

Committee: Policy & Resources Committee	Date: 15 December 2016
Subject: Appointment of Sub-Committee Chairmen	Public
Report of: Town Clerk and Comptroller and City Solicitor	For Decision
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Summary

Following a request from the Committee in September 2016, this report provides information regarding the appointment of Chairmen or Deputy Chairmen of Sub-Committees, where that role is reserved for the Chairman of the Committee. The report also provides information regarding a similar circumstance of a Chairman (or his nominee) being appointed to another Committee.

Legally no individual Member can personally exercise any of the City Corporation's functions. All Grand Committees are appointed by the Court of Common Council to undertake relevant functions. Committees have the ability to establish Sub-Committees and to delegate functions to them. As a consequence the membership of a Sub-Committee must be determined by the Grand Committee, and the appointment of its Chairman and Deputy Chairman is a matter for either the Grand Committee or the Sub-Committee as may be determined.

This report therefore seeks your endorsement of a convention whereby the Chairman submits his or her nominations for the Chairmanship of a Sub-Committee, or representatives on other Committees, to the Committee for approval. To ensure consistency across Committees, the report also recommends that, should the proposed convention be approved, a resolution is sent to all relevant Committees to endorse.

Recommendations

The Committee is recommended to:

- a) Agree that, where a Chairman does not wish to exercise his right to be Chairman of a Sub-Committee and wishes that a specific Member be appointed, Committees adopt a convention whereby the Chairman submits his nomination for Chairman and/or Deputy Chairman to the Committee for approval.
- b) subject to the approval of (a) above, a resolution be circulated to all relevant Committees to endorse the convention.

Report

Background

1. At the Committee's meeting on 8 September 2016, Members discussed the method by which Chairmen of Sub-Committees are appointed. Currently, in the

absence of specified arrangements for the Chairmanship of Sub-Committees, the default position is that Sub-Committees are Chaired by the Chairman of the Grand Committee. There are instances in which the Chairman does not wish to adopt the default position but wishes to appoint a representative to undertake the role instead. Although not discussed by the Committee in September, similar circumstances often apply to instances in which the Chairman (or his representative) is appointed to serve on another Committee or Sub-Committee.

Current Position

2. The legal position on this matter is that no individual Member can personally exercise any of the City Corporation's functions. All Grand Committees are appointed by the Court of Common Council to undertake the functions of the Corporation. All Committees may establish Sub-Committees and delegate its functions to those Sub-Committees. Therefore, a Sub-Committee's membership must be determined by the Grand Committee creating it. The appointment of the Chairman and/or Deputy Chairman of the Sub-Committee can be determined by the Grand Committee or left to the Sub-Committee.
3. The approach taken by City Corporation Committees in determining these appointments is inconsistent. Therefore consideration should be given to the introduction of an appropriate mechanism for the appointments to ensure consistency across the board.
4. It should be noted that it is not intended that any change be made to the appointment to any position which is not explicitly stated to be the role of the Chairman of a Grand Committee (or his nominee).

Proposals

5. Where a Chairman does not wish to exercise his right to be Chairman of a Sub-Committee and wishes that a specific Member be appointed, it is proposed that Committees adopt a convention whereby the Chairman submits his nomination for Chairman and/or Deputy Chairman to the Committee for approval.
6. This would retain the current convention of Chairmen, where they do not wish to fulfil a role themselves (whether that be Chairman or Deputy Chairman of a Committee or serving as a Member of another Committee), being able to select Members to fulfil this role on their behalf, where appropriate. It would remove the risk of an individual Member personally exercising a function which must be exercised by the Committee.
7. Where, for any position reserved for the Chairman, no specific Member is nominated by the Chairman, the appointment process would be by election from all eligible Members of the Committee.
8. To ensure consistency across the City Corporation's Committees, it is also proposed that, should this proposed convention be supported, a resolution is circulated to all relevant Committees for endorsement.

Conclusion

9. The report recommends to Members the endorsement of a convention whereby the Chairman will submit his nominations for the aforementioned positions, and these nominations are approved by the Committee. To ensure consistency across Committees, the report also recommends that, should the proposed convention be approved, the minutes from this item are circulated to all relevant Committees to endorse this convention.

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