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Merton Council

Council

21 April 2021

Supplementary agenda

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Committee: Annual Council

Date: 21 April 2020

Wards: All

Subject: Constitution of Committees and Other Bodies

Lead officer: Louise Round, Managing Director, South London Legal Partnership

Contact Officer: Louise Fleming, Democracy Services Manager
democratic.services@merton.gov.uk

Recommendations:

That the Council:

- A.
 - i) approves the constitution of committees, sub-committees and scrutiny bodies set out in Appendix A and;
 - ii) agrees the allocation of seats, chair and vice-chair positions and the appointment of members to those seats;
- B.
 - i) approves the constitution of consultative forums and other bodies set out in Appendix B and
 - ii) agrees the appointment of members to those seats;
- C. agrees the allocation of seats and appointment to the outside organisations as detailed in Appendix C.
- D. notes the appointments to the Cabinet including their respective portfolios (Appendix D)
- E. agrees that the Council's Constitution be amended to incorporate any changes resulting from the approval of recommendations A to D.

1. Purpose of report and executive summary

- 1.1 This report recommends the establishment of committee, sub-committee, and scrutiny panels, together with other consultative bodies for the year 2021/22; and the allocation of the seats on those bodies to political groups represented on the Council in accordance with the statutory proportionality rules and agree to the appointment of the groups' nominees.
- 1.2 The report recommends that the Council agrees the allocation of seats on outside organisations and agrees to the appointment of the political groups' nominees.

2. Alternative options

- 2.1 The Council must appoint at least one Overview and Scrutiny Committee, a Licensing Committee and a Health and Wellbeing Board. All other committees are constituted at the discretion of the Council.

- 2.2 The Council must allocate seats on the committees and sub-committees set out in Appendix A in accordance with statutory proportionality rules (with the exception of the Health and Wellbeing Board). All other seats may be allocated to groups at the Council's discretion.
- 2.3 The Council must establish a Standing Advisory Council on Religious Education and appoint members to it. The establishment of all other bodies set out in Appendix B is within the Council's discretion.
- 2.4 Participation in the outside organisations and allocation of seats set out in Appendix C is within the Council's discretion except where indicated as being within the executive leader's discretion.

3. Consultation undertaken or proposed

- 4.1 The Health and Wellbeing Board was consulted on the proposal to create a Subgroup on 23 June 2020 and HWBB members are involved in the Subgroup, both directly and through their nominees. A broad programme of engagement with community groups is taking place and will be reported to the HWBB and the Community Subgroup.

5. Timetable

- 3.1 The constitution of the committees set out here is for the year 2021/22 and takes immediate effect. Unless otherwise indicated all of these bodies will be established until the next annual meeting of the Council. The Council may review the committees it has established at any time. The Council must review the allocation of seats to political groups when there is a change in the political balance of the Council.
- 3.2 The Community Sub-Group will initially meet for a period until April 2021.

6. Legal and statutory implications

- 6.1 The Local Government Act 2000 makes provisions with respect to the function and procedures of local authorities. Merton's Constitution has been produced having regard to the provisions of the Act, Statutory Instruments and guidance from Central Government. The proposals within this report comply with the statutory requirements.
- 6.2 The Local Government Act 1972 contains provisions on the discharge of functions, meetings and proceedings of local authorities and access to information.
- 6.3 The Housing and Local Government Act 1989 contains provisions concerning the political balance on committees, the duty to allocate seats to political groups, and the duty to give effect to allocations.
- 6.4 The Licensing Act 2003 requires the Council to appoint a Licensing Committee.
- 4.5 The statutory requirement to have voting co-opted members on scrutiny has been met. There are two parent governors and a representative from both the Roman Catholic (currently vacant) and Church of England Diocese on the

- 6.5 The Council has a statutory duty to review the representation of different political groups on the Council at its annual meeting. The purpose of the legislation is to ensure that a 'political balance' is secured on council committees, sub-committees etc. so as to reflect the overall political composition of the Council.
- 6.6 Once the review has been completed there is a second statutory duty to make a determination as to political representation. This requirement to allocate seats must be made in accordance with the following statutory principles:
- a) All of the seats are not to be allocated to the same political group.
 - b) The majority of the seats go to the political group with a majority on full Council.
 - c) Subject to the above two principles, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to their proportion on full Council.
 - d) Subject to the above three principles, the number of seats on each ordinary committee of the Council allocated to each political group must bear the same proportion to their proportion on the full Council.
- 6.7 The Council is required to carry out review of proportionality at its annual meeting. As the annual meeting has been brought forward and will take place prior to the by election in St Helier ward on 6th May, that review will instead take place at the next available Council meeting.
- 7. Appendices – the following documents are to be published with this report and form part of the report**
- 7.1 Appendix A – Committees and sub-committees to be constituted and allocation of seats to political groups
- 7.2 Appendix B – Consultative and other bodies to be constituted and allocation of seats to political groups
- 7.3 Appendix C – Allocation of seats on outside organisations
- 7.4 Appendix D – Executive Leader's appointments to the Cabinet and their respective portfolios

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COMMITTEES, SUB-COMMITTEES AND SCRUTINY BODIES

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
OVERVIEW AND SCRUTINY COMMISSION (10 seats + 4 voting Co-opted Members) Substitutes allowed Page 5	Cllr Peter McCabe (Vice-Chair) (HCOP) Cllr Brenda Fraser (CYP) Cllr Aidan Mundy (SCS) Cllr Billy Christie Cllr Ben Butler Cllr Joan Henry Substitutes: Cllr John Dehaney Vacancy	Cllr Nicholas McLean Cllr Edward Gretton Substitutes: Cllr David Williams Cllr Thomas Barlow	Cllr Paul Kohler Substitute: Cllr Simon McGrath	Cllr Peter Southgate (Chair) Substitute: Cllr Edward Foley
HEALTHIER COMMUNITIES AND OLDER PEOPLE OVERVIEW AND SCRUTINY (8 seats) Substitutes allowed	Cllr Peter McCabe (Chair) Cllr Pauline Cowper Cllr Mary Curtin Cllr Linda Kirby Cllr David Chung Substitutes: Cllr Laxmi Attawar Vacancy	Cllr Thomas Barlow (Vice Chair) Cllr Nigel Benbow Substitutes: Cllr Andrew Howard Cllr Oonagh Moulton	Cllr Jenifer Gould Substitute: Cllr Hina Bokhari	

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL (10 seats) Substitutes allowed	<p>Cllr Brenda Fraser (Chair) Cllr Russell Makin Cllr Dennis Pearce Cllr Joan Henry Cllr Stan Anderson Cllr Nick Draper</p> <p>Substitutes:</p> <p>Cllr Carl Quilliam Vacancy</p>	<p>Cllr Hayley Ormrod (Vice Chair)</p> <p>Cllr James Holmes Cllr Omar Bush</p> <p>Substitutes:</p> <p>Cllr Thomas Barlow Cllr Andrew Howard</p>		<p>Cllr Edward Foley</p> <p>Substitute: Cllr Dickie Wilkinson</p>
SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL (8 seats) Substitutes allowed	<p>Cllr Aidan Mundy (Chair) Cllr Geraldine Stanford Cllr Nick Draper Cllr Laxmi Attawar Cllr Dave Ward</p> <p>Substitutes:</p> <p>Cllr Pauline Cowper Cllr Ben Butler</p>	<p>Cllr Daniel Holden (Vice Chair)</p> <p>Cllr David Dean</p> <p>Substitutes:</p> <p>Cllr Edward Gretton Cllr Nigel Benbow</p>	<p>Cllr Anthony Fairclough</p> <p>Substitute:</p> <p>Cllr Eloise Bailey</p>	
BOROUGH PLAN ADVISORY COMMITTEE (6 seats) Substitutes allowed, no Cabinet members	<p>Cllr Carl Quilliam (Chair) Cllr Geraldine Stanford Cllr Dennis Pearce Cllr Ben Butler</p> <p>Substitute: Vacancy</p>	<p>Cllr Najeeb Latif</p> <p>Substitute: Cllr Stephen Crowe</p>	<p>Cllr Anthony Fairclough</p> <p>Substitute: Cllr Simon McGrath</p>	

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
APPOINTMENTS COMMITTEE (10 seats) No substitutes	Cllr Mark Allison (Chair) Cllr Eleanor Stringer Cllr Martin Whelton Cllr Tobin Byers Cllr Owen Pritchard Cllr Marsie Skeete	Cllr Nicholas McLean Cllr Oonagh Moulton Cllr David Simpson	Cllr Anthony Fairclough	
HEALTH AND WELLBEING BOARD (3 seats plus officers, statutory and non-statutory representatives) Proportionality does not apply	Cllr Rebecca Lanning (Chair) Cllr Eleanor Stringer	Cllr Oonagh Moulton		

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
STANDARDS AND GENERAL PURPOSES COMMITTEE (12 seats plus 2 Independent Persons) Substitutes allowed	Cllr Peter McCabe (Chair) Cllr John Dehaney Cllr Brenda Fraser Cllr Ben Butler Cllr Nick Draper Cllr Mary Curtin Cllr Martin Whelton Substitutes: Cllr Caroline Cooper-Marbiah Cllr Edith Macauley	Cllr Adam Bush (Vice Chair) Cllr David Williams Cllr Andrew Howard Substitutes: Cllr Nicholas McLean Cllr Omar Bush	Cllr Hina Bokhari Substitute: Cllr Jenifer Gould	Cllr Dickie Wilkinson Substitute: Cllr Edward Foley
JOINT HEALTH COMMITTEES				
T S S O U SOUTH WEST LONDON AND SURREY JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC) (2 seats) Substitutes allowed	Cllr Peter McCabe Substitute: Cllr Brenda Fraser	Cllr Thomas Barlow Substitute: Cllr Andrew Howard		
REGULATORY AND QUASI JUDICIAL BODIES				
APPEALS COMMITTEE (6 seats)	Cllr Mark Allison (Chair) Cllr Brenda Fraser Cllr Joan Henry Cllr Owen Pritchard	Cllr Oonagh Moulton	Cllr Simon McGrath	
JOINT REGULATORY SERVICES COMMITTEE (2 seats) Proportionality does not apply	Cllr Mark Allison Cllr Caroline Cooper-Marbiah			

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
LICENSING COMMITTEE (Licensing Act and Gambling Act purposes) (12 seats) No substitutes	Cllr Nick Draper (Chair) Cllr Stan Anderson Cllr Pauline Cowper Cllr Mary Curtin Cllr Russell Makin Cllr Stephen Alambritis Cllr John Dehaney	Cllr David Simpson (Vice Chair) Cllr Janice Howard Cllr Nigel Benbow Cllr Oonagh Moulton	Cllr Paul Kohler	
LICENSING COMMITTEE (Miscellaneous) (12 Seats) No substitutes	Membership as for Licensing Committee			
LICENSING SUB- COMMITTEE (of above committee) (9 seats)	Any 3 members of the Licensing Committee			
PLANNING APPLICATIONS COMMITTEE (10 seats) Substitutes allowed	Cllr Dave Ward (Chair) Cllr Joan Henry Cllr Nick Draper Cllr Carl Quilliam Cllr Stephen Alambritis Cllr Billy Christie Substitutes: Cllr Dennis Pearce Cllr Ben Butler	Cllr Stephen Crowe (Vice Chair) Cllr David Dean Substitutes: Cllr Najeeb Latif Cllr Ed Gretton	Cllr Simon McGrath Substitute: Cllr Eloise Bailey	Cllr Peter Southgate Substitute: Cllr Edward Foley

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APPENDIX B

CONSTITUTION OF CONSULTATIVE FORUMS AND OTHER BODIES AND ALLOCATION OF SEATS TO GROUPS

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
COMMUNITY FORUMS – appointment of Chair				
COLLIERS WOOD COMMUNITY FORUM	Cllr John Dehaney (Chair)			
MITCHAM COMMUNITY FORUM	Cllr David Chung (Chair)			
MORDEN COMMUNITY FORUM	Cllr Nick Draper(Chair)			
RAYNES PARK COMMUNITY FORUM NB. local arrangements in respect of this forum put in place additional meetings with the Chair rotated and drawn from the four wards covered	N/A	N/A	N/A	N/A
WIMBLEDON COMMUNITY FORUM	N/A	Cllr James Holmes (Chair)		
CORPORATE PARENTING STEERING GROUP (2 seats Cabinet Member for Young People & Opposition member on CYP Scrutiny) No substitutes	Cllr Ellie Stringer	Cllr Hayley Ormrod		

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
JOINT CONSULTATIVE COMMITTEE WITH ETHNIC MINORITY ORGANISATIONS (5 seats plus representatives of Merton's ethnic minority organisations) Substitutes allowed	Cllr Marsie Skeete (Chair) Cllr Joan Henry Cllr Agatha Akyigyina Substitutes: Cllr Caroline Cooper-Marbiah	Cllr Omar Bush Substitute: Cllr Adam Bush	Cllr Eloise Bailey Substitute: Cllr Hina Bokhari	
MEMBERS' SCHOOL STANDARDS PANEL (3 seats + 1 substitute)	Cllr Dennis Pearce (Chair) Cllr Brenda Fraser Substitutes: Cllr Dave Ward	Cllr James Holmes		
PENSION FUND INVESTMENT ADVISORY PANEL (3 seats)	Cllr Laxmi Attawar (Chair) Cllr Tobin Byers	Cllr Adam Bush (Vice Chair)		

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (3 seats plus representatives of Christian and other denominations and teacher associations) No substitutes	Note – SACRE elects its own chair Cllr TBC Cllr Laxmi Attawar	Cllr Hayley Ormrod		

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APPENDIX C

CONSTITUTION OF CONSULTATIVE FORUMS AND OTHER BODIES AND ALLOCATION OF SEATS TO GROUPS

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ORGANISATION	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
London Councils Transport and Environment Committee (1 Seat) (To be appointed by the Executive Leader of the Council)	Cllr Martin Whelton Substitute: Cllr Natasha Irons			
London Councils Grants Committee (1 Seat) (To be appointed by the Executive Leader of the Council)	Cllr Marsie Skeete Substitute: Cllr Caroline Cooper- Marbiah			
London Councils Pensions CIV (Common Investment Vehicle) (Sectoral) Joint Committee (1 seat and 2 substitutes)	Cllr Laxmi Attawar Substitutes: Cllr Tobin Byers			
London Road Safety Council (2 seats plus accident prevention officer)	Cllr Agatha Akyigyina	Cllr Daniel Holden		
London Youth Games (1 seat)	Cllr Joan Henry			

ORGANISATION	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
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Merton Community Panel (Clarion Housing) (2 seats) (2 Seats)	Cllr Carl Quilliam Substitute: Cllr Russell Makin	Cllr Nigel Benbow		
Merton and Sutton Joint Cemetery Board (5 Seats)	Cllr Nick Draper Cllr Agatha Akyigyina Cllr Stephen Alambritis	Cllr David Williams	Cllr Hina Bokhari	
Mitcham Common Conservators (4 Seats)	Cllr Nick Draper Cllr Joan Henry Cllr Russell Makin	Mr Maurice Groves		
North East Surrey Crematorium Board (3 Seats)	Cllr Nick Draper Cllr Stephen Alambritis	Cllr Nigel Benbow		
Pollards Hill Community Committee (2 Seats)	Cllr Joan Henry Cllr Martin Whelton Cllr Aidan Munday (sub)			
Safer Merton SW LONDON JOINT WASTE MGMT COMM – 2 seats (cabinet members)	Cllr Agatha Akyigyina Cllr Tobin Byers Cllr Natasha Irons	Cllr David Simpson 		

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Leader of the Council – Mark Allison

- Chair of Cabinet
- Leader of the Council

Joint Deputy Leader and Cabinet Member for Children and Education – Eleanor Stringer

- Joint Deputy Leader of the Council
- Overarching management of education
- Leading on the planning, development and expansion of the schools estate
- Raising standards at each key stage in schools, especially GCSE KS4, and minimising the impact of austerity on educational outcomes
- Championing fair access and leading on strategic schools' issues
- Responsibility for Smart Centre (PRU) and exclusions and improving transitions into mainstream education, work and training.
- Governor training and support
- Leading across the 14-19 agenda including skills
- Covering the full statutory role as lead member for Children
- Development of the Children's Trust
- Children's care services and disabled children, including SEND
- Early years and childcare, extended schools and children's centres
- Leading on improvement in youth services. Responsible for youth justice, and engaging young people in the life of the community eg Youth Parliament
- Corporate parenting and ensuring our looked after children succeed
- Strong safeguarding through Local Safeguarding Children's Board partnership.
- Supporting families to stay together wherever appropriate, and promoting security and stability when children do come into our care
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) Strategy

Joint Deputy Leader and Cabinet Member for Performance, Recovery and the Local Economy – Owen Pritchard

- Joint Deputy Leader of the Council.
- Leading on the Council's recovery agenda.
- Leading on performance monitoring and Service Planning.
- Member Lead on the Merton the Place, a place-based vision for the borough's recovery from Covid-19, working with the Modernising Merton Lead Member
- Responsible for effective communication with residents.
- Responsible for implementation and roll out of CRM project.
- Lead Member on Strategic infrastructure development in the borough.
- Leading on efforts to boost trade and the local economy in town centres, supporting small businesses, markets and Business Improvement Districts.

Cabinet Member for Local Environment and Green Spaces – Natasha Irons

- Increasing recycling rates and overseeing the council's waste strategy and street cleaning services.

- Ensuring contracts uphold best possible outcomes in effective management of waste and street cleansing.
- Focus on streetscene improvement, including initiatives around HMOs/flats above shops.
- Promoting campaigns against environmental crimes (fly-tipping, litter).
- Leading on parks and use of the borough's greenspaces.
- Ensuring management of contracts for parks and open spaces.
- Encouraging sustainable activity by local community groups in parks and open spaces.
- Responsibility for allotments and cemeteries

Cabinet Member for Women and Equalities – Marsie Skeete

- Ensuring all equalities strands (sex, race, disability, sexual orientation, gender reassignment, pregnancy/maternity, religion/belief, age, marriage and civil partnerships) are embedded throughout council performance and the impact on these groups of austerity is minimised
- Oversight of the Council's Equality Strategy and Equality Impact Assessments and drawing up an Equalities Charter
- Chair of the Joint Consultative Committee with Ethnic Minorities
- Assessing the needs of the borough's EU citizens as the UK exits the EU
- Supporting the Merton Council staff BAME Forum
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) strategy
- Support and development of the LGBT+ forum
- Support and development of the Faith and Belief Forum
- Overseeing community engagement, including Community Plan, increased participation in local decision making and increasing social capital
- Overseeing the council's community partnerships, including specific focus on the voluntary sector.
- Leading on the management of grants to community groups and decisions of Grants Committee
- Chair of the Merton Compact Board.
- Overseeing voluntary sector organisations applying to become Refugee Community Sponsors.

Cabinet Member for Housing, Regeneration and the Climate Emergency – Martin Whelton

- Council lead on the Climate emergency
- Chair of Climate Change Implementation Committee
- Responsible for building links with residents, businesses and community groups to reduce carbon.
- Leading on regeneration and neighbourhood renewal initiatives.
- Overall responsibility for planning policy.
- Leading on the development of the Local Plan.
- Responsible for housing strategy, developing relations with Housing Associations and promoting the needs of tenants and leaseholders.
- Ensuring delivery of promises by Clarion Housing.
- Overseeing monitoring and enforcement of HMOs and rogue landlords

- Overseeing major projects in town centres.
- Building a vision in conjunction with local residents for the future of our neighbourhoods.
- Overall responsibility for development and building control and spatial policy.
- Transport planning including Crossrail 2, and liaison with Transport for London.
- Leading on traffic and highways.

Cabinet Member for Adult Social Care and Public Health – Rebecca Lanning

- Community care services, including relationships with the local Clinical Commissioning Group (CCG), Primary Care Network (PCN), Integrated Care System (ICS), wider health organisations including the voluntary sector in addition to protecting local health services.
- Social services for adults and services for adults with learning disabilities.
- Lead on dementia and mental health services.
- Leading on personalisation and choice issues.
- Older people's services including support for carers, day care for the elderly and meals on wheels, working alongside the National Health Service.
- Lead on Public Health and healthy living schemes.
- Lead member for Air Quality and sustainable transport, including school streets, cycling and LTNs, and for parking services and overseeing the council's parking management strategy.
- Chair of Health and Wellbeing Board.
- Lead member for addressing food poverty.

Cabinet Member for Culture, Leisure and Skills – Caroline Cooper-Marbiah

- Leading on libraries including maximising use of library buildings
- Overseeing leisure operations and development
- Liaising with businesses and cultural organisations to embed culture in regeneration plans
- Leading on apprenticeships and training.
- Leading on the adult education service.
- Business opportunities in heritage and tourism
- Leading on trading standards and commercial environmental health
- Working with organisations in the borough's thriving arts and cultural Communities

Cabinet Member for Partnerships, Public Safety and Tackling Crime – Agatha Akyigyina

- Reducing the threat of crime and anti-social behaviour in Merton and working closely with Police and Community Safety partnerships
- Leading on a knife crime strategy for the borough
- Point of contact with Borough Command Unit and Deputy Mayor for Crime and Safety
- Overseeing CCTV operations
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) strategy
- Oversight of the Council's Preventing Violent Extremism strategy
- Support and development of Merton's Armed Forces Community Covenant

Cabinet Member for Finance – Tobin Byers

- Leading on the budget, including the development of revenue, capital and debt management strategies
- Responsible for corporate finance, IT and audit, human resources, civic and legal services, and risk management
- Lead on asset management, driving improvements in council performance and leading budget and finance performance review meetings
- Leading on Modernising Merton, the change management agenda with responsibility for driving through value for money and efficiency within the council, working with the Merton the Place Lead Member
- Overseeing the Council Commissioning strategy
- Monitoring progress of council wide strategic approach to customer services and community support and access.
- Monitoring the implications of Brexit on Merton Council, working alongside the Cabinet Member for Women and Equalities

Note: All Cabinet Members are also responsible as Corporate Parents for children in the care of the Council.

Committee: Annual Council

Date: 21 April 2021

Wards: N/A

Subject: Revised Calendar of meetings 2021/22

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Tobin Byers, Cabinet Member for Finance

Contact officer: Louise Fleming, Democratic Services

Recommendations:

1. That in the event that it is not legally possible to hold virtual meetings provisions beyond 7 May 2021, the revised Calendar of meetings for the 2021/22 municipal year, with the addition of an extraordinary Standards and General Purposes Committee on 28 June 2021, attached at Appendix A, be agreed.
2. That in the event that it is legally possible to hold virtual meetings beyond 7 May 2021, the Calendar of meetings for the 2021/22 municipal year, previously agreed by the Council with the addition of a Sustainable Communities Overview and Scrutiny Panel on 24 May and an extraordinary Standards and General Purposes Committee on 28 June 2021, attached at Appendix B, be agreed.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The calendar of meetings for 2021/22 was agreed by the Council at its meeting on 3 February 2021.
- 1.2. The current regulations permitting virtual meetings end on 6 May 2021 and the Government has decided not to legislate to extend this provision. Therefore, with effect from 7 May, all meetings of the Council must return to meeting in person prior to vulnerable staff or members being fully vaccinated, or lockdown being fully lifted. Although the High Court is due to consider a challenge to this decision on 21 April 2021, the judgement will not be known immediately. In light of this, the extraordinary Council meeting on 13 April 2021 resolved that a revised calendar of meetings be reported to the annual meeting.
- 1.3. The revised calendar of meetings attached at Appendix A sets out revised dates for the following meetings, which were due to meet between 6 May and 21 June as set out below:

Meeting	Original date	New date
Licensing Committee	<i>Tues 8 June 7.15pm</i>	<i>Tues 6 July 7.15pm</i>
Borough Plan Advisory Committee	<i>Thurs 10 June 7.15pm</i>	<i>Thurs 1 July 7.15pm</i>
Cabinet	<i>Mon 14 June 7.15pm</i>	<i>Tues 22 June 7.15pm</i>

Planning Committee	<i>Thurs 17 June 7.15pm</i>	<i>Tues 29 June 7.15pm</i>
Health and Wellbeing Board	<i>Tues 22 June 6.15pm</i>	<i>Tues 22 June 6.00pm</i>

- 1.4. It is proposed that the Planning Applications Committee scheduled for Thursday 13 May be cancelled. An additional meeting of the Planning Applications Committee will be scheduled in July if there is sufficient business to consider. It is also proposed that the Annual Cabinet meeting scheduled for Wednesday 19 May be cancelled.
- 1.5. The South London Waste Partnership Joint Committee is currently being hosted by the London Borough of Kingston. Kingston have confirmed that the meeting scheduled for Tues 8 June 6.30pm will go ahead in the event that it is legally possible to hold virtual meetings beyond 7 May.
- 1.6. The following meetings can remain on their scheduled dates, as they are not precluded from meeting virtually:

Health and Wellbeing Board Subgroup – Tues 25 May 5.00pm
 LSG – Tues 1 June 7.15pm
 Overview and Scrutiny Topic Workshops – Mon 7 and Wed 9 June
 JCC – Wed 9 June at 7.15pm
 Raynes Park Community Forum – Thurs 10 June 7.15pm
 Wimbledon Community Forum – Weds 16 June 7.15pm

The Joint Consultative Committee with Ethnic Minority Organisations, although a formally constituted committee of the Council does not have any formal delegated decision making powers so it is considered that there would be little or no legal risk in holding this meeting virtually, whatever the outcome of the High Court Case.

2 DETAILS

- 2.1. The details are set out above and in Appendix A and B.

3 ALTERNATIVE OPTIONS

- 3.1. The Council can make whatever arrangements it sees fit in respect of the calendar within the legal constraints set out below.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. The Leader of the Council has been consulted in respect of the Cabinet meeting schedule. The chairs of the Overview and Scrutiny Commission and scrutiny panels have been consulted in respect of the scrutiny schedule. Group offices and leaders have been consulted and their comments taken into account where possible.

5 TIMETABLE

- 5.1. The calendar covers the period from May 2021 up to and including the Annual meeting 2022.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purposes of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. As a response to the Covid-19 pandemic, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 introduced the ability for formal council meetings to be held remotely. Those regulations lapse on 6 May and, unlike other legislative provisions governing the pandemic, there is no provision to extend them, otherwise than by primary legislation. Such legislation has not been introduced. An application has been made to the High Court for a declaration that the existing law governing local authority meetings, which is contained in the Local Government Act 1972, should be interpreted in accordance with modern times. In essence, the definition of “place” which appears a number of times in the relevant passages should, it is argued, include virtual, as well as physical places.
- 7.2. The Government is not opposing the application for a declaration so it is hoped that the Court will take a pragmatic approach and agree that the law already allowed for remote meetings and there is no need for new legislation. If so, meetings will be able to continue virtually. However, if the Court takes a different view, then it will be necessary for councillors to attend a physical meeting, in order for those meetings to be validly called, although officers and members of the public could continue to participate remotely. For this reason, it would seem sensible to agree alternate calendars as proposed in this report.
- 7.3. For meetings where no formal decisions are being held, in terms of the activity at those meetings, there would be no significant adverse consequences of continuing to hold those meetings virtually even if the judgement is unfavourable but members should note that attending such meetings will not count as attendance for the purpose of the “six month rule”.
- 7.4. The Council must hold a meeting to agree its budget by 11 March in each year.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. Publishing a calendar of meetings in advance is important in giving people information about when the Council proposes to do its business and take decisions that affect the community and individuals.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. It is important for the proper discharge of the Council’s duties that a proper framework for decision making is established including the scheduling of

meetings in advance to allow for business reports to be properly prepared for decision making bodies.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Appendix A – revised calendar of meetings 2021/22 (in person meetings)
- Appendix B – revised calendar of meetings 2021/22 (virtual meetings)

12 BACKGROUND PAPERS

12.1. None

2021-22	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22
COUNCIL													
Annual (2)													25
Ordinary (5)			7		15		17			2			
Council budget (1)											2		
EXECUTIVE (inc LSG)													
Cabinet (11)		22	12		6	11	8	6	17	7	21		25
LSG (9)		1 & 28		23	27	25	22		4&24		7		
Merantun Development Ltd Sub-Committee (4)			12			11			17		21		
SCRUTINY													
Overview and Scrutiny Commission (6)			14		8		10		19 & 26		16		
Healthier Communities and Older People OSP (6)		21			1		2		10	8	14		
Children and Young People OSP (6)		23			29		3		12	9	15		
Sustainable Communities OSP (6)	4	24			2		1		18	22	8		
Overview and Scrutiny Topic Workshops		7 & 9											
NON-EXEC & ADVISORY													
Standards and General Purposes Committee (4)		28	22		9		4				10		
Borough Plan Advisory Committee (4)			1		2		25				3		
Licensing Committee (3)			6			14			27				
Planning Applications Committee (12) Thurs		29	15	19	23	21	11	9	20	10	17	28	
Pension Fund Investment Advisory Panel (4)		24			23		24				9		
OTHER													
Wimbledon Forum (4)		16			22			1			23		
Raynes Park Forum (4)		10			16			2			22		
Morden Forum (2)						13				23			
Mitcham Forum (2)						6				22			
Colliers Wood Forum (1)						20							
JCC (4)		9			7			1			23		
JOINT COMMITTEES													
Health and Well-Being Board (5) (6.15pm) Tues		22			28		23		25		22		
Health And Wellbeing Board - Community Sub Group (5.00pm)	25		20		14								
South London Waste Partnership Joint Committee 6.30pm* (4)		8			8			16			31		
North East Surrey Crematorium Board** (10.00am) (4)		22			7			13			tbc		
Merton and Sutton Joint Cemetery Board (2.00pm)		22								22			
Final budget round meetings in bold													

* TBC with joint Boroughs
 **TBC with Sutton and LBW
 *** TBC with Sutton
 ****TBC with LBR and LBW

AVOID
 31/05/21 - 04/06/21 Summer Half Term
 22/07/21 - 31/08/21 Summer Holidays
 25/10/21 - 29/10/21 Autumn Half term
 20/12/21 - 03/01/22 Christmas
 14/02/22 - 18/02/22 Spring Half Term
 04/04/22 - 18/04/22 Easter Half Term
 30/05/22 - 03/06/22 Summer Half Term
 28/03/22 - 05/05/22 Pre-election period

Potential Party Conference Dates
 18.09.21 - 21.09.21 Labour
 24.09.21 - 27.09.21 Lib Dem
 02.10.21 - 05.10.21 Conservative

TO NOTE
 28.06.21 - 11.07.21 Wimbledon fortnight

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2021-22	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22
COUNCIL													
Annual (2)													25
Ordinary (5)			7		15		17			2			
Council budget (1)											2		
EXECUTIVE (inc LSG)													
Cabinet (11)		14	12		6	11	8	6	17	7	21		25
LSG (9)		1 & 28		23	27	25	22		4&24		7		
Merantun Development Ltd Sub-Committee (4)			12			11			17		21		
SCRUTINY													
Overview and Scrutiny Commission (6)			14		8		10		19 & 26		16		
Healthier Communities and Older People OSP (6)		21			1		2		10	8	14		
Children and Young People OSP (6)		23			29		3		12	9	15		
Sustainable Communities OSP (6)	24	24			2		1		18	22	8		
Overview and Scrutiny Topic Workshops		7 & 9											
NON-EXEC & ADVISORY													
Standards and General Purposes Committee (4)		28	22		9		4				10		
Borough Plan Advisory Committee (4)		10			2		25				3		
Licensing Committee (3)		8				14			27				
Planning Applications Committee (12) Thurs	13	17	15	19	23	21	11	9	20	10	17	28	
Pension Fund Investment Advisory Panel (4)		24			23		24				9		
OTHER													
Wimbledon Forum (4)		16			22			1			23		
Raynes Park Forum (4)		10			16			2			22		
Morden Forum (2)						13				23			
Mitcham Forum (2)						6				22			
Colliers Wood Forum (1)						20							
JCC (4)		9			7			1			23		
JOINT COMMITTEES													
Health and Well-Being Board (5) (6.15pm) Tues		22			28		23		25		22		
Health And Wellbeing Board - Community Sub Group	25		20		14								
South London Waste Partnership Joint Committee 6.30pm* (4)		8			8			16			31		
North East Surrey Crematorium Board** (10.00am) (4)		22			7			13			tbc		
Merton and Sutton Joint Cemetery Board 2.00pm		22								22			
Final budget round meetings in bold													

* TBC with joint Boroughs
 **TBC with Sutton and LBW
 *** TBC with Sutton
 ****TBC with LBR and LBW

AVOID	
31/05/21 - 04/06/21	Summer Half Term
22/07/21 - 31/08/21	Summer Holidays
25/10/21 - 29/10/21	Autumn Half term
20/12/21 - 03/01/22	Christmas
14/02/22 - 18/02/22	Spring Half Term
04/04/22 - 18/04/22	Easter Half Term
30/05/22 - 03/06/22	Summer Half Term
28/03/22 - 05/05/22	Pre-election period
Potential Party Conference Dates	
18.09.21 - 21.09.21	Labour
24.09.21 - 27.09.21	Lib Dem
02.10.21 - 05.10.21	Conservative
TO NOTE	
28.06.21 - 11.07.21	Wimbledon fortnight

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Committee: Full Council

Date: 21st April 2021

Agenda item:

Wards: All

Subject: Chief Officer Recruitment - **Addendum**

Lead officer: Ged Curran, Chief Executive

Lead member: Councillor Mark Allison, Leader of the Council and Chair of the Appointments Committee

Contact officer: Liz Hammond, Head of HR

Recommendations:

- A To note that the successful executive search agent for the Assistant Director, Education & Early Help has advised that the salary range of £96,840 to £101,193 per annum is on the low side in order to attract good quality candidates to the role.
 - B To approve a market supplement of up to £15,000 per annum if needed to secure an exceptional candidate during the recruitment process for the Assistant Director, Education & Early Help.
 - C To note and approve the recruitment salary package of £96,840 to £101,193 per annum for the post of Assistant Director, Social Care as required by the Council's pay policy statement.
 - D To note and approve the potential requirement for a market supplement of up to £15,000 per annum if needed to secure an exceptional candidate during the recruitment process for the Assistant Director, Social Care & Youth Inclusion.
-

1. Purpose of report and executive summary

- 1.1 The Council's pay policy statement requires that remuneration packages over £100k have approval of full council. This report seeks authority to recruit to two important posts at levels above that amount.

2. Details

Assistant Director, Education and Early Help

- 2.1 Proposals have now been received from executive search agents on the LGRP framework to undertake the recruitment to the post of Assistant Director, Education and Early Help on a permanent basis.
- 2.2 Feedback from the executive search agents provided some salary benchmarking which has indicated that a market supplement allowance of up to £15,000 per annum may be required to attract and secure an exceptional candidate.
- 2.3 In comparison, other London Boroughs offer salary ranges of between £100,086 and £119,646 per annum.

2.4 Salary benchmarking can be seen in the following table:-

Borough	Role	Salary
Croydon	Director of Early Help	£119,646
Havering	Assistant Director Social Care (includes Early Help)	£103,605 - £112,325
Lewisham	Director of Families (includes Early Help)	£100,086 - £105,492
Tower Hamlets	Director of Education	Up to £109,600
Wandsworth	Similar level to role	£125,000
Kingston & Richmond	Similar level to role	£105,000

2.5 It may not be necessary to offer a market supplement and of course this won't be done if a successful candidate can be sourced without it.

Assistant Director, Social Care & Youth Inclusion

2.6 The post of Assistant Director, Social Care & Youth Inclusion will become vacant following the current postholder tendering their resignation.

2.7 The Director of Children, Schools & Families intends to recruit to this role on a permanent basis as soon as possible.

2.8 The role is graded Management grade 5, for which the current salary ranges from spinal column point (scp) 16 with an annual salary of £96,840 to scp 17 with an annual salary of £101,193.

2.9 As the upper salary point is now in excess of £100k, approval is sought to enable the flexibility to offer the upper salary point if an exceptional candidate is found during the recruitment process.

2.10 If recommended by the chosen Executive Search Agent, flexibility is sought to be able to include a market supplement of up to £15,000 per annum if needed to secure an exceptional candidate during the recruitment process. We will endeavour to recruit to the post without the market supplement if possible.

2.11 The required approvals are in line with the requirements of the Council's pay policy statement.

3. Alternative options

Assistant Director, Education & Early Help

3.1 To continue with the recruitment process with the basic salary range on the understanding that we may not be able to secure an appointment.

Assistant Director, Social Care & Youth Inclusion

3.2 The Director of Children Schools & Families is a statutory officer and the Council has a duty to appoint to this post; therefore, there is no alternative option other than to recruit a replacement.

4. Consultation undertaken or proposed

- 4.1 Both appointments of the Assistant Director, Education and Early Help and Assistant Director, Social Care & Youth Inclusion are officer appointments.

5. Timetable

- 5.1 Recruitment to both posts of Assistant Director, Education and Early Help and Assistant Director, Social Care & Youth Inclusion will commence once approval to the salary package is received.

6. Financial, Resource and Property Implications

- 6.1 There is provision in the Children, Schools & Families budget to recruit to the Assistant Director, Education and Early Help and Assistant Director, Social Care & Youth Inclusion roles at the salary set out in this report.
- 6.2 The executive search agent's fees are to be agreed, once the supplier has been decided. Additional costs will be for advertising, technical assessor fee and psychometric assessment costs, which will be dependent on the number of shortlisted candidates and assessments will be used. These costs will be paid from CSF budgets.

7. Legal and statutory implications

- 7.1 The Council's pay policy statement requires that recruitment packages over £100k have approval of full council.

8. Human rights, equalities and community cohesion implications

- 8.1 The contents of this report are designed to ensure that the Council's processes are human rights and equalities compliant.

It is unlawful to discriminate on grounds of gender, race, disability, age, religion and belief and sexual orientation. This refers to both direct and indirect discrimination. In effect the process has to be evaluated against three tests (1) intention (2) method (3) effect. Where there is an **intention** to discriminate on any of the prohibited grounds, this would be unlawful. Where there is no such intention but the recruitment **methods** used are discriminatory, then the outcome may be open to challenge. Where the intention and method are sound but the **effect** is shown to have disproportionate effect on a particular category of applicant then the outcome may be open to challenge.

9. Crime and Disorder Implications

- 9.1 None

10. Risk management and health and safety implications

- 10.1 None

11. Appendices – the following documents are to be published with this report and form part of the report

- 11.1 None

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