

ANNUAL MEETING OF THE COUNCIL	DATE 25 May 2022	ITEM NO 10
TITLE Establishment of Committees to deal with matters which are neither reserved to the Council nor are executive functions; determination of the terms of reference and number of seats on such committees and the allocation of seats to political groups in accordance with the political balance rules	WARDS All	
CHIEF OFFICER Chief Executive	CABINET MEMBER(S) N/A	
DECISION CLASSIFICATION Non exempt report	IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING? Yes	

I. **Decisions Required**

The Council is requested:

- I.1. To establish the following Member-level Bodies for 2022/23 to deal with matters which are neither reserved to the Council nor are executive functions.

Standing Member-Level Bodies

Audit and Risk Management Panel
 Borough-wide Housing Panel (Vice-Chair only)
 Corporate Parenting Board
 Eltham and Kidbrooke Area Planning Committee
 General Purposes Committee
 Greenwich Area Planning Committee
 Health and Well-Being Board
 Highways Committee
 Licensing Committee
 Local Housing Panels (Vice Chairs only)
 Margaret McMillan Field Study Centre Sub-Committee
 Overview and Scrutiny Committee
 Overview and Scrutiny Call In Sub-Committee
 Pension Fund Investment and Administration Panel
 Planning Board

Scrutiny Panels (x6)
Standards Committee
Standing Advisory Council on Religious Education (SACRE)
Woolwich Area Planning Committee

Consultative Bodies

Greenwich Council Joint Committee
Schools Forum

(Note: A Special Meeting of the Licensing Committee will be held at the close of this Annual Council Meeting to establish and appoint Members to the Licensing Sub-Committees).

- 1.2. To agree the allocation of seats on Member-level bodies as set out in Appendix A, and that Part 3 Schedule B of the Constitution [membership numbers] be updated accordingly (Annexe I).
- 1.3. To agree the terms of reference of all Member level bodies for 2022/23 (Appendix B) and that Part 3 of the Constitution (Responsibility for Functions) be updated accordingly.
- 1.4. To agree the Chairs of the Scrutiny Panels for 2022/23 (Appendix C).
- 1.5. To agree that Dr Susan Blackall be appointed as Chair of the Standards Committee (and consequently Vice-Chair of the Audit and Risk Management Panel) and that Dr Susan Blackall (vice-chair) be appointed as an independent member of the Standards Committee.
- 1.6. To agree that the Chief Executive be authorised to (a) establish, in consultation with the Party Group Leaders, individual Appointment Panels based on the requirements of the post; and (b) appoint, in consultation with the Leader and Party Whips, Members to Appointment Panel.
- 1.7. To agree that the Chief Executive, in consultation with the Leader of the Council and the relevant Party Whip, be authorised to appoint to any vacancies on the bodies listed in 1.1 above or any that may arise during the Municipal Year 2022/23.

2. Links to the Royal Greenwich high level objectives

- 2.1 This report relates to the Council's agreed high level objectives as follows:

- A Healthier Greenwich
- A Safer Greenwich
- A Great Place to Grow Up
- Delivering Homes Through Economic Growth
- A Cleaner, Greener Greenwich
- Economic Prosperity for All
- A Great Place to Be
- A Strong Vibrant and Well-run Borough

3. **Purpose of Report and Executive Summary**

- 3.1 To establish Member-level Bodies for the municipal year to deal with matters which are neither reserved to the Council nor are executive functions; to determine the terms of reference and number of seats on such committees and to allocate seats to political groups in accordance with the political balance rules.

4. **Introduction and Background**

Political Balance

- 4.1 In accordance with the Local Government (Committees and Political Groups) Regulations 1990, notice was given to the Chief Executive, that following the local authority elections (May 2022) the following political groups had been established:-

Labour Group	- 52 Members
Conservative Group	- 3 Members

- 4.2 The Council has a duty to review the representation of different political groups on Member-level bodies to which the Council makes appointments. This review must be carried out at, or as soon as practicable after, the Annual Meeting.
- 4.3 In relation to appointments to committees of Council this needs to be appointed in accord with the political balance on the Council and principles below unless the matter can be resolved through Groups' Whips in liaison with the Chief Executive.
- a. That not all seats on a body are allocated to the same political group.

- b. That the majority of seats on the body are allocated to a political group which is a majority of the Council's membership.
 - c. That, subject to paragraphs a. and b. above, the total number of seats on all Committees which are allocated to each political group shall bear the same proportion as their relative strength on the Council as a whole.
 - d. That, subject to paragraphs a. to c. above, the number of seats on any individual body allocated to each political group bears the same proportion as to their relative strength on the Council (as far as practicable in relation to the size of the body).
- 4.6 A 'ready reckoner' setting out the allocation of seats in accordance with the current political balance is set out at Appendix A for Members' convenience.

Appointment Panels

- 4.7 The role of the Appointment Panel is to undertake all stages in the recruitment of Chief Officers. Under the Officer Employment Procedure Rules (Constitution – Part 4H) the Chief Executive, in consultation with the Leader, has authority to determine which other senior Officer posts should be recruited to at Member level.
- 4.8 Given the unique requirements of each post being recruited it is proposed that the Chief Executive, in consultation with the Party Group Leaders, is authorised to establish individual Appointment Panels. The Chief Executive already has delegated authority to appoint Members to individual Panels in consultation with the Leader of the Council and the Party Whips.

Planning Board and Area Planning Committees

- 4.9 The Council is the 'parent body' for both the Planning Board, which determines strategic planning applications, and the three geographical Area Planning Committees. It is anticipated that the Chair of Planning also chairs the Area Planning Committees and this is reflected in the Members' Allowances Scheme.

Audit and Risk Management Panel

- 4.10 The Audit and Risk Management Panel continues to act as the Council's Audit Committee as recommended by CIPFA. The Panel is chaired by the Chair of the Overview and Scrutiny Committee and independent Chair of the

Standards Committee is the vice-chair of the Audit and Risk Management Panel.

4.10 The Panel in 2022/23 is to continue to focus on governance and providing an independent assurance to the Council with regard to audit and risk management. Specifically the Panel will focus on:

- Statement of Accounts;
- Annual Governance Statement and Review;
- Scrutiny of the Internal Audit Plan (including identification of issues to be reported back to the Panel);
- Internal Audit End Year Performance;
- Risk Management Strategy (and key risks identified by the Panel for consideration at future meetings);
- Treasury Management;
- Capital Strategy; and
- Annual Audit Letter

4.11 Following changes in the Overview and Scrutiny function each of the Scrutiny Panels will be looking at risk and issues raised by audit. The Scrutiny Panels would report any concerns to the Audit and Risk Management Panel and the relevant Cabinet Member.

Licensing Committee

4.12 The Council at its meeting in January 2005 agreed to the establishment of a Licensing Committee to discharge the Authority's duties under the Licensing and Gambling Acts.

4.13 Following the Annual Meeting the Licensing Committee will meet to appoint its Sub-Committees for 2022/23. The Members of the Sub-Committees must be drawn from the main Committee and members must receive appropriate training before considering licensing applications.

Overview and Scrutiny Committee and Scrutiny Panels

4.14 It is proposed that the main Committee continues to comprise of the Chair of Overview and Scrutiny, the Chairs of the Scrutiny Panels, and two minority party members. The Panels to be established in 2022/23 are as follows:

- Children and Young People Scrutiny Panel
- Community Safety and Environment Scrutiny Panel

- Corporate Finance and Performance Scrutiny Panel
- Healthier Communities and Adult Social Care
- Housing and Anti-Poverty Scrutiny Panel
- Regeneration, Transport and Culture Scrutiny Panel

4.15 The work programme of Overview and Scrutiny Committee and the Scrutiny Panels will be presented to Council in June.

Scrutiny Panel Chairs and Membership

4.16 Under the Overview and Scrutiny Procedure Rules (Part 4B) of the Constitution it falls to the Council to appoint the Chair of the Scrutiny Panels. Appendix C details the nominations received from the Chief Whip for Scrutiny Panel Chairs for 2022/23. Should more than one nomination be received for each post the Council will be requested to vote.

4.17 At the Council Annual Meeting in 2016 it was agreed that the Scrutiny Panels are appointed by Council rather than the Overview and Scrutiny Committee. Each Panel is a stand-alone body of Council and it falls to the full Council to make these appointments. The Overview and Scrutiny Committee remains as the coordinating body for the function and will continue to oversee, and where necessary direct, the work programmes of the Panels.

Call In

4.18 The Call In Sub-Committee is now a formal body of Council and it falls to the Authority to make appointments to it. As those members who have called in the decision are barred from sitting on the Call-In Sub-Committee, should the matter be referred to that body for reconsideration, it is recommended that deputies are appointed. As a result of changes agreed at the 2014 Annual Meeting all non-executive councillors can now be able to exercise the power of call in, although to call in an executive decision still requires two signatories.

Health and Wellbeing Board

4.19 In line with the Health and Social Care Act 2012 the Council at its meeting on 27 March 2013 agreed to establish a Health and Wellbeing Board. Its broad function is to encourage integrated working in the provision of health and social care services in Greenwich. This includes the preparation of a strategic needs assessment and a strategic plan for the provision of services.

4.20 The councillor members can be appointed by full Council or the General Purposes Committee; however, Council can only appoint those nominated by the Leader. The Board itself under s194(8) of the 2012 Act “may appoint such additional persons to be members of the Board as it thinks appropriate”. Under the Regulations for the Board political proportionality rules does not apply.

Standards Committee

4.21 The membership of the Standards Committee is three independent members and three councillors (appointed in line with political balance). The Committee is chaired by one of the independent members. The Council is requested to re-appoint the independent Chair (Dr Susan Blackall). There are two vacancies on the Committee for an independent member which will be re-advertised this year.

Pensions

4.22 A Pension Board was established in 2015 as required under the Local Government Pension Scheme (Amendment) (Governance) Regulations 2015 and this is in addition to the Pension Fund Investment and Administration Panel. The purpose of the Board is to assist the Administering Authority in its role as a scheme manager of the Scheme. The role includes:

- Assist the Royal Borough of Greenwich Administering Authority as Scheme Manager:
 - to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS
 - to secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator
 - Any such other matters as the LGPS regulations may specify.
- Secure the effective and efficient governance and administration of the LGPS for the Royal Borough of Greenwich Pension Fund
- Provide the Scheme Manager with such information as it requires to ensure that any member of the Pension Board or person to be appointed to the Pension Board does not have a conflict of interest.

4.23 The Pensions Board consists of two employer and two member representatives. The employer representatives to the Board are appointed by the Council.

General Purposes

- 4.24 At the 2015 Annual Meeting it was agreed that the membership of the General Purposes Committee should be increased to four Members (three Labour and one Conservative). This was to reflect Council's decision to delegate Human Resources Strategies and Policies formally to the General Purposes Committee which already has authority on behalf of the Council for agreeing the salary level, within the agreed bandings, for a post with a remuneration of £100,000 or more in relation to a specific appointment.

Staff Consultative Bodies

- 4.25 The Head of Human Resources is currently reviewing the staff consultative mechanisms to take account of the modernised executive structures; and in particular the role of the Cabinet portfolio holder in leading discussions with employee representatives. There remains though a requirement to establish the Greenwich Joint Committee.

Other Bodies

- 4.26 There are no changes in relation to the Highways Committee, Margaret McMillan Field Study Centre Sub-Committee, Standing Advisory Council on Religious Education (SACRE), Borough-wide Housing Panel, and the Local Housing Panels. The latter form part of the Tenants' Compact and the Council nominates the vice-chair, the meetings of these bodies are open to all Members to attend.
- 4.27 On 27 January 2021 Cabinet agreed an amended constitution for the Schools Forum.
- 4.28 On 10 May 2017 Cabinet agreed the formation of a Corporate Parenting Board. The Board is not a Committee of the Council under s.101 of the Local Government Act 1972 and will have no delegated powers and is not subject to the rules under the 1972 Act and Part 8 of the Council's Constitution requiring public access to agendas and meetings.

5. Available Options

- 5.1 The bodies are established to undertake functions of the local authority, and in some cases are specifically required by legislation. If not established then, unless otherwise specified in legislation, the functions would have to be undertaken by full Council.

6. **Preferred Option**

6.1 To agree the recommendations in paragraph 1.

7. **Reasons for Recommendations**

7.1 The authority is required by legislation to establish certain bodies and also to comply with the Local Government (Committees and Political Groups) Regulations 1990. The recommendations will enable the Council to discharge its functions efficiently and effectively.

8. **Consultation Results**

8.1 Not applicable.

9. **Communication and Implementation of the Decision**

9.1 The decisions will be published on the Council's website.

10. **Cross-Cutting Issues and Implications**

Issue	Implications	Sign-off
Legal including Human Rights Act	The Local Government Act 1972, Part VI, makes provisions for the discharge of functions of the local authority to committees. This report forms part of the required business of the Annual Meeting of the Council, as stated in the Council's constitution, Part 4, A1.4.	John Scarborough, Director of Legal & HR, 20 May 2022
Finance and other resources including procurement implications	There are no financial implications arising from this report.	Damon Cook, Director of Finance 20 May 2022
Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.	Veronica Johnson, Head of Corporate Governance and Democratic Services 20 May 2022

Climate change	Not applicable as this is an administrative decision	Veronica Johnson, Head of Corporate Governance & Democratic Services 20 May 2022
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11. **Report Appendices**

11.1 The following documents are to be published with and form part of the report:

- Appendix A Allocation of Seats
- Appendix B Terms of References
- Appendix C Appointment of Scrutiny Panel Chairs
- Annexe I

12. **Background Papers**

12.1 None

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