
APPOINTMENT OF THE EXECUTIVE AND COMMITTEES 2023/24

1 SUMMARY

- 1.1 This report sets out proposals for the discharge of business during the 2023/24 Municipal Year.

2 INTRODUCTION

- 2.1 The Council is invited:-

- (1) To constitute and agree the allocation of seats to Committees with the terms of reference set out in Appendix 1.
- (2) To appoint the membership of Committees.
- (3) To appoint the Chairman and Vice-Chairman of Committees.
- (4) To appoint an Armed Forces Covenant Champion.

3 THE EXECUTIVE

- 3.1 The Leader of the Council has responsibility for appointments to an Executive that comprises the Leader and up to nine other Members. The Leader will announce to the Council the appointment of Members to the Executive, including the appointment of Deputy Leader and the allocation of any specific areas of responsibility, as soon as possible.

4 COMMITTEES

- 4.1 Details of standing Committees for 2023/24 and the delegations to them are set out in Part 3A of the Constitution. The Constitution requires that the Council appoints an Overview and Scrutiny Committee, a Standards Committee and other Committees to discharge functions that are neither reserved to Council or the Executive. The Council has a statutory duty to ensure that appointments to Committees reflect the proportion of the total number of seats on the Council held by each political group, unless otherwise agreed. Only one Member appointed to the Executive may also be appointed to the Standards Committee. If a Member is appointed to the Executive that same Member cannot be appointed to the Overview & Scrutiny Committee.
- 4.2 The Interim Director of People & Governance has calculated the allocation of seats on Committees in accordance with the Local Government and Housing Act 1989. This sets out the following criteria that must be followed when appointing Members to Committees:-
- (1) That not all the seats are held by Members of the same political group.

- (2) That, if a political group has a majority of the membership of the Council, then that group has the majority of the seats.
- (3) That, subject to principles (1) and (2) above, the total number of seats each political group has on all ordinary Committees is in proportion to that group's share of the total Council elected membership.
- (4) That, subject to principles (1), (2) and (3) above, each political group has the same proportion of seats as it holds on the Council as a whole.

The only exceptions to these criteria are Committees that the Council unanimously agrees may be constituted in some other manner.

- 4.3 As there is an unaligned Member, the seat allocation also includes the amendment to the 1989 Act by Regulation 16 of the Local Government (Committees and Political Groups) Regulations 1990 whereby in the case of Councillors who are not members of a political group, a proportion of seats on committees equal to the proportion of Council Members who do not belong to a political group has to be reserved, with appointments to these seats being made by the Council at its discretion.

5 MEMBERSHIP OF COMMITTEES

- 5.1 The current membership of the Council is as follows:-

Conservative	12
Liberal Democrat	9
Rochford District Residents	7
Independent & Green	5
Rochford District Independents	3
Independent Conservatives	2
Non Group	1

- 5.2 The proposed allocation of seats is as set out in appendix 1 to this report.
- 5.3 Each Group Leader has been asked to provide a list of Members to serve on Committees and details received of proposed membership will follow. The Council is reminded that, in appointing Members to Committees, it is obliged to give effect to the wishes of the political groups.

6 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

- 6.1 The Council is invited to appoint the Chairmen and Vice-Chairmen of Committees. Group Leaders have been asked to submit nominations for Members to serve as Chairmen and Vice-Chairmen. Details of these will follow.
- 6.2 Council has previously determined that any Member of the Council who is not a member of the majority Group can be nominated for the position of

Chairman of the Overview & Scrutiny Committee. Political Group Leaders have been asked to submit nominations for Members to serve as Chairman and Vice-Chairman of the Overview & Scrutiny Committee. Details of these will follow.

7 ARMED FORCES COVENANT CHAMPION

- 7.1 In 2012 Rochford District Council signed up to the Armed Forces Covenant. The aims of the covenant include: raising public awareness of issues affecting the armed forces community; reducing any disadvantages suffered by armed forces personnel as a result of their service; recognising sacrifices made by the armed forces; and encouraging activities which help to integrate the armed forces community with the wider community.
- 7.2 It is proposed that Council appoints an Armed Forces Covenant Champion for 2023/24 to work closely with officers to develop a series of actions and initiatives to support the principles of the Covenant. Cllr Mrs L A Butcher took on this role during 2022/23.

8 ENVIRONMENTAL IMPLICATIONS

- 8.1 None.

9 RESOURCE IMPLICATIONS

- 9.1 Provision is made within the 2023/24 estimates for the anticipated costs that will arise from the proposals contained within this report.

10 LEGAL IMPLICATIONS

- 10.1 None other than set out in the report.

11 EQUALITY AND DIVERSITY IMPLICATIONS

- 11.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups, as defined under the Equality Act 2010.

12 RECOMMENDATIONS

- 12.1 It is proposed that Council **RESOLVES**
- (1) That Committees be constituted as set out in appendix 1 to this report.
 - (2) That Members be appointed to serve on Committees for the 2023/24 Municipal Year.
 - (3) That the Chairmen and Vice-Chairmen of Committees be appointed for the 2023/24 Municipal Year.

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- (4) That a Member be appointed as Armed Forces Covenant Champion for the 2023/24 Municipal Year.



Andrew Hunkin

Interim Director of People & Governance

Background Papers:-

None.

For further information please contact Sonia Worthington (Principal Democratic & Corporate Services Officer) on:-

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If you would like this report in large print, Braille or another language please contact 01702 318111.

COMMITTEE SEAT ALLOCATIONS AS AT 23 MAY 2023

Committee	No. of Seats	Conservative (30.77%)	Liberal Democrat (23.08%)	Rochford District Residents (17.95%)	Independent & Green (12.82%)	Rochford District Independents (7.69%)	Independent Conservatives (5.13%)	Non Group (2.56%)
Audit	11	3	3	2	1	1	1	0
Chief Officer Appointments	9	3	2	2	1	1	0	0
Development	13	4	3	2	2	1	1	0
Licensing & Appeals	15	5	3	3	2	1	1	0
Overview & Scrutiny	15	5	3	3	2	1	1	0
Planning Policy	7	2	2	1	1	0	0	1
Standards	8	2	2	1	1	1	0	1
Statutory Officer Personnel	9	3	2	2	1	1	0	0
Total No. of Seats	87	27	20	16	11	7	4	2

Committee	Terms of Reference
Audit Committee	Those functions in relation to: - <ul style="list-style-type: none"> • matters arising out of internal audit and control reports, • the scope of internal audit activity, • review of the adequacy of governance and risk management arrangements and internal control, and • consideration of matters arising from external audit as are referred to it by the External Auditor. scrutiny of the treasury management strategy and policies.
Chief Officer Appointments Committee	To make recommendations in respect of the Head of Paid Service role, to appoint to any Chief Officer vacancies and determine any Chief Officer appointment matters that may arise during the Municipal Year.
Development Committee	Those functions in relation to town and country planning and development control as specified in this Part and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)
Licensing & Appeals Committee	Those functions in relation to appeals, licensing and registration and those functions under the Licensing Act 2003, the Gambling Act 2005, Animal Welfare Act 2018 and all associated or amending legislation as specified in this part and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).
Overview & Scrutiny Committee	The performance of all overview and scrutiny functions on behalf of the Council.
Planning Policy Committee	To review and report on the contents of evidence base documents, supplementary planning documents and the new Local Plan.
Standards Committee	All matters set out in paragraph 9.04 of Article 9 of this Constitution
Statutory Officer Personnel Committee	To be the Committee responsible for Statutory Officer discipline (relating to the Head of Paid Service; the Monitoring Officer; and the Chief Finance Officer), to have the powers of the Investigation and Disciplinary Committee in the JNC Chief Executive's Terms and

Committee	Terms of Reference
	<p>Conditions of Service Handbook and the Local Authorities (Standing Orders)(England) Regulations 2001, including for capability and grievances;</p> <p>To appoint independent investigators and independent advisers, as required;</p> <p>To suspend a Statutory Officer, if considered appropriate;</p> <p>To determine disciplinary and other action as considered appropriate;</p> <p>To agree severance terms for Statutory Officers, including where any severance package exceeds £100,000 and Members consider that it would be appropriate for the Committee to decide rather than report to Full Council</p>
<p>Independent Persons Panel *</p> <p>Minimum of 2 Independent Persons appointed by the Council (under section 28(7) of the Localism Act 2011 and, if at the relevant time there are fewer than two such Persons who are able to attend, then Independent Persons appointed by another neighbouring Council shall be invited to attend</p>	<p>In accordance with paragraph 6 of the Officer Employment Procedure Rules:</p> <ul style="list-style-type: none"> • To hear, consider, ask questions and comment in respect of Council procedures on Statutory Officer discipline (relating to the Head of Paid Service; the Monitoring Officer; and the Chief Finance Officer) that could lead to dismissal; and • Make a report and recommendation to Full Council in accordance with the Council's policies and Officer Employment Procedure Rules. <p>The Panel shall have access to external legal and professional advice as necessary, via the Monitoring Officer (or Deputy as appropriate).</p> <p>For the avoidance of doubt the Independent Persons Panel may, if considered expedient, meet concurrently with the Statutory Officer Personnel Committee hearing of a matter set out above; or may meet separately.</p>

* Note: this Panel is made up of Independent Persons, not Members of the Council