commissioner if necessary;
10. to suspend the Police and Crime Commissioner if it appears to the Panel that the Commissioner has been charged with a relevant offence;
11. to exercise any other functions delegated to police and crime panels under the Police Reform and Social Responsibility Act 2011 as required.

Operating Arrangements

12. The Panel is a joint committee of the county, city, borough and district councils in Nottinghamshire;
13. Nottinghamshire County Council will be the Host Authority in establishing and maintaining the Panel and will arrange the administrative, secretarial and professional support necessary to enable the Panel to fulfil its functions;

14. the Panel will be comprised of 10 Councillors and a minimum of two co-opted independent members. Councillor membership can be increased by co-opting additional members with the unanimous agreement of the Panel, and any proposal for an increase in membership would be subject to the approval of the Secretary of State;
15. all Members of the Panel may vote in proceedings;
16. the local authorities will co-operate to provide the Panel with additional officer support for research, training and development, or where particular expertise would be of assistance;
17. the local authorities will co-operate to ensure that the role of the Panel is promoted internally and externally and that members and officers involved in the work of the Panel are given support and guidance in relation to the Panel's functions;
18. the Panel must have regard to the Policing Protocol issued by the Home Secretary in carrying out its functions.

Financial Arrangements

19. The funding provided by the Home Office to support the work of the Panel will be received by the County Council as Host Authority. The Panel will seek to operate within the limit of the Home Office funding;
20. the Home Office funding includes a specified sum per member per annum to cover their expenses. Each local authority will be allocated the appropriate sum and will pay the expenses of its own representatives;
21. each authority has discretion to pay its representatives an allowance including any special responsibility allowance if they are appointed Chairman or Vice Chairman.

Membership – Appointed Members

22. Appointment of elected members to the Panel will be made by each local authority at its annual meeting or as soon as possible afterwards, in accordance with its procedures. Appointments will be made with a view to ensuring that the “balanced appointment objective” is met so far as is reasonably practicable, i.e. to:
 - a. represent all parts of the police area;
 - b. represent the political make-up of the relevant authorities and the Police Force area overall;
 - c. have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively;
23. the Panel's membership will be one Councillor appointed by each authority plus one additional Councillor appointed by Nottingham City Council;

24. it is for each council to decide whether to appoint executive or non-executive members (if applicable), however where there is an executive mayor they must be nominated as an authority's representative (although they are not under a duty to accept the nomination);
25. the Panel will review at its annual meeting whether or not the balanced appointment objective is being met and if it concludes that it is not, the Panel will determine what action is needed to meet the objective.

Membership – Co-opted Members

26. The Panel will co-opt two independent members in accordance with the eligibility criteria set out in the Act;
27. the Panel will invite nominations and will make arrangements for appointment;
28. independent members will be appointed for a term of 2 years. There will be no restriction on the overall time period that an independent member can serve on the Panel.

Conduct of Panel Members

29. Members appointed by authorities will be subject to their own authority's code of conduct. Independent co-optees will be subject to the Host Local Authority's code of conduct.

Vacancies

30. Each council will fill vacancies for elected members in accordance with the arrangements in its constitution. Vacancies for independent members will be filled in accordance with the selection process agreed by the Panel.

Resignation of Members

31. Members of the Panel who wish to resign should do so in writing to their appointing council (as applicable) who will in turn notify the Host Local Authority as soon as possible.

Removal of Appointed Members

32. Each local authority will have the right to change its appointed member at any time but must give notice to the Host Local Authority and ensure that replacement does not affect the political balance requirement.

Removal of Independent Members

33. An independent member may only be removed from office if an appointed member has given notice to the Host Local Authority at least 10 working days prior to a meeting of the Panel, of their intention to propose a motion that an independent member's co-option be terminated. At the subsequent

meeting, termination will only be confirmed if at least two-thirds of the persons who are members of the Panel at the time when the decision is made vote in favour of termination.

Amendments to Panel Arrangements

34. Changes to the Panel Arrangements can only be made with the unanimous approval of all the local authorities in the Nottinghamshire Force area. The only exception to this requirement is that the Panel can decide to increase the number of co-opted members, subject to Secretary of State approval. Any councillor co-options also require the agreement of all the members of the Panel.

Promotion of the Panel

35. The Panel Arrangements will be promoted by:
- a. the establishment and maintenance by the Host Local Authority of a webpage;
 - b. all the local authorities including information about the Panel on their websites;
 - c. appropriate support and guidance will be provided to members and officers of the local authorities in relation to the functions of the Panel.

Trusts and Charities Committee

- (a) To exercise the administrative powers and duties of Full Council in relation to all trusts for which the Council is sole trustee;
- (b) to exercise the administrative powers of the “Council as Trustee” in accordance with the relevant governing documents of each trust and Charity Commission Scheme(s);
- (c) upon receipt from colleagues, to administer and approve annual reports and accounts;
- (d) approve Charity Commission returns and all other regulatory documents;
- (e) respond to enquiries from Auditors or Independent Examiners;
- (f) inquire of and respond to the Charity Commission and any other regulatory bodies;
- (g) to approve expenditure for urgent or necessary works, repairs or other actions, up to the value of the maximum threshold for an Officer Decision, by the Chair and Vice- Chair, in consultation with an Opposition Councillor, with such approvals reported to the next meeting of the Trusts and Charities Committee.
- (h) day to day management of any City Trust or Charity with assistance from the Director for Strategic Finance, Director for Legal and Governance and/or Director for Strategic Asset and Property Management and/or other relevant colleagues, as appropriate;
- (i) to act as manager for the Trusts and Charities, and be authorised to take all necessary administrative decisions;
- (j) to compile and maintain a comprehensive and up to date list of all City Trusts and Charities;
- (k) to take any other action deemed appropriate or necessary to ensure the proper management and administration of all City Trusts and Charities.

The Trusts and Charities Committee is accountable to Council, has 9 members (politically balanced) and normally has 4 meetings per annum.

Investigating and Disciplinary Committee

- (a) To consider allegations against the Chief Executive, Section 151 Officer or Monitoring Officer (Statutory Officers) which may ultimately lead to his/ her dismissal, in accordance with the procedures agreed by Council;
- (b) to determine whether an allegation made against a Statutory Officer requires further investigation or other appropriate action;
- (c) to give informal, unrecorded oral warnings in appropriate cases where no further formal action is required;
- (d) to appoint an Independent Investigator, agree the terms of remuneration, provide the investigator with their terms of reference and working methods;
- (e) to take decisions on the suspension of the Chief Executive, Section 151 Officer or Monitoring Officer while investigations are undertaken (suspensions to be reviewed after two months in conjunction with the Independent Investigator);
- (f) to consider the recommendations of the Independent Investigator;
- (g) to determine whether action(s) short of dismissal should be imposed;
- (h) where dismissal is recommended, to refer matters to the Independent Panel for consideration, and;
- (i) to recommend dismissal to Full Council following the completion of the Executive Objections Procedure.

The Committee is accountable to Council, has 5 members and is politically balanced. One place is reserved for a member of the Executive.

Members of this Committee cannot also be members of the Appeals Committee.

The quorum for the Committee is 3, one of whom must be an Executive Member.

Substitute members are permitted for this committee.

Appeals Committee

- (a) To hear appeals by the Chief Executive, Section 151 Officer or Monitoring Officer against actions short of dismissal imposed by the Investigation and Disciplinary Committee in accordance with the procedures agreed by Council;
- (b) to consider the report of the Independent investigator and the findings of the Investigation and Disciplinary Committee;
- (c) to conduct further investigation where necessary;

- (d) to consider which of the following options to follow:
 - i. confirm the decision of the Investigation and Disciplinary Committee;
 - ii. impose lesser sanctions than those imposed by the Investigation and Disciplinary Committee;
 - iii. remove all sanctions imposed by the Investigation and Disciplinary Committee.

The decision of the Appeals Committee is final.

The Committee is accountable to Council, has 5 members and is politically balanced. One place is reserved for a member of the Executive.

Members of this Committee cannot also be members of the Investigation and Disciplinary Committee.

The quorum for the Committee is 3, one of whom must be an Executive Member.

Substitute members are permitted for this committee.

Independent Panel

- (a) To consider proposals for dismissal of the Chief Executive, Section 151 Officer or Monitoring Officer;
- (b) to offer advice, views or recommendations to Council on the proposal to dismiss.

The Committee is accountable to Council, and its membership comprises two independent persons who have been appointed under section 28(7) of the Localism Act 2011. Invitations for membership of the Panel will be issued in accordance with the following priority order:

- i. an independent person who has been appointed by Nottingham City Council and is a local government elector within Nottingham City;
- ii. any other Independent Person appointed by the Council;
- iii. an independent person who has been appointed by another council.

Both Panel Members must be present for the meeting to be quorate.