
APPOINTMENT OF THE EXECUTIVE AND COMMITTEES 2022/23

1 SUMMARY

- 1.1 This report sets out proposals for the discharge of business during the 2022/23 Municipal Year.

2 INTRODUCTION

- 2.1 The Council is invited:-

- (1) To note the appointees to the Executive (including associated portfolios).
- (2) To agree that the Review Committee be renamed Overview & Scrutiny Committee with effect from this municipal year.
- (3) To constitute and agree the allocation of seats to Committees with the terms of reference set out in Appendix 1.
- (4) To appoint the membership of Committees.
- (5) To appoint the Chairmen and Vice-Chairmen of Committees.
- (6) 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. For 2022/23 the Leader's portfolio remit will include strategy, vision, policy, priorities and performance; national/regional issues; strategic engagement with other Authorities; lead on the Association of South Essex Local Authorities; outside bodies; customer experience; asset programme (Voyage) 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 2022/23 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 During 2021/22 the Centre for Governance & Scrutiny conducted a review of the Council's overview and scrutiny function. It was emphasised that scrutiny's overall role is to hold the Executive to account, to test out policy development, contribute to improved decision-making and to channel the voice of the public. The timetable of meetings for this municipal year has been adjusted to allow for pre-scrutiny; however, it was recommended that the name of the Committee be changed to more accurately reflect the important scrutiny function of the Committee. It is therefore recommended that the name of the Review Committee be changed to Overview and Scrutiny Committee with effect from this municipal year.
- 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 | 21 |
| Rochford District Residents | 10 |
| Liberal Democrat | 5 |
| Independent | 2 |
| Green | 1 |

- 5.2 The proposed allocation of seats is as indicated 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.

- 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 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 2022/23 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 2021/22.

8 ENVIRONMENTAL IMPLICATIONS

- 8.1 None.

9 RESOURCE IMPLICATIONS

- 9.1 Provision is made within the 2022/23 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 the Review Committee be renamed Overview & Scrutiny Committee with effect from this municipal year.
- (3) That Committees be constituted as set out in appendix 1 to this report.
- (4) That Members be appointed to serve on Committees for the 2022/23 Municipal Year.
- (5) That the Chairmen and Vice-Chairmen of Committees be appointed.
- (6) That a Member be appointed as Armed Forces Covenant Champion for the 2022/23 Municipal Year.



Angela Law

Assistant Director, Legal & Democratic

Background Papers:-

None.

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

Phone: 01702 318141

Email: sonia.worthington@rochford.gov.uk

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

COMMITTEE SEAT ALLOCATIONS AS AT 17 MAY 2022

| Committee | No. of Seats | Conservative (53.85%) | Rochford District Residents (25.64%) | Liberal Democrat (12.82%) | Independent (5.13%) | Non-Group (2.56%) |
|-----------------------------|---------------------|------------------------------|---|----------------------------------|----------------------------|--------------------------|
| Audit | 11 | 6 | 3 | 1 | 1 | 0 |
| Chief Officer Appointments | 9 | 5 | 2* | 1 | 0* | 0 |
| Development | 13 | 7 | 3 | 2 | 1 | 0 |
| Licensing & Appeals | 15 | 8 | 4 | 2 | 1 | 0 |
| Overview & Scrutiny | 15 | 8 | 4 | 2 | 1 | 0 |
| Planning Policy | 6 | 3 | 2 | 1 | 0 | 0 |
| Standards | 8 | 4** | 2 | 1 | 0** | 0 |
| Statutory Officer Personnel | 9 | 5 | 2* | 1 | 0* | 0 |
| Total No. of Seats | 86 | 46.5 | 23 | 11 | 5.5 | 0 |

* Note: Rochford District Residents and Independent Groups can each nominate to 1 additional seat on either Chief Officer Appointments Committee or Statutory Officer Personnel Committee.

** Note: Conservative and Independent Groups can each nominate to 1 additional seat on Standards Committee.

| Committee | Terms of Reference |
|---------------------------------------|--|
| Audit Committee | <p>Those functions in relation to: -</p> <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. <p>scrutiny of the treasury management strategy and policies.</p> |
| 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; To appoint independent investigators and independent advisers, as required; To suspend a Statutory Officer, if considered appropriate; To determine disciplinary and other action as considered appropriate; 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