

---

## **APPOINTMENT OF THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES 2019/19**

### **1 SUMMARY**

- 1.1 This report sets out proposals for the discharge of business during the 2019/20 Municipal Year.

### **2 INTRODUCTION**

- 2.1 The Council is invited:-

- (1) To note the appointees to the Executive (including associated portfolios).
- (2) To constitute and agree the allocation of seats to Committees and a Sub-Committee.
- (3) To appoint the membership of Committees and a Sub-Committee.
- (4) To appoint the Chairmen and Vice-Chairmen of Committees and a Sub-Committee Chairman.

### **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. For 2019/20 the Leader's portfolio remit will include overall strategy and policy direction, including corporate policy development; national and regional issues; community leadership; partnership and joint working development; elections; the Local Enterprise Partnership; the Local Strategic Partnership and all residual functions of the Executive. The Leader's portfolio appointments, including Deputy Leader, will be announced at the meeting.

### **4 COMMITTEES**

- 4.1 Details of standing Committees for 2019/20 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 (namely the Review 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 Review Committee.
- 4.2 Council determined on 30 October 2018 that the Appeals and Licensing Committees be amalgamated into a single Licensing and Appeals Committee

with effect from the 2019/20 Municipal year. Terms of reference are set out in appendix 1 to the report and suggested amendments to pages 3.21 and 3.22 of the Council's Constitution are set out in appendix 2 to the report.

- 4.3 The Assistant Director, Legal & Democratic 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.

## 5 MEMBERSHIP OF COMMITTEES

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

Conservative Group	26
Rochford District Residents and Green Group	7
Liberal Democrat Group	3
Non-Group Members	3

- 5.2 The proposed allocation of seats is as indicated in the appendix 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. Set out at appendix 2 to this report are suggested amendments to Part 3 of the Constitution in respect of functions delegated to Committees that take account of a Chief Officer Appointments Committee and a combined Licensing and Appeals Committee being constituted.
- 5.4 The Members who will make up the Executive, which will include the Deputy Leader, will be circulated to Members as an addendum to this report.

---

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

**7 SUB-COMMITTEE**

- 7.1 There will be further ongoing work on developing the District's Local Plan and it would therefore be appropriate for Annual Council to re-constitute the Planning Policy Sub-Committee (6 Members), for the purpose of reviewing and reporting on the contents of planning policy documents, including the Local Plan, evidence base documents and supplementary planning documents.
- 7.2 As with Committees, the allocation of seats to a Sub-Committee should accord with the pro-rata criteria set out in the Local Government and Housing Act 1989, unless Council agrees unanimously that it may be constituted in some other manner. Group Leaders have been asked to submit nominations for Members to serve on a Planning Policy Sub-Committee, together with nominations for Chairman. Details of these will follow. The proposed allocation of Sub-Committee seats is as indicated in the appendix to this report.

**8 ENVIRONMENTAL IMPLICATIONS**

- 8.1 None.

**9 RESOURCE IMPLICATIONS**

- 9.1 Provision is made within the 2019/20 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 RECOMMENDATION**

12.1 It is proposed that Council **RESOLVES**

- (1) That appointees to the Executive (including Deputy Leader and associated portfolios) be noted.
- (2) That Committees and a Sub-Committee be constituted as shown in appendix 1 to this report and that the suggested amendments to pages 3.21 and 3.22 of the Constitution, as set out in appendix 2 to this report, be approved.
- (3) That Members be appointed to serve on Committees and a Sub-Committee for the 2019/20 Municipal Year.
- (4) That the Chairmen and Vice-Chairmen of Committees and a Sub-Committee Chairman be appointed.



Angela Law

Assistant Director, Legal & Democratic

---

**Background Papers:-**

None.

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

Phone: 01702 318141

Email: [sonia.worthington@rochford.gov.uk](mailto:sonia.worthington@rochford.gov.uk)

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

**COMMITTEE ALLOCATIONS – 2019/20**

<b>Committee</b>	<b>No. of Seats</b>	<b>Conservative (66.67%)</b>	<b>Liberal Democrat (7.69%)</b>	<b>Rochford District Residents and Green (17.95%)</b>	<b>Non-Group Members (7.69%)</b>
Audit	11	8	1	2	0
Chief Officer Appointments	9	6	1	2	0
Development	13	9	1	3	0
Investment Board	13	9	1	3	0
Licensing & Appeals	15	10	2	3	0
Review	15	10	2	3	0
Standards	8	6	1	1	0
<b>Total No. of Seats</b>	<b>84</b>	<b>58</b>	<b>9</b>	<b>17</b>	<b>0</b>

<b>Note - Terms of reference are as follows:-</b>	
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 further Chief Officer appointment matters, should they arise during the Municipal Year.
Licensing and Appeals Committee	To determine those functions in relation to appeals, licensing and registration and those functions under the Licensing Act 2003, the Gambling Act 2005 and all associated or amending legislation, as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

**SUB-COMMITTEE ALLOCATIONS – 2019/20**

<b>Sub-Committee</b>	<b>No. of Seats</b>	<b>Conservative (66.67%)</b>	<b>Liberal Democrat (7.69%)</b>	<b>Rochford District Residents and Green (17.95%)</b>	<b>Non-Group Members (7.69%)</b>
Planning Policy Sub-Committee	6	4	1	1	0
<b>Total Number of Seats</b>	<b>6</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>0</b>

<b>Note - Terms of reference are as follows:-</b>	
Planning Policy Sub-Committee	To review and report on the contents of planning policy documents, including the Local Plan, evidence base documents and supplementary planning documents.

**Appendix 2****3. Functions (Council) delegated to Committees**

<b>COMMITTEE</b>	<b>MEMBERSHIP</b>	<b>FUNCTION</b>
<b>Regulatory, Probity and Other Committees</b>		
Development Committee	13 Members of the Authority	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	15 Members of the Authority	Those functions in relation to appeals, licensing and registration and those functions under the Licensing Act 2003, the Gambling Act 2005 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) other than those that fall within the remit of the Licensing Committee.
Audit Committee	11 Members of the Authority	Those functions in relation to: - <ul style="list-style-type: none"> <li>• matters arising out of internal audit and control reports,</li> <li>• the scope of internal audit activity,</li> <li>• review of the adequacy of governance and risk management arrangements and internal control, and</li> <li>• consideration of matters arising from external audit as are referred to it by the External Auditor.</li> <li>• scrutiny of the treasury management strategy and policies.</li> </ul>
Standards Committee	8 Members of the Authority 3 Parish Council co-opted, non-voting Members	All matters set out in paragraph 9.04 of Article 9 of this Constitution
Investment Board	13 Members of the Authority	Those functions in relation to: - <ul style="list-style-type: none"> <li>• ensuring best use is made of sites and property.</li> <li>• monitoring the co-ordinated delivery of major schemes and projects to support property development and community facilities within the District.</li> <li>• shaping, challenging and reviewing business cases in relation to transformation and service development that require new investment in excess of £25,000.</li> </ul>



Chief Officer Appointments Committee	9 Members of the Authority	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.
--------------------------------------	----------------------------	--