



Leicester  
City Council

Democratic and Civic  
Support  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

20 September 2023

Sir or Madam

I hereby summon you to a meeting of the LEICESTER CITY COUNCIL to be held at the Town Hall, on THURSDAY, 6 JULY 2023 at FIVE O'CLOCK in the afternoon, for the business hereunder mentioned.

**Monitoring Officer**

-----  
**AGENDA**  
-----

**AUDIO STREAM FOR MEETING**

A live audio stream of the meeting can be heard on the following link:  
<https://www.youtube.com/@leicestercitycouncildemocr5339>

- 1. LORD MAYOR'S ANNOUNCEMENTS**
- 2. DECLARATIONS OF INTEREST**

### **3. MINUTES OF PREVIOUS MEETINGS**

The minutes of the meetings held below are available to view at the links below:

22<sup>nd</sup> February 2023 – Budget Council Meeting  
[Agenda for Council on Wednesday, 22 February 2023, 5:00 pm \(leicester.gov.uk\)](#)

22<sup>nd</sup> February 2023 – Special Council Meeting  
[Agenda for Council on Wednesday, 22 February 2023, 6:00 pm \(leicester.gov.uk\)](#)

9<sup>th</sup> March 2023 – Special Council Meeting  
[Agenda for Council on Thursday, 9 March 2023, 5:00 pm \(leicester.gov.uk\)](#)

18<sup>th</sup> May 2023 – Annual Council Meeting  
[Agenda for Council on Thursday, 18 May 2023, 5:00 pm \(leicester.gov.uk\)](#)

Copies are also available from Democratic Support on (0116) 454 6350 or [committees@leicester.gov.uk](mailto:committees@leicester.gov.uk)

### **4. STATEMENTS BY THE CITY MAYOR/EXECUTIVE**

### **5. PETITIONS**

- Presented by Members of the Public
- Presented by Councillors
- Petitions to be debated

### **6. QUESTIONS**

- From Members of the Public
- From Councillors

### **7. INDEPENDENT REMUNERATION PANEL - PROCESS**

7.1 Independent Remuneration Panel - process

### **8. ESTABLISHMENT OF SCRUTINY COMMITTEES AND COMMISSIONS, REGULATORY AND COUNCIL COMMITTEES**

8.1 Establishment of Scrutiny Committees and Commissions, Regulatory and Council Committees

To vary the composition and fill any vacancies of any Committee of the Council

To agree Terms of Reference and any changes to existing Terms of Reference

## 9. DATE OF ADDITIONAL COUNCIL MEETING

Council is asked to approve an additional Council meeting on 21<sup>st</sup> March 2024 and to remove the ordinary meeting due to take place on 22<sup>nd</sup> February 2024.

## 10. NOTICES OF MOTION

### **Leicester City Council Divestment Motion**

Proposed by the Deputy City Mayor Councillor Clarke, seconded by Councillor Singh Johal that:

Leicester City Council notes:

It does not have any direct investments in fossil fuels but Leicester City Council, through employer and employee contributions, contributes to around £154 million of investment in fossil fuels as part of the Leicestershire Local Government Pension Fund, according to UK Divest. The Leicester City element of this is estimated to be around 30% (£46.2m).

The United Nations Paris Agreement, reaffirmed at the 2021 Glasgow Climate Summit, commits our governments to keep the global temperature increase to under 2 degrees and aim for 1.5 degrees. Carbon budgets produced by the Intergovernmental Panel on Climate Change, United Nations and the International Energy Agency show that preventing two degrees of warming relies on not burning the vast majority of all proven fossil fuels.

The UN International Energy Agency (IEA) predicts that global oil demand will significantly fall by 2030, leading their Executive Director to refer to oil and gas companies as potential 'junk investments.' [1] Action by governments to limit carbon emissions will ultimately leave fossil fuel reserves unburnable. It's been estimated that this asset bubble, known as the 'carbon bubble', may be over €1 trillion in Europe alone.

Former Bank of England Governor Mark Carney warned that fossil fuel investments risk becoming "stranded assets" as investors exit the sector. "A question for every company, every financial institution, every asset manager, pension fund or insurer – what's your plan?" [2]

Pension funds have a fiduciary duty to consider the material risks of continued investment in fossil fuels. Fiduciary duty is defined by the Law Commission as "ensuring that pensions can be paid, ensuring that this is undertaken at the best possible value".

Pension funds have a legal duty to treat members "fairly as between them". That means taking seriously the longer-term interests of younger members who may be affected more by the climate transition.

The city mayor and majority of Councillors committed, through the Labour manifesto, *"to seek to end the Leicestershire pension fund's investment in fossil*

*fuel producing companies, redirecting this investment to support local solutions to climate change and fuel poverty.”*

Therefore, this Council commits to:

1. Call on the Leicestershire Local Government Pension Fund to amend its recently adopted Net Zero Climate Strategy and develop a Responsible Investment Policy which explicitly rules out new investments in fossil fuel companies.
2. Call on the Fund to divest from fossil fuels through the development and adoption of responsible investment policies which:
  - a. Immediately freeze any new investment in the top 200 publicly traded fossil fuel companies.[3]
  - b. Divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds within [insert agreed number of years given market forecasts].
  - c. Set out an approach to quantify and address climate change risks affecting all other investments.
  - d. Actively seek to invest in companies that will reduce greenhouse gas emissions, minimise climate risk and where possible provide local environmental benefits.
3. Recognising that fossil fuel investments should be considered as part of the council's "carbon footprint" and divesting our pension fund is one of the most impactful steps we can take to reduce our impact on our community and the world.

### **Green Open Space at Beaumont Park and the former Western Park Golf Course Motion**

Proposed by Councillor Rae Bhatia and seconded by Councillor Kitterick that:

Leicester City Council notes the concerns of people in the west of Leicester at the proposed loss of valuable green open space at Beaumont Park and the former Western Park Golf Course in the city.

This council believes it is not too late to act to save these sites from development and instead focus more effort on bringing forward brownfield sites in Leicester.

This council, therefore, agrees to withdraw Beaumont Park and Western Park Golf Course from the list of proposed sites for development from the Leicester City Local Plan at the earliest possible opportunity.

### **Local Government Pay to Council: A fully funded, proper pay rise for Council and School Workers Motion**

Proposed by the City Mayor and seconded by Deputy City Mayor Russell that

Leicester City Council notes:

Local government has endured central government funding cuts of more than 50% since 2010. Between 2010 and 2020, councils lost 60p out of every £1 they have received from central government. The City Council had to make real terms cuts of 50% in services other than social care. New research by UNISON suggests that councils across England, Wales and Scotland are facing a cumulative funding gap of £5bn by next year.

Recent research shows that if the Government were to fully fund the unions' 2023 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

This council believes:

Our workers are public service super-heroes. They keep our communities clean and safe, look after those in need and keep our towns and cities running.

Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase having made it impossible for councils to do so.

This council resolves to:

Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim of RPI+2%.

Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government

Meet with local NJC union representatives to convey support for the pay claim and consider practical ways in which the council can put pressure on the government.

## **11. ANY OTHER URGENT BUSINESS**

## Information for members of the public

### Fire & Emergency Evacuation Procedure

- The Council Chamber Fire Exits are the two entrances either side of the top bench or under the balcony in the far-left corner of the room.
- In the event of an emergency alarm sounding make your way to Town Hall Square and assemble on the far side of the fountain.
- Anyone who is unable to evacuate using stairs should speak to any of the Town Hall staff at the beginning of the meeting who will offer advice on evacuation arrangements.
- From the public gallery, exit via the way you came in, or via the Chamber as directed by Town Hall staff.

### Meeting Arrangements

- Please ensure that all mobile phones are either switched off or put on silent mode for the duration of the Council Meeting.
- Please do not take food into the Council Chamber.
- Tweeting in formal Council meetings is fine as long as it does not disrupt the meeting. Will all Members please ensure they use their microphones to assist in the clarity of the audio recording.

You have the right to attend, view, formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at <https://cabinet.leicester.gov.uk/>, or by contacting us using the details below.

### Making meetings accessible to all

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

### Further information

If you have any queries about any of the above or the business to be discussed, please contact:

**Matthew Reeves, Democratic and Civic Support Manager on 0116 4546352.**

Alternatively, email [matthew.reeves@leicester.gov.uk](mailto:matthew.reeves@leicester.gov.uk) or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**

# **Independent Remuneration Panel Process**

Decision to be taken by: Council

Decision to be taken on/Date of meeting: 6 July 2023

Lead director/officer: Miranda Cannon,  
Director of Delivery, Communications & Political  
Governance

---

## **Useful information**

- Ward(s) affected: All Wards
- Report author: Miranda Cannon, Director of Delivery Communications and Political Governance
- Author contact details: 0116 454 0102
- Report version number: 0.4

### **1. Summary**

To enable Council to consider approval of the commencement of a review of the Council's Scheme of Members Allowances by an independent panel as specified in legislation.

### **2. Recommended actions/decision**

Council is recommended to:

1. approve the appointment and composition of an Independent Remuneration Panel to consider Members Allowances in Leicester as detailed in the report;
2. approve the commencement of a review of the Council's Scheme of Members Allowances by the Independent Remuneration Panel as specified in legislation on the basis defined in the report and taking into account the current financial constraints facing the Council; and
3. note that consideration of the report of the Panel is a matter reserved to Council and that Council in setting a Scheme of Allowances at that point will have the choice to accept in full or in part or reject the findings of the Panel.

### **3. Background and approach**

#### **3.1. Background**

Under the Local Authorities (Members' Allowances) (England) Regulations 2003 (section 19.1), all councils must make a scheme providing for the payment of allowances, and before the Council makes or amends a Members' Allowances Scheme, it has to have regard to recommendations made by its statutory Independent Remuneration Panel (IRP).

Section 21 of the Regulations defines that the IRP report must make recommendations on the responsibilities or duties in respect of:

- special responsibility allowance (SRA);
  - travelling and subsistence allowance; and
  - co-optees allowance
- the amount of such allowances and the amount of basic allowance;
  - whether dependents' carers allowance should be payable and the amount;



- whether payments can be backdated when a scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made and;
- whether changes to allowances are decided according to an index and, if so, which index and for how long that index should apply, (a maximum of four years), before its application is reviewed.

Whilst not required by the legislation, the civic allowances are also considered as part of the Panel's terms of reference and consistent with previous reviews.

The last IRP held by Leicester City Council published their report in March 2020 and so the Regulations mean that an IRP must now be put in place to review member allowances during 2023/24 in order for a scheme to be approved for 2024/25.

### **3.2 The Panel**

The regulations require that an IRP must have at least three members. The members of an IRP cannot be elected members of an authority in respect of which it makes recommendations and cannot be a member of a committee or sub-committee of such an authority. Anyone disqualified from being an elected member of any local authority is also disqualified from being a member of an IRP.

The regulations do not specify how members of an IRP are appointed but the 2003 Statutory Guidance (48-49) states:

*“A local authority will need to consider carefully and plan its appointments process having regard to this guidance and the need to ensure that this process commands public confidence throughout all the communities in the local authority's area. The council should adopt an appointments process which it considers is best able to result in the membership of its independent remuneration panel being truly independent, well qualified to discharge the functions of the panel and representative of the diversity of the communities in the local authority's area.”*

In constituting a Panel the main challenges are being able to identify panel members with sufficient knowledge and experience to make informed evaluations on such roles when in practice they may only be called on to do so every 4 years, and often are not able to draw on any comparable experience. Secondly, to engender public confidence in the approach ideally we need panel members who are suitably independent of the local authority, who have no direct conflicts of interest in any significant aspects of that local authority's business yet have a sufficient knowledge and understanding of the local context in which we operate.

Taking that into account, for the previous two IRP reviews, Full Council therefore approved the panel composition as follows:

- Dr Declan Hall as the appointed Chair – an experienced IRP chair with many years of experience of working on allowances reviews for a wide range of authorities and who has advised UK and regional governments in relation to allowances.
- Senior Officer from East Midlands Chamber of Commerce
- Regional Secretary of Midlands Trade Union Congress (TUC) or representative identified by them
- Chair of Leicestershire & Rutland Magistrates Bench or other member of the local judiciary as proposed by the Chair

In addition, Full Council previously approved that in order to ensure that the Panel represents the views of city residents, up to three members of the public who meet the statutory conditions for membership of the panel be appointed by the Director of Delivery, Communications and Political Governance on the recommendation of the Chair of the Panel, following an open and formal public recruitment exercise.

This range of skills and experience worked well for the reviews held in 2015 and 2019/20 and it is therefore proposed to follow a similar approach for the 2023/24 review utilising the same panel composition including the recruitment of up to three members of the public. Any resident who formed part of the panel previously may of course apply again.

In constituting the panel, steps will be taken as far as reasonably practicable to seek to have a balanced panel particularly in terms of age, sex and ethnicity as far as it is possible to do so.

An authority may pay expenses of an IRP constituted under the Regulations incurred in carrying out its functions. It also may pay the members of the panel such allowances or expenses as the authority, or authorities, for which it makes recommendations decide. Previously it was agreed that panel members would be able to claim for reimbursement of loss of earnings up to a limit of £175 per day plus reasonable expenses. In practice this presented some practical challenges for some in evidencing loss of earnings including those who were self-employed. Also, some panel members who did not work but had still given their time to the panel deemed it an inequitable approach in that they were not eligible to receive any payment. It is therefore proposed that a simpler and more equitable approach would be to pay a set allowance to each representative on the panel for undertaking the review, plus expenses. The proposed allowance is £565, this is based on experience of the time involved from panel members for the previous reviews which amounted to around 5 days, and calculated using the median hourly pay rate for employees according to the pay policy statement for 2023/24 approved by Council. This is also in line with the allowance of £564 currently paid to co-opted members of other Council Committees. All panel members will be able to claim for any other reasonable expenses incurred.

Any representative who is put forward (or in the case of city residents who applies) must meet the following:

- Not be directly related to or have any close personal relationship with any elected member or employee of Leicester City Council;
- Be perceived from a public perspective as an individual who is suitably independent of the Council to include no direct funding relationship (other than in a routine manner such as a Council Tax payer); and
- Have skills in assimilating a range of information and evidence and being able to make informed and balanced judgements on that basis.

The organisations / individuals named above have all been approached and agreed in principle to being involved subject to approval by Full Council.

### **3.3 Report and Timescales**

In preparing its report and considering its recommendations the IRP will be asked to take into account:

- allowances schemes from comparator local authorities such as those in the CIPFA nearest neighbours group of authorities, other mayoral authorities, and geographically neighbouring cities where these do not fall within the previous categories;
- the views of Members, both written and oral; and
- the economic climate and the need for recommendations which could be feasibly met within the existing budget envelope available.

The timescale proposed for the review is:

- Recruitment of panel members – July – September 2023
- Preparatory work – September – October 2023
- Meetings of the Panel – October - December 2023
- Panel report – February 2024
- Recommendations to Council – March 2024
- Scheme in place – 1st April 2024

For the 2023/24 financial year the Council will continue to operate with its existing scheme as set out at [Members allowance scheme \(leicester.gov.uk\)](https://www.leicester.gov.uk/members-allowance-scheme).

## 4. Financial, legal, equalities, climate emergency and other implications

### 4.1 Financial implications

It is estimated that the chair of the panel will undertake 9 day's work on the review at a cost of around £6,000 plus expenses to include:

- Leading the organisation of the review including preparing the terms of reference and information pack for the Panel;
- Preparatory meetings in Leicester with relevant Officers to gather background information, collecting and analysing comparative information, and gathering views from Members;
- Preparing the training presentation for the IRP;
- Visiting Leicester City Council to chair the IRP;
- Leading on the first full draft of the report, including further research and any necessary follow up interviews via telephone, and further redrafting based on
- any comments received from other IRP members; and
- Producing the final draft of report to send to council.

Any time reasonably undertaken over and above the estimated 9 days will be considered and a mutual agreement reached with the Director of Delivery Communications and Political Governance. This is consistent with the approach taken in the previous reviews held in 2015 and 2019/20.

The Local Authorities (Members' Allowances) (England) Regulations 2003 (section 20.3) specifies that an Authority may pay allowances or expenses to Panel members. As set out in the report, members of the panel will be paid an allowance of £565 plus expenses, and all panel members will be eligible to claim for any reasonable expenses incurred. Any claims received will be assessed and approved by the Director of Delivery Communications and Political Governance. Again, this is consistent with the approach taken previously.

Any resources or support provided to the Panel by the Council will be met from within existing budgets.

It is therefore estimated that the review process will cost in the region of £10,000 plus expenses.

Martin Judson, Head of Finance

#### 4.2 Legal implications

The legal issues which are pertinent to the appointment and function of the IRP are covered within the main body of the report

Kamal Adataia, City Barrister & Head of Standards, ext 37 1401

#### 4.3 Equalities implications

Although there are no direct equalities implications arising from the recommendations of this report, there are several potential equalities issues which may need to be considered as part of the review of the scheme of allowances.

In particular, the panel will be required to make a decision on whether dependant carers' allowance should be payable and the amount. If there are changes to this, there may be a disproportionate impact on those with the protected characteristic of pregnancy and maternity, who are parents or those who care for a disabled or elderly relative. A change to dependant carers' allowance may also have a disproportionate impact in terms of sex, as women are more likely to be lone parents with primary responsibility for childcare, spend more time on childcare responsibilities and are more likely to become a carer for an adult relative.

The report outlines proposed steps to ensure that the panel is representative of the diversity of the community of Leicester, including by recruiting three members of the public to sit on the panel to ensure a diversity of thought, background and experience.

The level of allowances within the scheme should not discriminate or create barriers for those who may wish to stand for office. Advancing equality of opportunity involves having due regard to the need to encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. The open and formal public recruitment exercise should be undertaken in such a way that bias is minimised, and which would promote equality of opportunity for people from across all protected characteristics.

Surinder Singh Equalities Officer, ext 37 4148

#### 4.4 Climate Emergency implications

There are no significant climate change implications associated with this report.

Aidan Davis, Sustainability Officer, ext 37 2284

4.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

**5. Background information and other papers:**

**6. Summary of appendices:**

**7. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

**8. Is this a “key decision”? If so, why?**



# **Appointment of Council Committees 2023- 2024 Municipal Year**

Decision to be taken by  
Full Council

Date of meeting: 6<sup>th</sup> July 2023

Lead director/officer: Kamal Adatia

---

### **Useful information**

- Ward(s) affected: All
- Report author: Kamal Adatia, Monitoring Officer
- Author contact details: [Kamal.Adatia@leicester.gov.uk](mailto:Kamal.Adatia@leicester.gov.uk)
- Report version number: 1

## **1. Summary**

This report seeks the approval of Members to establish those Council Committees that were not established at the AGM on 18<sup>th</sup> May 2023 or the Special Meeting on 22<sup>nd</sup> June 2023 and also approval of the calendar of meetings for those Committees.

## **2. Recommended actions/decision**

(i) That the:-

Governance and Audit Committee  
Standards Committee

be established in accordance with the existing Terms of Reference, (except for the Governance and Audit Committee), the size of each being as detailed at Appendix A, and it being noted that the remaining places will be filled in accordance with relevant procedures and in consultation with the relevant Members.

- (ii) That the amended Terms of Reference for the Governance and Audit Committee (formerly Audit and Risk Committee), as attached at Appendix B, be approved.
- (iii) That the Chairs and Vice-Chairs (as appropriate) of the bodies listed in part (i) above be in accordance with the lists at Appendix A.
- (iv) That the Employees Committee be established with the Terms of Reference and size as specified within the Council's Constitution, with the process for the appointment of Chair and membership being in accordance with the provisions of the Constitution.
- (v) That the decision of Council taken on 18<sup>th</sup> May 2023 to fix the size of the Licensing and Public Safety Committee comprise 16 Councillors be superseded with a decision that it comprises 15 Councillors.
- (vi) The calendar of meetings, as attached at Appendix C be approved.
- (vii) The Scrutiny Terms of Reference as detailed at part 3 of the Council's Constitution be confirmed and the Scrutiny Configuration (to be circulated prior to the meeting) and included with the script, be approved.



### **3. Background and options with supporting evidence**

#### Appointment of Committees

- 3.1 Council Procedure Rule 35 requires the Council to appoint such committees as it shall determine and to agree their respective size and Terms of Reference.
- 3.2 Full Council Elections took place on 4<sup>th</sup> May 2023. As a result, the appointment of Committees has been undertaken in three stages for this municipal year:
- (i) The Council's Licensing Committee (and subcommittees) and Planning Committee were established at the Annual General Meeting on 18<sup>th</sup> May 2023. This was because these are decision-making Committees which had items of business to resolve and therefore needed to be operational early into the municipal year.
  - (ii) A Special Meeting of Council was convened on 22<sup>nd</sup> June 2023. At this meeting the Council made a decision regarding the establishment of the following Scrutiny Committees:
    - Overview Select Committee
    - Adult Social Care
    - Children, Young People and Education
    - Economic Development, Transport and Climate Emergency
    - Public Health and Health Integration
    - Culture and Neighbourhoods
    - Housing
  - (iii) This meeting, which will deal with the establishment of the three remaining Council Committees:
    - Governance & Audit Committee
    - Standards Committee
    - Employees Committee

#### Political Balance

- 3.3 If the recommendations of this report are approved, the Council will operate 13 Committees that are subject to political balance. The rules regarding political balance are contained in legislation (Local Government and Housing Act 1989 & The Local Government (Committees and Political Groups) Regulations 1990. (These laws and regulations were established, based on the former Widdicombe Rules.) These establish four rules as follows:
1. All the seats on a committee should not be allocated to the same political group. (*Preventing domination by a single group*)

2. If one political group has a majority in the full Council, that political group should have a majority on each committee. (*Ensuring a majority group enjoys a majority on all committees*)
3. Subject to the above two rules, the total number of seats on all the committees of the Authority allocated to each political group should be in the same proportion as that political group's seats on the full Council. (*Aggregating all committee places and allocating fair shares*)
4. Subject to the above three rules, the number of seats on each committee of the Authority allocated to each political group should be in the same proportion as that political group's seats on the full Council. (*Ensuring as far as practicable fairness on each committee*)

It is critical that these rules are applied in the above order, with 1. being the most important.

3.4 The current political balance of the Council is as follows:

57.41% Labour
31.48% Conservative
5.56% Green
5.56% Liberal Democrat

3.5 The thirteen Council Committees will have, between them, 100 places. Rule 3 above means that the four groups on the Council should share these 100 places in the following proportions (subject to rule 2, which may adjust the balance slightly):

57 Labour
31 Conservative
6 Green
6 Liberal Democrat

3.6 Applying Rule 4 to this spread of places will require the Groups to liaise with one another and to agree a spread of places on a Committee-by-committee basis. In accordance with Council Procedure Rule 35 appointment of Councillors to fill places on Committees or Sub-Committees, or any vacancies which may arise, shall be by the Monitoring Officer in consultation with the political group whips, and with the consent of any Councillor being appointed.

3.7 Council has established that its scrutiny Committees will have 8 members. Applying Rule 2 means that the Labour group will always require 5 places on an 8 member committee, in order to ensure that they have the majority. If rule 4 were to be subsequently applied, this would give the remaining 3 places to the Conservative Group. However, Rule 3 requires that a balance is achieved across places on all Committees therefore, following a process of negotiation, it may well be that the Green or Liberal Democrat groups take a place on some scrutiny committees as well as places on other committees. A similar process of discussion/negotiation will apply to places on the Standards Committee.

- 3.8 The application of the rules on political balance regarding the Council's larger Committees (Licensing and Public Safety, and Planning and Development Control) has already been discussed with the four political Groups and the allocation of places has been agreed.

#### Size of Licensing and Public Safety Committee (LPSC)

- 3.9 At its meeting on 18<sup>th</sup> May the Council established a LPSC comprising 16 Elected Members. This number was chosen because 16 more accurately aligned to the political balance of the Council, as opposed to the former Committee size of 15 Members. However, the choice of this size of Committee neglected to acknowledge that there exists a statutory limit on the size of LPSC of 15 Members. It is proposed therefore to reduce the size of this Committee back down to 15 places. The Monitoring Officer assures that there were no adverse consequences of a 16 Member committee between 18<sup>th</sup> May and 6<sup>th</sup> July.

#### Calendar of meetings

- 3.10 The calendar of meetings for the remainder of the municipal year is attached at Appendix C. This is the overall plan for meetings for the forthcoming year and has been drawn up in order to accommodate all known formal meetings, balanced over the municipal year. Further amendments to the calendar can be accommodated at committee level subject to relevant provisions within the Council committee and Scrutiny committee procedure rules within the Constitution.

#### Appointment of Chairs and Vice Chairs

- 3.11 Appendix A shows the places and size of the proposed Committees, except for the Employees Committee where the Chair is appointed on a per-meeting basis in accordance with constitutional rules. Nominations for the Chair and Vice Chair positions have been included in Appendix A.

#### Terms of Reference

- 3.12 The Constitution requires Council to agree the Terms of Reference of all Committees and Boards. This has partly taken place at previous Council meetings where the establishment of Committees has been discussed, and therefore the Terms of Reference for the Planning and Development Control Committee, Licensing and Public Safety Committee and Health and Wellbeing Board have already been confirmed.
- 3.13 Council is now asked to agree the Terms of Reference for any remaining Committees. It is proposed that all Terms of Reference remain the same, as detailed in the Constitution. The exception to this is an amendment to the Audit & Risk Committee. The amendment proposes a name change to 'Governance and Audit Committee' and provision for 2 independent members, an increase from the current one independent member. There are two other minor additions to enable the Terms of Reference to be in line with best practice.

### Scrutiny Terms of reference and configuration

3.14 Scrutiny Committees were established at the Council meeting on 22<sup>nd</sup> June, Part of the recommendations agreed at that meeting was to finalise any further detail in regard to the Terms of Reference of Scrutiny Committees at this meeting. The general Scrutiny Terms of Reference are detailed in the Council's Constitution at part 3 and no changes are proposed, but Council is asked to agree these. The Scrutiny Configuration document which sits alongside the Terms of Reference is being amended to reflect the previously agreed scrutiny committees and will be circulated to Councillors prior to the meeting and included in the script for the meeting.

## **4. Financial, legal, equalities, climate emergency and other implications**

### 4.1 Financial implications

There are no direct financial implications arising from this report, which merely seeks to reflect in report format items of business that are normally presented via the technical script presented at the AGM. The Allowances for Members, including Special Responsibility Allowances for Chairs and Vice-Chairs, are agreed through the Member Allowances Scheme (MAS) which is separately agreed by Full Council.

Amy Oliver, Chief Finance Officer ext 5667

### 4.2 Legal implications

The report deals throughout with the Council's Constitutional requirements regarding the establishment of Committee arrangements for the municipal year.

Kamal Adatia, City Barrister, ext 1401

## **5. Background information and other papers:**

None

## **6. Summary of appendices:**

None

## **7. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No

## **8. Is this a "key decision"? If so, why?**

No

# Appendix A

## **GOVERNANCE AND AUDIT AND STANDARDS COMMITTEES** **NOMINATIONS FOR CHAIRS, VICE CHAIRS AND SIZE OF MEMBERSHIP**

### **GOVERNANCE AND AUDIT COMMITTEE**

<b>CHAIR</b>	Councillor Kaur Saini
<b>VICE CHAIR</b>	Councillor Surti

Composition            8 Members

### **STANDARDS COMMITTEE**

<b>CHAIR</b>	Councillor Barton
<b>VICE CHAIR</b>	Councillor Whittle

Composition            5 Members



## **Governance & Audit COMMITTEE**

### **Terms of Reference**

(Includes changes agreed at Annual Council 19 May 2022)

#### **1. Constitution & Purpose**

The Governance & Audit Committee is a key component of the Council's corporate governance framework. The Committee reports to the Council and its purpose is to provide those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment, the integrity of the financial reporting and governance processes, and the arrangements for internal and external audit.

It fulfils the role of 'the Board' for the purposes of the Public Sector Internal Audit Standards.

The Terms of Reference of the Committee will comply with Part 4a of the Constitution unless explicitly detailed below.

#### **1. Membership**

The Committee shall comprise of eight non-executive elected Members, and **up to two Independent** Persons. A quorum of at least three Councillors will be required at all meetings. The Independent Person(s) shall be a non-voting co-optee of the Committee. The Committee must remain apolitical, displaying unbiased attitudes, treating auditors, officers, the executive, and management equally. The Committee shall decide whether to co-opt one or two Independent Persons, taking into account the recommendations of the Monitoring Officer..

#### **2. Attendance by officers**

The Director of Finance (S151) or their nominated officer(s) and the designated Head of Internal Audit Service shall normally attend meetings. There is a standing invitation to the Council's appointed External Auditor to attend all meetings.

Other officers who will attend as required, including at the request of the Chair.

#### **3. Frequency of meetings and agendas**

Meetings shall be held not less than four times a year.

#### **4. Duties**

The duties of the Committee shall be as set out in the annexed schedule to these Terms of Reference.

To support and assist Committee members undertaking their duties and extending their knowledge, regular briefings or training will be provided by officers.

#### **5. Authority**

The Committee has the responsibilities detailed in Annex 1. The

Committee is authorised by the Council to investigate any activity within its terms of reference.

It is authorised to seek any information it requires from any officer and all officers are directed to co-operate with any request made by the Committee. The Chair will advise the Chief Operating Officer as the Head of Paid Service if it has exercised this authority to seek information (other than routine information) from any officer, setting out the information required and the circumstances underlying the request.

The Committee is authorised by the Council, if considered necessary, to secure the attendance of third parties with relevant experience and expertise provided that the Chair notify the Chief Operating Officer as the Head of Paid Service before any fees for such attendance is agreed.

## **6. Accountability**

The Committee will undertake an annual review of its effectiveness (including where it has added value and supported improvement).

The outcome of this annual review and the Committee's activity will be reported to the Council each year.

## **Duties of the Governance & Audit Committee**

### **1. Audit Framework**

#### **1.1 Internal Audit**

- To fulfil the role of 'the Board' for the purposes of the Public Sector Internal Audit Standards (the PSIAS).
- To review and approve: -
  - The Internal Audit Charter which defines the purpose of the internal audit function.
  - The risk-based internal audit plan, including resource requirements.
  - The Head of Internal Audit Service's annual report containing an opinion on the overall adequacy and effectiveness of the Council's control environment, and conformance to the PSIAS.
- To receive regular reports on progress against the internal audit plan, containing activity undertaken, summaries of key findings, issues of concern and action in hand.
- To review conformance to the principles of the CIPFA Statement on the Role of the Head of Internal Audit in Public Service Organisations, and to support any improvements required.
- To contribute to and support an external quality assessment of the internal audit function which is a requirement of PSIAS to take place at least once every five years.
- To review any proposals made in relation to the appointment of external providers of internal audit services and to make



recommendations.

## **1.2 External Audit**

- To consider, comment upon and note the arrangements chosen by the Council to select and appoint its statutory external auditor.
- To review the External Auditor's disclosure of independence and objectivity. To satisfy itself that no issues with compliance with ethical standards or problems with audit quality have been raised.
- To consider and note the annual audit fees letter and the assumptions supporting the fees.
- To consider the scope and depth of all external audit plans, reports and audit risk assessments.
- To consider the External Auditor's ISA 260 Report to 'Those Charged with Governance'. This contains:
  - key findings arising from the audit of the Council's financial statements.
  - the Auditor's assessment of the Council's arrangements to secure value for money (VFM) in its use of resources; and
  - the requirement for members of the Committee to authorise the Director of Finance to sign the letter of representation to the External Auditor from the Council in connection with the audit of the Council's financial statements.
- To note the External Auditor's annual report on the claims and returns certified for the Council.
- To ensure that non-audit work by the External Auditor is in accordance with the Council's *Policy for Engagement of External Auditors for Non-Audit Work* and report any such instances to the Council.

## **2. Counter Fraud and Investigations**

- To review and approve, on a triennial basis (unless significant changes in legislation or circumstances dictate otherwise), the Council's policy and procedures for:
  - Anti-Fraud (including Bribery and Corruption)
  - Disclosure (whistleblowing)
  - Money Laundering
- To note the outcomes of any review of the Council's conformance to the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption.
- To receive and note reports on the performance of the counter fraud function and outcomes from the Council's participation in the National Fraud Initiative (NFI).
- To consider regular reports on the Council's application of the Regulation of Investigatory Powers Act (RIPA) and the outcomes of any inspections and approve the adoption of any related policies.

## **3. Statutory Financial Reporting**

- To review and approve the annual statutory statement of accounts and the annual Letter of Representation on behalf of the Council.
- To bring to the attention of the Council any concerns arising from the financial statements or from the audit.
- To receive periodic reports providing updates on accounting and

financial developments.

#### **4. Risk Management and Insurance**

To review and challenge the adequacy and effectiveness of the Council's overall risk management framework, specifically to: -

- i. Consider and approve, on an annual basis, the Council's Corporate Risk Management Policy Statement & Strategy.
- ii. Consider and approve, on an annual basis, the Council's Corporate Business Continuity Management Policy Statement and Strategy, ensuring it is compliant with the statutory duties required by the Civil Contingencies Act 2004 and continues to align to international and national standards and good practice guidelines.
- iii. Review reports in respect of the status of key current and emerging risks and internal controls relating to those risks, including the Operational and Strategic Risk Registers and partnerships with other organisations.
- iv. Receive and note the annual report on the Council's insurance arrangements and its claims performance.

#### **5. Governance and Assurance Frameworks**

To satisfy itself that the Council's assurance statement including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it, and demonstrate how governance supports the achievement of the Council's objectives. The Committee's responsibilities are to: -

- i. Review the adequacy of the Council's assurance framework through the annual review of its system of internal control.
- ii. Review and approve the Council's Local Code of Corporate Governance prepared in accordance with the CIPFA/SOLACE Good Governance Framework and the statutory requirement for producing an Annual Governance Statement.
- iii. Note any reports providing updates on assurance, risk or governance related developments

#### **6. Complaints**

- To consider an annual report on complaints, including the Local Government and Social Care Ombudsman's annual review letter and recommendation.
- To consider and decide on appropriate actions relating to the Council's compliance with its own and other published or regulatory policies, Acts, standards and controls.
- To consider ad-hoc LGSCO reports.
- To consider any findings or recommendations from the Housing Ombudsman

#### **7. Procurement**

- To receive and note the annual report setting out the Council's performance against the Procurement Plan and compliance with the Contract Procedure Rules (including data on waivers).
- To consider any proposals for changes to the Rules to be made to Full

Council and to review any changes to the Rules made by the City Barrister or any changes to thresholds.

- To seek assurance that the Council has appropriate arrangements to identify and manage risks, ensure good governance and obtain assurance on compliance in its procurement activity.

#### **8. Other Matters**

- To consider, approve or make recommendations in respect of any other matters referred to it by the City Mayor, Chief Operating Officer (as the Head of Paid Service) or a Director or any Council body.
- To consider any relevant matters reserved for Member-level decision as detailed in Rules of Procedure.



Jul-23

	Monday	Tuesday	Wednesday	Thursday	Friday
	3	4	5	6	7
Week 1		Member Development	5.30pm Licensing and Public Safety	5pm Full Council	10am Licensing Hearing
	10	11	12	13	14
Week 2	Member Development	5.30pm Children Young People and Education Scrutiny	5.30pm Planning & Development Control	5.30pm Overview Select Committee	
	17	18	19	20	21
Week 3	Member Development	5.30pm Adult Social Care Scrutiny	5.30pm Governance & Audit		
	24	25	26	27	28
Week 4		9.30am Licensing Enforcement	1pm LLR Police and Crime Panel (AGM)	5.30pm Economic Development, Transport & Climate Emergency Scrutiny	
	31				
Week 5	5.30pm Housing Scrutiny				

7 July Eid Ul Ghadeer; 19 July Islamic New Year  
17 July - 31 July School Summer Holidays

Aug-23					
	Monday	Tuesday	Wednesday	Thursday	Friday
		1	2	3	4
Week 1		5.30pm Culture and Neighbourhoods Scrutiny	5.30pm Planning & Development Control		
	7	8	9	10	11
Week 2			5.30pm Public Health and Health Integration Scrutiny		
	14	15	16	17	18
Week 3					
	21	22	23	24	25
Week 4			5.30pm Planning & Development Control	5.30pm Adult Social Care Scrutiny	
	28	29	30	31	
Week 5	BANK HOLIDAY	9.30am Licensing Enforcement  5.30pm Children Young People and Education Scrutiny	5.30pm Economic Development, Transport & Climate Emergency Scrutiny	Member Development	

1-29 August School Summer Holidays

Sep-23

	Monday	Tuesday	Wednesday	Thursday	Friday
					1
Week 1					
	4	5	6	7	8
Week 2	Member Development	5.30pm Housing Scrutiny	Member Development	5.30pm Culture & Neighbourhoods Scrutiny	
	11	12	13	14	15
Week 3	Member Development	5.30pm Public Health & Health Integration Scrutiny	5.30pm Planning & Development Control	Member Development	
	18	19	20	21	22
Week 4			5.30pm Overview Select Committee	9.30am Health & Wellbeing Board	
	25	26	27	28	29
Week 5		9.30am Licensing Enforcement	5.30pm Governance & Audit	5pm Full Council	

16/17 Sept Rosh Hashanah; 25 Sept Yom Kippur

Oct-23

	Monday	Tuesday	Wednesday	Thursday	Friday
	2	3	4	5	6
Week 1			5.30pm Planning & Development Control	5.30pm Adult Social Care Scrutiny	
	9	10	11	12	13
Week 2	1pm LLR Police and Crime Panel	5.30pm Standards Committee	Member Development	5.30pm Children Young People & Education Scrutiny	
	16	17	18	19	20
Week 3			5.30pm Economic Development Transport & Climate Emergency Scrutiny		
	23	24	25	26	27
Week 4		5.30pm Culture & Neighbourhoods Scrutiny	5.30pm Planning & Development Control	Member Development	
	30	31			
Week 5	5.30pm Housing Scrutiny	9.30am Licensing Enforcement			

15-23 Oct - Navaratri  
 16 - 20 October Half Term



Nov-23

	Monday	Tuesday	Wednesday	Thursday	Friday
			1	2	3
Week 1					
	6	7	8	9	10
Week 2		5.30pm Public Health & Health Integration Scrutiny	5.30pm Licensing and Public Safety	5.30pm Overview Select Committee	
	13	14	15	16	17
Week 3	Member Development		5.30pm Planning & Development Control		
	20	21	22	23	24
Week 4		5.30pm Children Young People & Education Scrutiny	5.30pm Governance & Audit	5pm Full Council	
	27	28	29	30	
Week 5	5.30pm Housing Scrutiny		Member Development	5.30pm Adult Social Care Scrutiny	

12 Nov - Diwali

Dec-23

	Monday	Tuesday	Wednesday	Thursday	Friday
					1
Week 1					
	4	5	6	7	8
Week 2	Member Development	5.30pm Culture and Neighbourhoods Scrutiny	5.30pm Planning & Development Control	5.30pm Economic Development Transport & Climate Change Scrutiny	
	11	12	13	14	15
Week 3		5.30pm Public Health & Health Integration Scrutiny	Member Development	5.30pm Overview Select Committee	
	18	19	20	21	22
Week 4		9.30am Licensing Enforcement			
	25	26	27	28	29
Week 5	BANK HOLIDAY	BANK HOLIDAY			

8 - 15 Dec - Hanukah.  
 25-26 Dec - Christmas  
 25 -31 December Schools Closed

Jan-24

	Monday	Tuesday	Wednesday	Thursday	Friday
	1	2	3	4	5
Week 1	BANK HOLIDAY		5.30pm Planning & Development Control		
	8	9	10	11	12
Week 2				Member Development	
	15	16	17	18	19
Week 3		5.30pm Children Young People & Education Scrutiny	5.30pm Governance & Audit	9.30am Health & Wellbeing Board	
	22	23	24	25	26
Week 4	Member Development	5.30pm Housing Scrutiny	5.30pm Planning & Development Control	5.30pm Adult Social Care Scrutiny	
	29	30	31		
Week 5	5.30pm Culture & Neighbourhoods Scrutiny	9.30am Licensing Enforcement	5.30pm Economic Development Transport & Climate Emergency Scrutiny		

1-5 Jan Schools closed

Feb-24

	Monday	Tuesday	Wednesday	Thursday	Friday
				1	2
Week 1					
	5	6	7	8	9
Week 2	Member Development	5.30pm Public Health & Health Integration Scrutiny		5.30pm Overview Select Committee	
	12	13	14	15	16
Week 3			5.30pm Planning & Development Control		
	19	20	21	22	23
Week 4			5pm Budget Council		
	26	27	28	29	
Week 5	Member Development	9.30am Licensing Enforcement  5.30pm Children Young People & Education Scrutiny			

13 Feb start of Lent;  
 19 - 23 Feb Half Term  
 24- 25 Feb Laylat al Bara'a Islamic

Mar-24

	Monday	Tuesday	Wednesday	Thursday	Friday
					1
Week 1					
	4	5	6	7	8
Week 2		Member Development	5.30pm Planning & Development Control	5.30pm Adults Social Care Scrutiny	
	11	12	13	14	15
Week 3	5.30pm Housing Scrutiny		5.30pm Governance & Audit	Member Development	
	18	19	20	21	22
Week 4			5.30pm Economic Development Transport & Climate Emergency Scrutiny	5pm Full Council	
	25	26	27	28	29
Week 5	5.30pm Culture & Neighbourhoods Scrutiny	9.30am Licensing Enforcement	5.30pm Planning & Development Control		BANK HOLIDAY

14 March Nanak Shahi Sikh; 11 March Ramadan starts; 25 March Holi Hindu  
 25 - 31 March School Easter Holidays

Apr-24

	Monday	Tuesday	Wednesday	Thursday	Friday
	1	2	3	4	5
Week 1	BANK HOLIDAY	5.30pm Public Health & Health Integration Scrutiny			
	8	9	10	11	12
Week 2	Member Development	5.30pm Standards Committee	5.30pm Licensing and Public Safety	5.30pm Overview Select Committee	
	15	16	17	18	19
Week 3			5.30pm Planning & Development Control	9.30 am Health & Wellbeing Board	
	22	23	24	25	26
Week 4					
	29	30			
Week 5	Member Development	9.30am Licensing Enforcement			

1-5 April School Easter Holidays  
 9-10 April Eid al-Fitr; 22 April Passover;

	Monday	Tuesday	Wednesday	Thursday	Friday
			1	2	3
Week 1					
	6	7	8	9	10
Week 2	BANK HOLIDAY	Member Development	5.30pm Planning & Development Control	Member Development	
	13	14	15	16	17
Week 3				5pm Annual Council	
	20	21	22	23	24
Week 4	Member Development				
	27	28	29	30	31
Week 5	BANK HOLIDAY				

27 - 31 May School Half Term

