


REPORT TO EMERGENCY COMMITTEE

18 August 2020

Subject:	Appointment to Vacancies on Committee and Roles
Director:	Surjit Tour – Director of Law and Governance and Monitoring Officer
Contribution towards Vision 2030:	
Contact Officer(s):	Elaine Newsome Service Manager Democracy

DECISION RECOMMENDATIONS

That:

1. Approval be given to the amendments to the Cabinet Advisor areas of responsibility and appointments made to those roles as follows:-

Community and Neighbourhood Development – Councillor Hartwell;
 Adult Social Care and Health – Councillor S Jones;
 Community Wealth Building – Councillor Worsey;
 Skills and Employment – Councillor G Gill;
 Housing – Councillor M Hussain;
 Transport - Councillor Simms.

2. Councillors Bostan and Mabeena be appointed to fill the current vacancies on the Ethical Standards and Member Development Committee.

3. That Part 3 – Responsibility of Functions of the Council's Constitution be amended in relation to the membership of Ethical Standards and Member Development Committee to remove the requirement for a member of the Executive to sit on the Committee.

1 PURPOSE OF THE REPORT

- 1.1 The Council's Constitution sets out the executive, scrutiny and constitutional functions and the rules and procedures for how the Council operates. It also prescribes that the Council, at its Annual Meeting should make appointments to bodies that Council has determined should carry out its functions as a local authority and the portfolios and terms of reference for those persons and bodies.
- 1.2 At its meeting on 22 April 2020, the Emergency Committee acknowledged and confirmed that the Council's constitutional arrangements relating to meetings and the conduct of Council business shall be subject to the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the 2020 Regulations"). The Regulations have now removed the requirement to hold an Annual Meeting of the Council and therefore, subject to the calling of an annual meeting, the existing appointments to committees and other boards will continue for the 2020-2021 municipal year.
- 1.3 Where in year changes are required to the membership of committees, Council would normally consider and approve them. Emergency Committee has constitutional authority to exercise Council functions on its behalf in such circumstances that the Committee is enacted.
- 1.4 Due to changes in cabinet portfolios, a review of the remit and responsibilities of cabinet advisors has taken place.
- 1.5 The Cabinet Advisor roles were implemented in 2018 for the following policy areas:-

Housing
Adult Social Care and Health
Transport and Community Cohesion
Community and Neighbourhood Development
Children and Young People
Community Wealth Building

2 of the advisor roles are currently vacant.

- 1.6 It is now proposed to amend the Advisor roles to better align with Cabinet Member portfolio areas and to appoint members to the positions as follows:-

- Community and Neighbourhood Development – Councillor Hartwell;
- Adult Social Care and Health – Councillor S Jones;
- Community Wealth Building – Councillor Worsey;
- Skills and Employment – Councillor G Gill;
- Housing – Councillor M Hussain;
- Transport - Councillor Simms.

Revised role descriptions that reflect the changes to each of the cabinet advisor positions are appended to this report.

- 1.7 Emergency Committee are further requested to approve changes to the membership of the Ethical Standards and Member Development Committee to fill the current vacancies. It is proposed that Councillors Bostan and Mabeena are appointed to the Committee.
- 1.8 In addition, it is proposed to amend Part 3 – Responsibility of Functions of the Council’s Constitution to remove reference to a member of the Executive being appointed to the Ethical Standards and Member Development Committee as there is no legislative requirement for cabinet appointments to be made to the Committee and removal of the constitutional provision will facilitate the proposed appointments.

2 IMPLICATIONS FOR SANDWELL’S VISION

- 2.1 The Council’s decision-making structures are designed to support the delivery of Sandwell’s Vision 2030 and corporate plan.

3 STRATEGIC RESOURCE IMPLICATIONS

- 3.1 There are no direct resource implications arising from the appointment of members to positions within the structure. Any financial implications will be managed within existing budgets.

4 LEGAL AND GOVERNANCE CONSIDERATIONS

- 4.1 Council can determine the making of non-executive appointments to committees and other fora. Council is under a legal and constitutional obligation to make appointments to its committees, boards and other fora to ensure the effective operation of the Council’s functions and other obligations, duties and responsibilities. The Emergency Committee is able to exercise functions on behalf of Council in such circumstances that the constitutional provisions for the operation of the committee are met.

5 ALTERNATIVE OPTIONS

- 5.1 Appointment to the Cabinet Advisor roles and Ethical Standards and Member Development Committee could be delayed until the next meeting of Council, however this may impact on the ability of the council to function effectively.

6 DATA PROTECTION IMPACT ASSESSMENT

- 6.1 A data protection impact assessment is not required.

7 EQUALITY IMPACT ASSESSMENT

- 7.1 An equality impact assessment is not required.

8 CRIME AND DISORDER AND RISK ASSESSMENT

- 8.1 A crime and disorder and risk assessment is not required.

9 SUSTAINABILITY OF PROPOSALS

- 9.1 The appointments would remain in place until such time as an annual meeting of the Council takes place, at which point appointments to committees and other bodies would be reviewed.

10 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 10.1 The role of a number of cabinet advisors contribute to the health and wellbeing and social value objectives of the council.

11 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 11.1 There are no implications for Council managed land or property.

Surjit Tour

Director of Law and Governance and Monitoring Officer