

Bolsover District Council

Annual Council

26 May 2021

ESTABLISHMENT OF COMMITTEES AND ADVISORY GROUPS

Report of the Monitoring Officer and Solicitor to the Council

Classification: This report is public

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PURPOSE / SUMMARY

- To establish the Council's Committees and Advisory Groups for the 2021/22 Municipal Year.
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RECOMMENDATIONS

1. That the Council's Committees be established for the 2021/22 municipal year in accordance with Council Procedure Rule 1.1(k) as set out in Appendix 1 and Appendix 2;
2. That the size of the Committees as set out within Appendix 3 to the report be agreed for the 2021/22 municipal year in accordance with Council Procedure Rule 1.1(k);
3. That the Council agrees the allocation of seats of Committee is in accordance with the political balance rules (as set out in Appendix 3);
4. Members appointed to scrutiny committees for the 2020/21 municipal year are approved to conclude their review work informally for a period of two months.
5. That authority be delegated to the Monitoring Officer in consultation with the Leader of the Council and relevant Committee Chair (when appointed) to make amendments to the terms of reference for Committees arising within the 2021/22 municipal year.

Approved by the Leader of the Council

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Council is required to appoint at least one Scrutiny Committee and other such committees as the Council considers appropriate to deal with matter which are neither reserved to the Council Meeting nor are Executive Functions; decide the size and terms of reference for those committees; and decide the allocation of seats to political groups in accordance with the Political Balance rules.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Group Leaders

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

Good Governance

REPORT DETAILS

1 Background

1.1 In line with the provisions within legislation and the Council's constitution, the Annual Meeting of Council is required to:

- Appoint at least one Scrutiny Committee and other such committees as the Council considers appropriate to deal with matter which are neither reserved to the Council Meeting nor are Executive Functions;
- Decide the size and terms of reference for those committees;
- Decide the allocation of seats to political groups in accordance with the Political Balance rules.

2. Details of Proposal or Information

2.1 The size and terms of reference for each Committee is set out in **Appendix 1 and Appendix 2**. Changes to the current establishment are detailed in points 2.5-2.12 of this report.

2.2 **Appendix 3** to the report sets out the allocation of committee seats which best meets the requirements of Section 15 of the Local Government and Housing Act 1989 as far as is reasonably practicable.

2.3 The Committees are subject to the political balance requirements of the Local Government and Housing Act 1989. The Advisory Groups are not subject to the political balance requirements.

2.4 Nominations to committees are detailed in a separate report.

CHANGES TO ESTABLISHMENT

2.5 It is proposed that the membership of the Planning Committee is reduced to 8 and both the General Licensing and Licensing and Gambling Acts Committees are reduced to 10.

2.6 The Audit Committee and Budget Scrutiny Committee will be disestablished and replaced by a Scrutiny Committee with a combined terms of reference – the Audit and Corporate Overview Scrutiny Committee.

2.7 The remaining Scrutiny Committees have been renamed and terms of reference reallocated as set out in Appendix 1. Further, the 29 non-Executive seats on committees have been reallocated over four committees where before this was over three.

- 2.8 In order to complete the 2020/21 work of the existing scrutiny committees, the Members who were appointed to the former committees will continue to meet informally for a period of 2 months in order to complete outstanding review work.
- 2.9 To enhance the work of the newly established Scrutiny Committees, an Executive / Scrutiny protocol will be developed between Scrutiny and the Executive (with support from the Scrutiny Officer) prior to its consideration by the Standards Committee. Further, the Standards Committee will fully consider the terms of reference for the newly established committees retrospectively, suggesting any amendments through their review of the constitution or a delegation given to the Monitoring Officer.
- 2.10 A substitute scheme will be established for the scrutiny committees, permitting substitution by non-Executive Members only. This will be considered by the Standards Committee as part of their review of the Constitution.
- 2.11 Informal meetings will be scheduled Ad Hoc between Chairs of Scrutiny Committees and Portfolio Holders to facilitate good communication on review work.
- 2.12 An Employment and Personnel Committee is established with the terms of reference detailed within **Appendix 2** of the report.

3 Reasons for Recommendation

- 3.1 The report recommends that the allocation of Committee seats detailed best meets the requirements of Section 15 of the Local Government and Housing Act a far as reasonable practicable.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council is required within legislation and by the provisions within its constitution to establish committees at the annual meeting therefore no alternatives are suggested.

DOCUMENT INFORMATION

Appendix No	Title
1	Establishment of Committees and Terms of Reference
2	Establishment of Employment and Personnel Committee
3	Proportionality on Committees
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	