

**CITY OF NOTTINGHAM AND NOTTINGHAMSHIRE ECONOMIC
PROSPERITY COMMITTEE – 21 FEBRUARY 2014**

Subject:	Constitution (Terms of Reference, Membership and Procedures)		
Presenting authority / representative):	Glen O'Connell, Secretary to the Committee and Director, Legal and Democratic Services, Nottingham City Council		
Report author and contact details:	Debra La Mola, Head of Democratic Services, Nottingham City Council, 0115 8764292		
Key Decision	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Subject to call-in
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Value of decision: Not applicable			<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Authorities affected: All	Date of consultation with relevant authorities: N/A		
Summary of issues (including benefits to citizens/constituent authorities):			
For clarity at the first meeting of this body, this report sets out the Committee's agreed Constitution and offers clarification of key decision levels and scrutiny arrangements.			
Exempt information: None			
Recommendation(s):			
1 To note the Committee's Constitution (Terms of Reference, Membership and Procedures)			
2 To agree that a key decision should be defined for the purposes of the conduct of the business of the Economic Prosperity Committee as a decision which is likely: (a) to result in the Constituent authorities, either jointly or severally, incurring expenditure or making income or savings of £1,000,000 or more revenue, taking account of the overall impact of the decisions; or £1,000,000 or more capital; or (b) to be significant in terms of its effects on communities living or working in an area consisting of two or more wards or electoral divisions that fall within the boundaries of any of the constituent authorities of the committee.			
3 To agree that, at the next meeting, the Secretary submit for approval a call-in procedure to underpin item 15 of the constitution in relation to scrutiny of executive decisions taken by the Committee.			

1 REASONS FOR RECOMMENDATIONS

- 1.1 The Committee's Constitution, (its terms of reference, membership and procedures), which has been approved by all the constituent authorities is presented at this first meeting for information only. No amendments can be made to the Constitution other than by resolution of the constituent authorities. However, this report identifies two aspects of the Committee's constitutional arrangements which require clarification i.e. key decision levels and scrutiny procedures.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 Key Decisions

2.2 The Constitution envisages the taking of key decisions by the Committee. In drafting the terms of reference, there was a presumption that the key decision levels which would apply would be those of Nottingham City Council both as host authority and as the largest authority exercising executive governance arrangements with key decision levels most applicable to the scale of the projects likely to be the subject of consideration by this Committee. The Committee is asked to note, therefore, that a key decision would be one which would be likely:

a) to result in the Constituent authorities, either jointly or severally, incurring expenditure or making income or savings of £1,000,000 or more revenue, taking account of the overall impact of the decisions; or £1,000,000 or more capital; or

(b) to be significant in terms of its effects on communities living or working in an area consisting of two or more wards or electoral divisions that fall within the boundaries of any of the constituent authorities of the committee.

2.3 Scrutiny

2.4 Section 15.1 of the Committee's constitution provides that each constituent authority operating executive arrangements will be able to scrutinise the decisions of the Economic Prosperity Committee in accordance with that constituent authority's overview and scrutiny arrangements. In the event that an executive decision of the Committee was called-in, a procedure would be required to underpin this provision within the Constitution and to efficiently manage the call-in process, particularly ensuring that unnecessary duplication of scrutiny of decisions was avoided across constituent authorities. It is proposed that the Secretary prepare a call-in procedure for consideration at the next meeting.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

None. For the efficient and transparent conduct of the Committee's business clarity is required about key decision levels and call-in procedures.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

None.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

As a joint committee established in terms which make it capable of taking decisions involving expenditure and decisions having consequences for localities, it is potentially affected by the rules concerning Key Decisions and Call-in. The report reflects the initial understanding that the host authority's arrangements on Key Decisions be taken up as a starting point, with proposals on practical Call-in arrangements to follow at another meeting. It is understood that the prospective work programme for the Committee does not envisage any Key Decisions yet.

6 SOCIAL VALUE CONSIDERATIONS

Not applicable.

7 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council)
- (b) No
- (c) Yes – Equality Impact Assessment attached

Due regard should be given to the equality implications identified in any attached EIA.

8 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

None

9 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

Report to Nottingham City Council's Executive Board dated 21 January 2014 - Establishment of the City of Nottingham and Nottinghamshire Economic Prosperity Committee

10 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

None