



Open Report on behalf of Andrew Crookham, Executive Director - Resources

| | |
|------------|---|
| Report to: | County Council |
| Date: | 15 September 2023 |
| Subject: | Appointment of Chairmen and Vice Chairmen of Committees and Sub-Committees |

Summary:

The purpose of this report is to set out for consideration nominations for the positions of Chairmen and Vice Chairmen of the Council's Committees and Sub-Committees for the remainder of the municipal year.

Recommendation(s):

That the nominations for Chairmen and Vice-Chairman of Committees and Sub-Committees (as set out in the Order of Proceedings) be considered and the Council agree any necessary appointments.

1. Background

- 1.1 Each established Committee and Sub-Committee requires appointment of a Chairman and Vice-Chairman for the ensuing municipal year. Following the resignation of Councillor Robert Parker, the Chairmanship of Overview and Scrutiny Management Board stands vacant.
- 1.2 Nominations received for this position, along with any other changes considered appropriate at this point, will be circulated within the Order of Proceedings (OOP).
- 1.3 Members are asked to give consideration to the nominations, and to agree appointments for the remainder of the 2023/24 municipal year.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision-making process.

There is no impact on equalities arising from the appointment of Chairmen and Vice-Chairmen.

Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

There are no implications for the JSNA or JHWS in relation to appointing Chairmen and Vice-Chairmen.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

There are no implications in relation to Crime and Disorder arising from the appointment of Chairmen and Vice-Chairmen.

3. Conclusion

The Council's Constitution provides that it is for the Council to appoint the Chairmen and Vice-Chairmen of Committees and Sub-Committees, excluding those whom are permitted to appoint their own as detailed within the Council's constitution.

4. Legal Comments:

The Council's Constitution provides for the Council to appoint the Chairmen and Vice Chairmen of the Council's Committees and Sub-Committees, (with the exception of the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board, the Bourne Town Hall Trust Management Committee and the Corporate Parenting Panel).

5. Resource Comments:

Chairmen and Vice Chairmen are remunerated in accordance with the Members' Allowance Scheme which is agreed separately to the appointment to these positions. Therefore, there are no specific financial implications arising from the recommendations in this report.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

N/A

c) Scrutiny Comments

N/A

d) Risks and Impact Analysis

N/A

7. Appendices

| | |
|---|--|
| These are listed below and will be attached within the Order of Proceedings | |
| Appendix A | Nominations for Chairmen and Vice-Chairmen Positions for the remainder of the 2023/24 municipal year |

8. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nicola Calver, who can be contacted on 07387 133755 or nicola.calver@lincolnshire.gov.uk.