

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 “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 Panels:

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

Overview and Scrutiny Committee

- (a) To set, manage and co-ordinate the overview and scrutiny work programme to ensure all statutory roles and responsibilities accorded to the overview and scrutiny function, with the exception of health scrutiny, are fulfilled, 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 policy and the strategy of the Council and other local decision-makers where it impacts on Nottingham residents;
 - iii. explore any matters affecting Nottingham and/ or its residents;
 - iv. make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive;
- (b) to maintain an overview of key strategic issues relevant to Nottingham and its residents to inform decisions about the work programme so that it is focused on, and adds value by the examination of, issues of local importance and concern;
- (c) to monitor the effectiveness of the overview and scrutiny work programme and the impact of outcomes from overview and scrutiny activity, including the outcomes of review panels;
- (d) to work with the other scrutiny committees, to support effective delivery of a co-ordinated overview and scrutiny work programme;
- (e) to establish a sub-committee known as the Call-In Panel to meet as required to consider call-in requests in accordance with the Council's Call-In Procedure;
- (f) to commission time-limited review 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 Overview and Scrutiny Committee;
- (g) to consider requests for councillor calls for action;
- (h) to receive petitions in accordance with the Council's Petitions Scheme;
- (i) to commission separate policy briefings to inform councillors about current key issues relevant to Nottingham, to aid decisions about the future overview and scrutiny work programme and prepare councillors to undertake overview and scrutiny work that has already been commissioned;
- (j) 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.

The Committee has 14 members. Membership must not include members of the Executive Board. The Committee is politically balanced, with allocation of seats between political groups determined on a year by year basis.

Scheme of voting rights for co-opted members of Scrutiny Committees

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 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.

Membership

The Call-in Panel comprises 9 councillors. Ordinarily, Overview and Scrutiny Committees/Panels should be politically balanced.

Chairing

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 10 members. Membership must not include members of the Executive Board. The Committee is politically balanced, with allocation of seats between political groups determined on a year by year basis.

Quorum

The quorum for a meeting of the Health Scrutiny Committee is three members.

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 instill public confidence.

Remit

- a) To set and manage a work programme to fulfil overview and scrutiny responsibility in relation to children and young people to:
 - (v) 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;
 - (vi) 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;
 - (vii) explore any matters affecting Nottingham's children and young people;
 - (viii) 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
- j) 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, with allocation of seats between political groups determined on a year by year basis.

When the Committee plans to consider an education issue, the statutory education co-optees* 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.

Quorum

The quorum for a meeting of the Committee is three members.

Overview and Scrutiny Review Panel(s)

Scrutiny Review Panels are time-limited sub-committees of the scrutiny committees, established by the committees to carry out reviews into issues of concern relevant to Nottingham, with a view to making recommendations for improvement.

A scrutiny review panel will be responsible for:

- (a) Scoping the review within the brief and timescale set by the committee.
- (b) Carrying out review work according to the scope and within the timescale set.
- (c) Writing a report on the findings of the review, including any recommendations. This will be sent by the review panel to those whom recommendations are directed towards, and reported to the relevant scrutiny committee for information.
- (d) Receiving the response(s) to recommendations
- (e) Reviewing progress against agreed recommendations (usually at a final meeting of the review panel).
- (f) Referring any further issues/ possible areas of work to the scrutiny committees.

Membership

Any non-executive councillor can be a member of a scrutiny review panel, but no councillor can scrutinise a decision that they have been involved in taking. The size of each scrutiny review panel will be set by the scrutiny committee that commissioned the review. It is recommended that each scrutiny review panel should comprise between 6-8 councillors. No substitutes are allowed.

Where matters being considered by a scrutiny review panel relate to education, the statutory education co-optees will be full and equal members of that review panel, with voting rights. The scrutiny committee can also choose to appoint additional co-opted members to sit on scrutiny review panels, in accordance with agreed arrangements governing overview and scrutiny co-option.

Chairing

The Chair of each review panel will be the Chair of the scrutiny committee that commissioned the review. As a part of his/ her role, the Chair will be responsible for reporting progress of the panel and any issues to the scrutiny committee and presenting the review panel's final report.

Meetings

Meetings to be held as required within the timescales specified by the scrutiny committee.

Quorum

Having regard to the limited size of scrutiny review panels (6-8 councillors), the quorum for a review panel has been fixed at 2.

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 performance manage the Health and Wellbeing Board commissioning plan and to agree changes to that plan based on monitoring and performance management considerations;
- (c) To take strategic funding decisions, including Key Decisions, relating to relevant pooled budgets as agreed in Section 75 Agreements (currently Better Care Fund, Domestic Violence and Tier 2 Child and Adolescent Mental Health Services);
- (d) To provide strategic oversight of the Priority Family Health and Wellbeing Strategy priority including implications for integrated children and families commissioning and funding decisions relating to Priority Families' schemes.

The Health and Wellbeing Board Commissioning Sub-Committee will meet on a quarterly basis. Extraordinary meetings of the Health and Wellbeing Board Commissioning Sub-Committee may be called if a decision is required urgently.

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

The meeting will be chaired in rotation by the Director for Commissioning and Procurement (City Council) and the Director of Cluster Development and Performance (Clinical Commissioning Group). In the absence of both of these members, the Chair will pass to the voting member present from the body next due to chair the meeting.

The City Council and Clinical Commissioning Group 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.

Membership

Voting Members

- The Portfolio Holder with a remit covering Health (City Council)
- Director of Commissioning and Procurement (City Council)
- Director of Cluster Development and Performance (Clinical Commissioning Group)
- GP Lead (Clinical Commissioning Group)

Substitution for voting members is permissible provided that the Chair is notified of the substitution in advance of the meeting.

Non Voting Members

- Director of Public Health (City Council)
- Assistant Director of Commissioning – Mental Health, Children and Families (Clinical Commissioning Group)
- Director of Commissioning, Policy and Insight (City Council)
- Head of Commissioning (City Council)
- Healthwatch Nottingham

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