

version as at 24 May 2022

# APPENDIX 1

## MAY 2022

### APPOINTMENTS SCHEDULE

#### COMMITTEE APPOINTMENTS

##### AUDIT COMMITTEE (13 members)

*Group / Seats*

**Chair:** Dean Ruddle

**Vice-Chair:** Andy Sully

**Membership:** *(CIPFA advice is no Cabinet members and preferably no high profile scrutiny members to be appointed)*

Mike Caswell	Con (4)
Norman Cavill	(and 1 place
Mandy Chilcott	returned from
Peter Clayton	minority
Mike Lewis	political groups)
Hugh Davies (Independent)	Green/Labour/ Independent (2)
Lee Baker	Lib Dem (7)
Habib Farbahi	
Simon Carswell	
Tim Kerley	
Dean Ruddle	
Jeny Snell	
Andy Sully	

**CONSTITUTION AND GOVERNANCE COMMITTEE (13 elected members)**

***Groups / Seats***

**Chair:**Theo Butt Philip

**Vice Chair:** Simon Carswell

**Membership – elected members:**

Steven Pugsley Barry Clarke Christine Lawrence Sue Osborne	Con (4)
Helen Kay (Green) Hugh Davies (Independent)	Green/Labour/ Independent (2)
Theo Butt Philip Simon Carswell Dawn Johnson Martin Lovell Mike Murphy Richard Wilkins Alex Wiltshire	Lib Dem (7)

**HUMAN RESOURCES COMMITTEE (13 elected members)**

***Groups / Seats***

**Chair:** Liz Leyshon (*This Committee is chaired by the Cabinet member with responsibility for HR issues*)

**Membership:**

Suria Aujla Andy Dingwall David Fothergill Mark Healey Diogo Rodriques	Con (4) (and 1 place returned from minority political groups)
Leigh Redman (Labour)	Green/Labour/ Independent (2)
Andy Kendall Liz Leyshon Graham Oakes Emily Pearlstone Tony Robbins Mike Stanton Sarah Wakefield	Lib Dem (7)

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services

**OFFICER APPEALS COMMITTEE (13 members)**

***Groups / Seats***

**Chair:** (appointment delegated to the Committee)

**Membership:** (Committee of 3 members chosen from the 9 to hear each appeal – members **must** receive appropriate training in HR issues to be allowed to participate)

Tony Grimes  
Martin Wale  
Brian Bolt  
John Woodman

Con (4)

Martin Dimery (Green)

Green/Labour/  
Independent (2)

Lee Baker  
Nicola Clark  
Pauline Ham  
Martin Lovell  
Wes Read  
Fran Smith  
Richard Wilkins

Lib Dem (7)  
(and 1 place returned  
from minority political  
groups)

Additional place to be advised

**PENSION FUND COMMITTEE (4 elected members)**

***Groups / Seats***

**Chair:** Simon Coles

**Membership:** (not to include Cabinet Members)

John Woodman

Con (1)

Simon Coles  
Habib Farbahi  
Henry Hobhouse

Lib Dem (3)

**Non-elected Membership:**

(4 voting representatives for the district councils, Avon & Somerset Police Authority, other bodies in the scheme & Unison)

Cllr R Henley – representing the district councils  
Mr P Butler – Avon & Somerset Police & Crime Commissioner  
vacancy – representing other employers  
Sarah Payne – representative of pension scheme members

**REGULATION COMMITTEE (13 members)**

**Chair: Tony Lock**

**Vice-Chair: Simon Coles**

***Groups / Seats***

**Membership:** *(no Cabinet members. Members **must** receive training in planning, rights of way and village green issues before taking part in a committee meeting)*

Brian Bolt  
Mike Caswell  
Tony Grimes  
Martin Wale

Con (4)

Michael Dunk (Green)  
Kathy Pearce (Labour)

Green/Labour/  
Independent (2)

Jason Baker  
Simon Coles  
Edric Hobbs  
Tony Lock  
Matt Martin  
Mike Murphy  
Andy Soughton

Lib Dem (7)

Named substitutes

To be advised

Con (2)

To be advised

Green/Labour/  
Independent (1)

To be advised

Adam Boyden  
Henry Hobhouse  
Andy Kendall  
Harry Munt

Lib Dem (4)

**SCRUTINY FOR POLICIES, ADULTS AND HEALTH COMMITTEE**

***Groups / Seats***

**(13 members)**

**Chair: Rosemary Woods**

**Vice-Chair: Graham Oakes**

**Membership:** *(no Cabinet members to be appointed)*

Rosemary Woods (Chair)

Con (4)

Dawn Denton

Christine Lawrence

Alistair Hendry

Hilary Bruce (Labour)

Green/Labour/  
Independent (2)

Andrew Govier (Labour)

Nick Cottle

Lib Dem (7)

Ben Ferguson

Graham Oakes

Emily Pearlstone

Tony Robbins

Fran Smith

Claire Sully

**SCRUTINY FOR POLICIES, CHILDREN & FAMILIES**

***Groups / Seats***

**(13 members)**

**Chair: Leigh Redman**

**Vice-Chair: Oliver Patrick**

**Membership:** *(no Cabinet members to be appointed)*

Suria Aujla

Con (4)

Andy Hadley

Susy Hart

Bente Height

Leigh Redman (Labour)

Green/Labour/  
Independent (2)

John Hunt (independent)

Jason Baker

Lib Dem (7)

Simon Carswell

Pauline Ham

Jenny Kenton

Oliver Patrick

Evie Potts-Jones

Jeny Snell

version as at 24 May 2022

Voting non-elected representatives for the consideration of education matters only:

Ruth Hobbs  
Mrs E Tipper

School Gov  
Reps (2)  
Schools Forum  
(1)  
Parent Gov Reps  
(2)

Vacancy

Church Rep (2)

Vacancy  
Vacancy

Vacancy – Roman Catholic Diocesan Rep  
Revd T Osmond – Church of England Diocese

**SCRUTINY FOR POLICIES AND ENVIRONMENT COMMITTEE**

**(13 members)**

***Groups / Seats***

**Chair: Martin Dimery**

**Vice-Chair: Adam Boyden**

**Membership:** *(no Cabinet members to be appointed)*

Steve Ashton  
Alan Bradford  
Barry Clarke  
Tom Power

Con (4)

Martin Dimery (Green)  
Kathy Pearce (Labour)

Green/Labour/  
Independent (2)

Adam Boyden  
Henry Hobhouse  
Marcus Kravis  
Matt Martin  
Harry Munt  
Jo Roundell-Greene  
Alex Wiltshire

Lib Dem (7)

**SCRUTINY FOR POLICIES AND PLACE COMMITTEE**

***Groups / Seats***

**(13 members)**

**Chair: Gwil Wren**

**Vice-Chair: Dawn Johnson**

**Membership:** *(no Cabinet members to be appointed)*

Marcus Barr  
Lance Duddridge  
Andy Dingwall  
Philip Ham

Con (4)

Gwil Wren (Independent)  
Dave Mansell (Green)

Green/Labour/  
Independent (2)

Theo Butt Philip  
Tom Deakin  
Edric Hobbs  
Dawn Johnson  
Hazel Prior-Sankey  
Wes Read  
Andy Soughton

Lib Dem (7)

**Scrutiny Committee – Joint Scrutiny for Local Government  
Reorganisation Committee**

***Groups / Seats***

**(16 members, 8 County Council and 8 District Councils)**

**Chair: Bob Filmer**

**Vice-Chair: Jo Roundell-Greene**

**Membership:** *(8 members - no Cabinet members to be appointed)*

Bob Filmer (Chair)  
Mandy Chilcott

Con (3)

Dave Mansell (Green)  
Brian Smedley (Labour)

Green/Labour/  
Independent (1  
place allocated  
from Libertal  
Democrats and  
1 place from  
Conservatives)

Theo Butt Philip  
Tom Deakin  
Hazel Prior-Sankey  
Jo Roundell-Greene

Lib Dem (5)

**District Council Elected Representatives (8 elected members)**

**2 members – Mendip District Council (to be confirmed)**

**2 members – Sedgemoor District Council (to be confirmed)**

**2 members – Somerset West and Taunton Council (to be confirmed)**

**2 members – South Somerset District Council (to be confirmed)**

**SOMERSET HEALTH AND WELLBEING BOARD**

***Groups / Seats***

**Chair: Bill Revans**

**Vice Chair (SCC):**

**Vice Chair (CCG): Dr Ed Ford**

**Membership** *(overall membership agreed by the Council):*

**Proposed County Council membership – subject to the approval of the Leader** *(5 members appointed by the Leader – generally includes relevant Executive Members with responsibilities for Children's Services, Education, Public Health and Adult Social Care)*

Gill Slocombe

Lucy Trimnell

Con (2)

Green/Labour/

Independent (0)

Adam Dance

Tessa Munt

Bill Revans

Lib Dem (3)

**District Council Elected Representatives (1 elected member per Council)**

Ros Wyke – Mendip District Council

Janet Keen – Sedgemoor District Council

Chris Booth – Somerset West and Taunton Council

Brian Hamilton – South Somerset District Council

**Officers and Independent Members**

Ms Trudi Grant (SCC)

Ms Mel Lock (SCC)

Mr Julian Wooster (SCC)

Dr Alex Murray (Clinical Commissioning Group)

Mr James Rimmer (Clinical Commissioning Group)

Dr Ed Ford (Clinical Commissioning Group) – Vice Chair

Mark Cooke (NHS England)

Judith Goodchild (HealthWatch)

Superintendent Dickon Turner, Avon and Somerset Police

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services



**STANDARDS COMMITTEE (5 elected members and 5 co-opted members)** *Groups / Seats*

**Chair: John Bailey**

**Membership – elected members:** *(5 member committee political proportionality requirements waved by the Council – all political groups represented – 1 member each )*

Norman Cavill	Con (1)
Martin Dimery	Green(1)
Brian Smedley	Labour (1)
Hugh Davies	Independent (1)
John Bailey	Lib Dem (1)

**Membership – co-opted non-voting members (5):**

Alan Hemsley  
Paul Hooper  
Robin Horton  
David Stripp  
Vacancy

**SOMERSET PENSIONS BOARD (6 – 3 Employer reps, 3 Member reps)**

*Groups / Seats*

**Chair: (appointment delegated to the Board)**

**Membership:** *(one elected member to be included as an 'employer' rep)*

3 'Employer' reps:

Andy Sully  
Mrs Rachel Ellins (Officer, County Council)  
Cllr Anne Hills (Frome Town Council)

Lib Dem (1)

3 'Member' reps

Mr N Behan (Unite)  
Rod Bryant  
Anthony White

**APPOINTMENTS TO OTHER AUTHORITIES**

**DEVON AND SOMERSET COMBINED FIRE AUTHORITY**  
**(8 members)**

***Groups / Seats***

*Chair's appointment is made by the Fire Authority itself*

**SCC's Membership:**

Peter Clayton	Con (3)
Tom Power	
John Woodman	Green/Labour/ Independent (0)
Mike Best	
Simon Coles	
Andy Kendall	
Tim Kerley	
Andy Sully	Lib Dem (5)

**EXMOOR NATIONAL PARK AUTHORITY (4 members)**

***Groups / Seats***

*Chair's appointment is made by the Park Authority itself*

**SCC's Membership:**

Frances Nicholson	Con (1)
Theo Butt Philip	
Marcus Kravis	Lib Dem (3)
Fran Smith	

**FOR INFORMATION**

**EXECUTIVE (SUBJECT TO DECISION BY THE LEADER OF THE COUNCIL)**

Note these are draft proposals at this stage:

- Leader of the Council – Bill Revans
- Deputy Leader of the Council and Lead Member on Finance and Human Resources – Liz Leyshon
- Lead Member for Children and Families – Tessa Munt
- Lead Member for Adult Social Care – Heather Shearer
- Lead Member for Transport and Digital – Mike Rigby
- Lead Member for Public Health, Equalities and Diversity – Adam Dance
- Lead Member for Local Government Reorganisation & Prosperity – Val Keitch
- Lead Member for Environment and Climate Change – Sarah Dyke
- Lead Member for Development and Assets – Ros Wyke
- Lead Member for Communities – Federica Smith-Roberts

**Associate Lead Members (SUBJECT TO DECISION BY THE LEADER OF THE COUNCIL)**

Note these are draft proposals at this stage:

- Associate Lead Member for Governance and Communications –Derek Perry
- Associate Lead Member for Finance – Peter Seib
- Associate Lead Member for Education – Caroline Ellis
- Associate Lead Member for Adult Social Care – Mike Stanton
- Associate Lead Member for Transport & Digital – Mike Hewitson
- Associate Lead Member for Public Health – Ross Henley
- Associate Lead Member for Economic Development & Inward Investment – David Woan
- Associate Lead Member for Environment & Climate Change – Dixie Darch
- Associate Lead Member for Development & Assets – Sarah Wakefield
- Associate Lead Member for Communities – Nic Clark

**OPPOSITION APPOINTMENTS**

**CONSERVATIVE GROUP**

**Leader:** David Fothergill

**Deputy Leader:** Mandy Chilcott

Cabinet Member	Opposition Group Spokesperson
(Leader of the Council) (Deputy Leader) and Lead Member for Finance and Human Resources	David Fothergill Mandy Chilcott
Lead Member for Children & Families	Frances Nicholson
Lead Member for Adult Social Care	Sue Osborne
Lead Member for Transport & Digital	Diogo Rodrigues
Lead Member for Public Health & Equalities	Lucy Trimmell
Lead Member for LGR & Prosperity	Faye Purbrick (LGR) and Mark Healey (Prosperity)
Lead Member for Environment & Climate Change	Connor Payne
Lead Member for Development & Assets	Bob Filmer
Lead Member for Communities	Faye Purbrick

**LABOUR GROUP**

**Leader:** Leigh Redman

**GREEN GROUP**

**Leader:** Martin Dimery

**INDEPENDENT GROUP**

**Leader:** John Hunt

**Armed Forces Member Champion :** Henry Hobhouse

## **Terms of reference for proposed new committees**

### **SCRUTINY COMMITTEE POLICIES, ENVIRONMENT**

#### **FUNCTIONS:**

Functional areas that are the responsibility of the Committee are as follows:

- Climate Change & Carbon Reduction
- Environment services (and appointment of members to the Joint Waste Scrutiny Panel with the district councils)
- Planning Policy
- Property & Asset Strategy
- Flooding & Water Management
- Energy and Sustainability
- Scientific services
- Countryside and Areas of National Beauty

#### **FORM AND COMPOSITION:**

The Committee comprises 13 elected Members reflecting the political composition of the Council.

#### **QUORUM:**

A minimum of 5 elected members are required to be present for a valid meeting to take place.

### **CONSTITUTION AND GOVERNANCE COMMITTEE**

**FUNCTIONS:** In summary, the Committee's main responsibilities relate to reviewing and updating the Council's Constitution and its governance framework.

#### Constitutional matters:

The Committee is responsible for:

- (a) Maintaining an effective, up to date and legally compliant Constitution.
- (b) Considering proposals from Council committees for changes to the constitutional arrangements of the Council.
- (c) Approving in-year changes to individual parts of the Constitution and submitting an annual report to the Council recommending a revised Constitution for approval to the Council's Annual General Meeting. See notes below.
- (d) Taking all required decisions in respect of the County Council elections;
- (e) Overseeing the Council's input and response to boundary or electoral reviews as required by the Boundary Commission.
- (f) Developing the Constitution for the new Somerset Council

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services

Notes: The delegation set out in (c) above exclude approval of:

- Any changes to the operational arrangements of the Council including the Committee structure – which will be referred to Council for approval as a recommendation
- The Scheme of Members' Allowances which is approved by the Council on the recommendation of the Joint Independent Remuneration Panel;
- The Council's executive arrangements, which are the responsibility of the Leader of Council;
- Any change to the Council's model of democratic governance under the Localism Act 2011.

## **FORM AND COMPOSITION:**

The Constitution and Governance Committee comprises 13 elected members. Substitutes will be permitted for the elected members appointed to the Committee. The Chair is appointed by the Council on an annual basis.

## **QUORUM:**

A minimum of 5 elected members is required for a valid meeting of the Committee.

## **STANDARDS COMMITTEE**

### **FUNCTIONS:**

The Standards Committee is expected to be apolitical in carrying out its functions and its responsibilities. The Committee promotes and maintains high standards of conduct by elected Members and Co-opted Members of Council and Council bodies.

The Committee:-

- (a) Has responsibility for promoting high standards of conduct by Members, Co-opted Members and Officers and for the policies and processes which support this aim.
- (b) Advises on the induction and training of Members and Co-opted Members on standards of conduct ;
- (c) Monitors the operation of the Members' Code of Conduct and recommends any changes considered necessary to the Code to the Council for approval.
- (d) Has responsibility for overseeing the Standards of Conduct for officers and recommending any changes considered necessary to the Council for approval
- (e) Manages the members' and officers' registers of interests and gifts / hospitality;
- (f) Monitors the Council's Whistleblowing Policy and make recommendations to the Council in respect of any proposed changes.

The Committee has no role in considering or determining member complaints.

## **FORM AND COMPOSITION:**

The Constitution and Standards Committee comprises of 1 elected member per political group (currently 5 elected Members) [but no Cabinet Members] and 5 Co-opted Members without voting rights. Substitutes will be permitted for the elected members appointed to the Committee. The Chair is appointed by the Council on an annual basis. Council has agreed to waive the political proportionality requirements for appointments to the Committee to enable all of the political groups on the Council to be represented.

## **QUORUM:**

A minimum of 3 elected members is required for a valid meeting of the Committee.

## **LOCAL GOVERNMENT REORGANISATION JOINT SCRUTINY COMMITTEE**

### **Draft Terms of Reference**

#### **1. Purpose**

- 1.1 Mendip District Council, Sedgemoor District Council, Somerset County Council, Somerset West and Taunton Council and South Somerset District Council ("the Constituent Councils") are proposing to form a Joint Scrutiny Committee, known as the Local Government Reorganisation Joint Scrutiny Committee ("JSC") to provide overview and scrutiny of the Local Government Reorganisation ("LGR") Implementation Plan and LGR Implementation Budget in relation to the implementation of a single unitary council (Somerset Council) for Somerset on 1 April 2023.
- 1.2 The establishment of Somerset Council as the single unitary council is set out in the Somerset Structural Changes Order 2022 which further defines the functions and responsibilities of the County Council's Executive and the Implementation Team.

#### **2. Governance**

- 2.1 The JSC will act as a Joint Committee under s 101 and s 102 Local Government Act 1972 and as an overview and scrutiny committee under s 21 Local Government Act 2000 (as amended).

#### **3. Scrutiny Function**

- 3.1 The JSC will provide the joint overview and scrutiny function for LGR and the Constituent Councils will be asked to delegate the overview of the LGR Implementation Plan and LGR Implementation

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services

version as at 24 May 2022

Budget to the JSC. This will be to the exclusion of the Constituent Councils own overview and scrutiny arrangements.

#### **4. Roles, Duties and Responsibilities**

4.1 The role of the JSC will be to exercise the overview of the LGR Implementation Plan and LGR Implementation Budget on behalf of the Constituent Councils in accordance with the powers outlined in S21 Local Government Act 2000 to include:-

- Developing a forward work programme of activities.
- Reviewing or scrutinising decisions made, or other action taken by the County Council's Executive and the proposed LGR Implementation Board.
- Seeking reassurance and considering whether the County Council's Executive and the proposed LGR Implementation Board is operating in accordance with the implementation plan for LGR and is being managed effectively.
- Holding the County Council's Executive and the proposed LGR Implementation Board to account by providing critical challenge to ensure that it provides the high-level strategic direction for the implementation of the new unitary Council.
- Reviewing progress in relation to the implementation plan and identifying to the County Council's Executive and the proposed LGR Implementation Board barriers to progress, best practice and possible improvements.
- Scrutinising the level of requests to be made to each Constituent Council for allocation from their revenue and capital allocations to support delivery of the implementation plan.
- Scrutinising the form, function, and constitution of the proposed local community networks (LCNs).
- Scrutinising the plans to align existing LGR related change activities cross the Councils.
- Scrutinising the development of the Somerset Council's annual budget 2023/24 and the associated medium term financial plan.
- Scrutinising the development of policies and protocols for Somerset Council and across the Constituent Councils for use during the transition period.

#### **5. Membership / Substitute Members**

5.1 The JSC will be made up of 16 members drawn from the overview and scrutiny members of the Constituent Councils as follows:

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services



version as at 24 May 2022

- Somerset County Council (8 members)
- Somerset West and Taunton Council (2 members)
- South Somerset District Council (2 members)
- Sedgemoor District Council (2 members)
- Mendip District Council (2 members)

It is proposed that the relevant overview and scrutiny committee of each Constituent Council nominates members from their membership to the JSC. Any subsequent appointments or nomination of substitutes is a matter for the Chair of the respective overview and scrutiny committee of each Constituent Council.

- 5.2 Political proportionality will apply to those appointments (and to that of any substitute) and the political representation should represent the political make up of each of the Constituent Councils.
- 5.3 Each member will have one vote.
- 5.4 Executive members of the Constituent Councils are precluded from sitting as members of the JSC.
- 5.5 The Chair of the relevant overview and scrutiny committee of each Constituent Council may appoint an overview and scrutiny member to act as a substitute where one of their members is unable to attend a meeting of the JSC. Substitutions may only be made on a meeting by meeting basis and if the appointed member(s) is unable to attend a meeting of the JSC. Any substitutions must be notified to the Scrutiny Officer of the Administering Council (as defined in Paragraph 9.1. below) ("the Scrutiny Officer") by 9.00am on the day of the relevant meeting.
- 5.6 Reflecting the importance of engaging with stakeholders across Somerset, the JSC will be able to invite representatives to meetings where it considers that they will contribute to the delivery of an effective scrutiny function.

## **6. Term**

- 6.1 The Term of the JSC shall end on 31 March 2023 or earlier in the event of a decision of the five Constituent Councils to end the joint scrutiny arrangements.

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services

## **7. Work Programme**

- 7.1 The JSC will maintain a work programme of activities. Constituent Council scrutiny committees may ask the JSC to consider matters for inclusion in the work programme. The final decision will be a matter for the JSC.

## **8. Reporting Arrangements**

- 8.1 The work and recommendations of the JSC will be reported to the proposed LGR Implementation Board and County Council's Executive as necessary. Members of the JSC may make reports to their own Constituent Councils in accordance with their own governance procedures.

## **9. Meetings, agendas, reports and minutes**

- 9.1 The administering Constituent Council shall be Somerset County Council ("the Administering Council").
- 9.2 The Administering Council shall appoint a statutory scrutiny officer ("the Statutory Scrutiny Officer") as defined in S9FB Local Government Act 2000. The scrutiny officers from the other Constituent Councils shall work with the Statutory Scrutiny Officer in supporting the JSC.
- 9.2 The overview and scrutiny process will be open and transparent in accordance with the Local Government Act 1972 and meetings will be held in public (unless the JSC agree to exclude the press and public for part of the meeting) and accessible online to ensure increased transparency.
- 9.3 The agenda and supporting papers will be published by the Administering Council and circulated at least five clear working days in advance of meetings.
- 9.4 The minutes of any meetings will be published on the Administering Council's website and circulated to the other Constituent Councils as soon as practicable. The JSC will operate in accordance with the constitution of the Administering Council. The Constituent Councils (with the exception of the Administering Council) will each provide a link to the agendas and minutes of the JSC on its website.

## **10. Frequency of meetings**

10.1 The date, time and venue of meetings will be fixed in advance by the JSC, and a schedule of meetings agreed at its inaugural and/or subsequent meetings. The JSC will meet approximately every 8 weeks. Dates will be published on the website of the Administering Council. Additional meetings may be convened at the request of the Chair or Vice Chair.

## **11. Venue**

11.1 Meetings of the JSC will take place in a number of locations across the County of Somerset and will be rotated around the Constituent Councils.

## **12. Election of Chair and Vice Chair**

12.1 The Chair will be appointed by the County Council and the Vice Chair shall be a district council member. The Vice Chair will be elected at a meeting of the committee. In the absence of the Chair and Vice Chair, the meeting will elect a chair for that meeting.

## **13. Quorum**

13.1 The quorum of the JSC shall be 9, including members from at least four of the five Constituent Councils.

## **14. Declarations of interest**

14.1 JSC members are subject to the Code of Conduct for elected members adopted by the Constituent Council that nominated them including the requirement to declare relevant interests at formal meetings of the JSC.

## **15. Voting**

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15.1 Recommendations will generally be reached by consensus, but if a vote is required it will be by a simple majority of all members physically present at the meeting. Where there are equal votes the Chair of the meeting will have a second or casting vote.

## **16. Duty to attend, cooperate and respond**

16.1 The JSC may require by invitation relevant members of the County Council's Executive, LGR Implementation Board and/or the Chief Executive Chair of the Implementation Team to appear before it to explain (in relation to all aspects of the JSC's work) any particular decision or series of decisions. The relevant members and Chief Executive should attend if so required, unless they have a legitimate reason for not doing so.

16.2 Following each meeting of the JSC, the JSC's recommendations (if any) will be submitted to the LGR Implementation Board and/or County Council's Executive for consideration. The LGR Implementation Board will be required to consider those recommendations at its next meeting and respond to the JSC indicating what (if any) action the LGR Implementation Board proposes to take. The response should be made within 7 days of the LGR Implementation Board meeting and will be published on the website of the Administering Council.

## **17. Call-in**

17.1 Any 5 members of the Constituent Councils, to include members from at least 3 of the Constituent Councils, may request a call-in of a LGR related decision taken by the County Council's Executive. The call-in must be submitted in writing or by email to the Statutory Scrutiny Officer, indicating its support by all relevant parties along with the reasons for the call-in and proposed outcome(s). The Statutory Scrutiny Officer must notify the Monitoring Officer that administers the LGR Joint Committee of the call-in request.

17.2 "Call-in" is a facility which members can use to challenge Key Decisions where the JSC has not been involved prior to the decision being taken or where a member believes a decision has been taken without the proper process having been followed.

A key decision is defined as:

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services

version as at 24 May 2022

- (a) Resulting in the local authority incurring expenditure\*\* which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; and / or
- (b) Significant in terms of their effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

\*\*There is no definition in the legislation of the word 'significant' in (a) above. Therefore, for the purposes of LGR key decisions the financial threshold at or above which a financial decision is significant (and a Key Decision) will be a total value of £500,000 for capital / revenue expenditure or savings.

Call-in of Key Decisions is subject to the following rules:

**(a) General provisions:**

- (i) Call-in should be used on an exception basis and not to unnecessarily delay delivery of the Structural Changes Order and / or the implementation plan for the Somerset Council;
- (ii) An individual Key Decision should normally only be subject to scrutiny once, whether pre or post decision;
- (iii) Key Decisions cannot be called in where the decision requires urgent implementation. Urgent implementation requires the approval of the Leader of the County Council and the Chair of the JSC and their approval shall be recorded in the relevant report;
- (iv) Call-in only applies to decisions. Recommendations (for example, made by the LGR Joint Committee to any of the Constituent Councils) cannot be called-in.

**(b) Scrutiny of Key Decisions before they are taken:**

This should focus on ensuring that the decision-maker has all the necessary information, to take a fully informed decision and that any procedures have been properly followed. Any scrutiny review at this stage should not pre-empt the decision. The decision-maker must take the views of the JSC into account before taking the decision.

**(c) Scrutiny of Key Decisions after they are taken but before they are implemented:**

- (i) Key Decisions are published to all members and the public (via the website) within 2 working days of the decision date;

version as at 24 May 2022

(ii) Key Decisions (unless urgency is agreed) must be called-in (following the process outlined in 17.1 above) within 5 working days of publication or the decision will be implemented automatically.

(iii) The Chair and the Vice Chair of the JSC will consider call-in requests against the principles of good decision-making and will either agree the request or detail their reasons for rejecting the request in a report to the next available meeting of the JSC. In reaching their conclusion they will take advice from the Statutory Scrutiny Officer and the Monitoring Officer and a summary of that advice will be included in the report to the JSC;

(iv) A call-in must specify the subject matter, the reason(s) for it, information required to enable full consideration and the preferred outcome;

(v) Each call-in will be considered at the next meeting of the JSC unless an alternative is agreed with the decision-maker;

(vi) The JSC having considered a call-in will report to the decision-maker;

(vii) Where an item has been subject to pre-decision scrutiny of the process, post decision call-in should normally only relate to the decision itself;

(viii) If there is no pre-decision scrutiny of an item then the process and/or the decision may be the subject of call-in.

**(d) Scrutiny of Key Decisions after implementation:**

This should only occur where the decision-maker was required to make a decision that was time critical or at a later stage to gauge the effect of the decision. Scrutiny in these circumstances is not part of the call-in process.

## **18. Code of Conduct**

18.1 Members of the JSC are expected to observe the "Seven Principles of Public Life" (the 'Nolan' principles) and shall be bound by their Constituent Council's Code of Conduct in their work on the JSC. Members are expected to act in the interests of the JSC, except where this would result in a breach of a statutory or other duty to their Constituent Authority or would be in breach of their Constituent Council's Code of Conduct.

## **19. Access to information**

Contact : Scott Wooldridge, Monitoring Officer, Democratic Services

19.1 JSC meetings are regarded as a council committee for the purposes of the Local Government (Access to Information) Act 1985. Meetings will be open to the press and public unless it is necessary to exclude the public in accordance with Section 100A of the Local Government Act 1972. All agendas, reports, and minutes of the JSC will be made publicly available, unless deemed exempt or confidential in accordance with the above Act. The Freedom of Information Act 2000 provisions shall apply to all business of the JSC.

## **20. Rules of Procedure**

20.1 Save as outlined in this Terms of Reference the procedures followed at the JSC meetings shall be in accordance with the overview and scrutiny procedure rules of the Administering Council. In the event of any conflict between this Terms of Reference and the relevant overview and scrutiny procedure rules, the provisions of these Terms of Reference shall prevail.