
Cabinet Member Policy Leadership and Governance
Council

12 March 2013
19 March 2013

Name of Cabinet Member:

Policy, Leadership and Governance: Cllr J Mutton

Director Approving Submission of the report:

Director of Finance and Legal Services
Director of Public Health

Ward(s) affected:

All

Title: Transitions to Public Health and Constitutional Changes

Is this a key decision?

No

Executive Summary:

The Health and Social Care Act 2012 will introduce major reforms of the NHS, public health and social care. While some parts of the Act are in force already, most provisions will take effect on 1st April 2013. The transfer of public health functions to local authorities and the requirement to establish a Health and Wellbeing Board ("the Board") mean that changes need to be made to the Constitution and authority given to deal with the formal transfer of assets and liabilities from services which will cease to exist after 31st March.

In particular the following changes need to be considered:

- (1) terms of reference and membership of, and voting rights for, the Health and Wellbeing Board when it becomes operational on 1st April 2013;
- (2) delegated powers for the Director of Public Health to enable her to carry out her statutory duties as well as her functions as a member of the Council's Corporate Management Board; and
- (3) other minor amendments to the Constitution which need to be in place before the new municipal year.

In addition the Council needs to give delegated authority to the Council Solicitor to accept formally the legal documents transferring staff and the legal title and legal rights in assets and liabilities from the PCT to the Council.

Regulations which were issued in February 2013 modify the operation of the usual rules for council committees when applied to the Board. This means that the Council has some choices to make about the detailed governance and operation of the Board. The Board has been consulted on these choices but, because of the short timescales involved it has not been possible to incorporate their views into this report..

The Board met on 11 March and a note of their views will be provided for the meeting.

This report sets out the changes that are needed and asks the Cabinet Member to recommend to Council to approve those amendments.

Recommendations:

Cabinet Member is recommended to:

- (1) Recommend to Council that the Membership of the Health and Wellbeing Board be confirmed as the membership set out in the table in paragraph 2.3.2 of the report with effect from 1st April until the Annual Meeting of the Council in May 2013 when final membership will be determined;
- (2) Recommend to Council whether or not to make a direction that members of the Health and Wellbeing Board, including members of any sub-committee or joint sub-committee and substitute members, who are not elected members of Coventry City Council are to be treated as non-voting members of the Health and Wellbeing Board, taking into account any views expressed on this point by the Health and Wellbeing Board;
- (3) Recommend to Council that no action be taken to require the Health and Wellbeing Board be politically balanced;
- (4) Recommend to Council whether or not :
 - (a) to direct the Health and Wellbeing Board that it may not appoint a sub-committee or sub-committees to discharge any of its functions (other than functions under Section 196(2) of the Health and Social Care Act 2012) ;and
 - (b) to direct the Health and Wellbeing Board that it may not appoint a sub-committee or sub-committees or an officer to discharge any of its functions under Section 196(2) of the Health and Social Care Act 2012taking into account any views expressed by the Health and Wellbeing Board on these points;
- (5) Recommend to Council that subject to any amendments required as a result of Recommendations (1) to (4) above, changes to the Constitution set out in section 3 of the report be approved; and
- (6) Recommend to Council that the Council Solicitor be given delegated authority:
 - (a) to make any necessary changes to the Constitutional changes set out in Section 3 arising from Recommendations (1) to (5) above; and
 - (b) to accept formally the legal documents transferring staff and the legal title and legal rights in assets and liabilities and be appointed to sign and seal the legal documents

Council is recommended to:

- (1) Confirm the membership of the Health and Wellbeing Board as the membership set out in the table in paragraph 2.3.2 of the report with effect from 1st April until the Annual

Meeting of the Council in May 2013 when final membership will be determined;

- (2) Consider whether or not to make a direction that members of the Health and Wellbeing Board, including members of any sub-committee or joint sub-committee and substitute members, who are not elected members of Coventry City Council are to be treated as non-voting members of the Health and Wellbeing Board, taking into account any views expressed on this point by the Board ;
- (3) To take no action to require the Health and Wellbeing Board to be politically balanced;
- (4) Consider whether or not :
 - (a) to direct the Health and Wellbeing Board that it may not appoint a sub-committee or sub-committees to discharge any of its functions (other than functions under Section 196(2) of the Health and Social Care Act 2012) ;and
 - (b) to direct the Health and Wellbeing Board that it may not appoint a sub-committee or sub-committees or an officer to discharge any of its functions under Section 196(2) of the Health and Social Care Act 2012taking into account any views expressed by the Board on these points;
- (5) Subject to any amendments required as a result of Recommendations (1) to (4) above, approve the changes to the Constitution set out in section 3 of the report; and
- (6) Give the Council Solicitor delegated authority:
 - (a) to make any necessary changes to the Constitutional changes set out in Section 3 arising from Recommendations (1) to (5) above; and
 - (b) to accept formally the legal documents transferring staff and the legal title and legal rights in assets and liabilities and be appointed to sign the legal documents and seal the legal documents

List of Appendices included:

Appendix 1: Draft Terms of Reference for Health and Wellbeing Board

Appendix 2: Extract from Council Procedure Rules

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

Shadow Health and Wellbeing Board 11 March 2013

Will this report go to Council?

Yes, 19 March 2013

Report title: Transitions to Public Health and Constitutional Changes

1. Context

- 1.1 The Health and Social Care Act 2012 received the royal assent in March 2012. While some provisions are in force, most will take effect on 1st April 2013. Changes need to be made to the Constitution to reflect provisions which affect the Council's governance arrangements. In particular the following changes need to be considered:
- (1) terms of reference and membership of, and voting rights for, the Health and Wellbeing Board when it becomes operational on 1st April 2013;
 - (2) delegated powers for the Director of Public Health to enable her to carry out her statutory duties as well as her functions as a member of the Council's Corporate Management Board; and
 - (3) other minor amendments to the Constitution which need to be in place before the new municipal year.

These are set out in Section 3. The precise wording of the terms of reference of the Board will depend on the choices that the Council makes in connection with its detailed governance (see Section 2 below).

In addition, with the close down of Primary Care Trusts and the transfer of public health functions to local authorities, arrangements are being made for the transfer of assets and liabilities from the PCTs to local authorities. The Council needs to give delegated authority to the Council Solicitor to accept the Transfer Scheme as more particularly set out in Section 4.

2. Governance of the Health and Wellbeing Board

- 2.1 The Health and Wellbeing Board is established by the 2012 Act as a Council committee. Its functions are set out in Sections 195 and 196 of the Act and are:
- to encourage integrated working for the purpose of advancing the health and wellbeing of people in its area (s.195)
 - to exercise the functions of the local authority and partner bodies in producing the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy (s.196(1)).

In addition Section 196(2) allows the Board to exercise any functions of the local authority that are given to it by the authority.

- 2.2 Regulations (the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013) have now been published which modify the operation of the usual rules for council committees when applied to the Board. This means that the Council has some choices to make about the detailed governance and operation of the Board. These are set out below. The choices the Council makes will determine the precise wording of the Constitutional changes that will be needed. Where a choice falls to be made by the Council, this is set out in italics and each choice is numbered sequentially.

2.3 Membership of the Health and Wellbeing Board

- 2.3.1 Section 194 of the 2012 Act sets out how membership of health and wellbeing boards is to be determined. The Board must have:
- (a) at least one City Councillor, nominated by the Leader of the Council (this can be or include the Leader himself);

- (b) the director of adult social services;
- (c) the director of children's services;
- (d) the director of public health;
- (e) a representative of the Local Healthwatch organisation for the area of the local authority,
- (f) a representative of each relevant clinical commissioning group; and
- (g) such other persons, or representatives of such other persons, as the Council thinks appropriate.

In addition the Board itself may appoint additional persons to be members of the Board as it thinks appropriate. Any time after the Board has been established, the Council must consult with the Board before appointing another person to the Board under (g).

2.3.2. The table below sets out suggested membership for the Board from 1st April 2013. This is the same as for the shadow board except organisations which will not exist after 31st March have been removed and new bodies, such as Local Healthwatch, added. The third column shows the basis upon which the membership might be appointed in accordance with the legislation.

Position / Organisation	Suggested representation	Status
Leader of the Council		Nominated by Leader
Cabinet Member - Community Services		Nominated by Leader
Cabinet Member - Children and Young People		Nominated by Leader
Opposition Councillor representative		Nominated by Leader
Director of Community Services		Statutory appointment
Director of Children, Learning and Young People		Statutory appointment
Director of Public Health		Statutory appointment
Assistant Director Policy and Performance, Community Services Directorate.		To be appointed by the Council
Local Healthwatch	1 representative	Statutory appointment
GP Commissioning Consortium	2 Representatives	Statutory appointment
Voluntary Action Coventry	A Representative of the Health & Social Care Voluntary Sector	To be appointed by the Council
Coventry University	Vice-Chancellor (or rep)	To be appointed by the Council
Warwick University	Vice-Chancellor (or rep)	To be appointed by the Council
NHS Commissioning Board	When established	To be appointed by the Council
VODG	1 representative	To be appointed by the Council
West Midlands Fire Service	Operations Commander Coventry	To be appointed by the Council

Some organisations will continue to be invited to attend the meetings as observers.

The Board has been consulted on future membership and its views will be reported to Council.

2.3.3 (1) *It is suggested that membership of Board should be confirmed as the Board's membership from 1st April 2013 until Annual Council when membership would be fixed following consultation with the Board.*

2.3.4 In subsequent years it is suggested that membership should be agreed at Annual Council in the same way as other council committees.

2.4 Voting Rights of the Board

2.4.1 All elected members of a council committee have the right to vote on matters before it. Co-opted members who are not elected members of the Council do not normally have the right to vote.

2.4.2 The 2013 Regulations provide that all members of the Board, whether co-opted or elected members have voting rights *unless the Council directs otherwise*. This means that unless a direction is given, Council employees who are statutory members of the Board, and representatives of outside organisations will have voting rights as well as elected members, both on the Board itself and on any sub-committees or joint sub-committees. The Council may only make a direction if it has first consulted with the Board.

2.4.3 At present shadow Board members may send a substitute to a meeting if they cannot attend. If non-elected Board members are to retain their voting rights, consideration needs to be given as to whether a substitute non-elected member should have the same voting rights

2.4.4. When coming to view on whether to give a direction removing voting rights from non-elected members of the Board, the Council should be aware that any co-opted member of the Board will be subject to the Standards provisions of the Localism Act 2011 if they have voting rights. This means that Council employees and representatives from other organisations will have to comply with the requirement to register, declare and have published their disclosable pecuniary interests. Inability to participate in items of business (because of an interest, for example, through their office or employment) by a significant number of voting members will impede the work of the Board and may require dispensations to be granted where this is appropriate and feasible. However, if the Council directs that co-opted (i.e. non-elected) members of the Board may not have voting rights, then the issue will not arise.

2.4.5. The terms of reference have been drafted in the first instance to give voting rights to all members of the Board. However the Board has been consulted on whether a direction should be given and its views will be reported to Council.

(2) *Members need to consider whether the Council would want to give a direction to remove voting rights for Board Members (subject to prior consultation with the Board) and to consider the voting position of non-elected substitute members.*

(3) Bearing in mind that the Board may also appoint members to the Board, if the Council decides to direct that co-opted members may not have voting rights it may wish to clarify whether or not this includes any councillors co-opted by the Board itself.

2.5 Political Balance

2.5.1 The 2013 Regulations disapply the rules on political balance for Council committees. There is therefore no need for the elected membership of the Board to reflect the political balance of the Council. The Council could however still choose to do this. The Board has been consulted on this point and its views will be reported to Council.

(4) Members need to consider whether or not the elected membership of the Board should be politically balanced.

2.6 Establishment of Sub- Committees

2.6.1 The current terms of reference allow the shadow Board to appoint sub-committees and "working groups" to support its deliberations on subject specific matters. Such sub-groups may comprise in part or in whole co-opted members, Councillors and Council officers who are not members of the Board.

2.6.2 By contrast the 2013 Regulations provide that a Board may:

- (a) appoint a sub-committee to discharge any of its functions (other than any functions under Section 196(2) of the 2012 Act);
- (b) appoint a sub-committee or a Council officer to discharge any of its Section 196(2) functions (i.e. functions of the local authority that it delegates to the Board);
- (c) appoint a sub-committee to act in an advisory capacity; and
- (d) where a sub-committee is established under (b), the sub-committee may delegate its functions to a Council officer unless the Board directs otherwise

In the case of (a) and (b) the Council has the power to direct the Board not to appoint sub-committees to carry out its functions. It cannot prevent the Board from establishing advisory sub-committees under (c). The Board has been consulted on whether a direction on sub-committees should be given, and its views will be reported to Council.

2.6.3 *(5) The Council need to consider whether it would wish to exercise its right to prevent the Board from arranging for the discharge of all or any of its functions by a sub-committee.*

(6) If the Board retains the right to appoint sub-committees (and Council officers) to discharge all or any of its functions, consideration needs to be given as to whether voting rights for sub-committee members should be the subject of a direction by the Council.

3. Changes to the Constitution

3.1 The paragraphs below set out the changes to the Constitution which are recommended for approval. They detail the relevant provision of the Health and Social Care Act or of the 2013 Regulations (where applicable), the change that is needed to reflect the Act or Regulations, the location of the change in the current Constitution and when it is in force.

3.2 Terms of Reference of Health and Wellbeing Board

3.2.1 Draft terms of reference for the Board have been created and are set out in Appendix 1 to this report. These are a shortened version of the original terms of reference of the shadow Board and all major provisions are retained. The precise wording of the terms of reference will depend on the decisions that Council makes in connection with the points raised in Section 2 above (points (1) to (6)). To this end Council is asked to give the Council Solicitor delegated authority to amend the terms of reference in the event that the Council's decisions require these to be altered.

3.2.2 Part 3 of the Constitution at page 133 needs to be amended to insert the terms of reference immediately after Part 3.8.3. The change will take effect from 1st April 2013.

3.2.3 The Board has been consulted on the draft terms of reference and its views will be reported to Council.

3.3 Delegated Functions of Director of Public Health

3.3.1 The Director of Public Health and her team become Council employees on 1st April. From that date she will need to be given the same general delegated powers as other directors.

Part 3 of the Constitution needs to be amended to include the Director of Public Health in the definition of "Management Board" at paragraph 3.7.1 of Part 3 of the Constitution (page 79) so that she can exercise the same general delegated powers set out in the table at paragraph 3.7.1 as other members of Management Board.

The change takes effect from 1st April 2013.

3.3.2 The Director also should be included in the list of statutory appointments at paragraph 3.7.3 in Part 3 (page 80/81). This needs to be amended to include the following new text:

3.7.3.5	<i>The Director of Public Health is designated as the Council's Director of Public Health (Section 73A of the National Health Service Act 2006).</i>
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The change takes effect from 1st April 2013

3.3.3 Suggested delegated powers for the Director are set out in the table set out below. These are general powers and duties but also include the statutory functions of the Director as set out in the 2012 Act. It is recommended that Part 3.7 of the Constitution should be amended by the inclusion of this table immediately after the delegated functions of the Director of Customer and Workforce Services at page 89.

Director of Public Health

<u>Statutory or Other Function</u>	<u>Nominee or Other Limitation</u>
<i>To exercise the Council's powers and duties in connection with public health protection under the Public Health (Control of Disease) Act 1984 and any regulations made thereunder.</i>	
<i>Responsibility for all of the Council's duties to take steps to improve health.</i>	
<i>Authority to exercise any of the Secretary of State's public health protection or health improvement functions that he or she may delegate to local authorities by arrangement or under regulations.</i>	
<i>To be responsible for tackling health inequalities, improving health care quality and for strengthening the capacity across the whole public sector to improve the health of the population</i>	
<i>Be the chief source of health leadership expert advice to health bodies and the Council on all aspects of public health, and will provide reports directly to Council Cabinet, Overview and Scrutiny Committees and other strategic meetings as appropriate.</i>	
<i>Authority to determine the contents of and write the annual report on the health of the people in the Council's area.</i>	
<i>The functions of the Council as "responsible authority" under the Licensing Act 2003 in relation to public health functions.</i>	
<i>The functions of the Council, in relation to public health functions, as an authority which must be consulted on the licensing authority's statement of licensing policy.</i>	
<i>Exercising the Council's functions in planning for, and responding to, emergencies that present a risk to public health.</i>	
<i>Responsibility for the Council's duty to co-operate with the police, probation service and the prison service to assess the risks posed by violent or sexual offenders.</i>	
<i>Responsibility for providing Healthy Start vitamins where the Council provides or commissions a maternity or child health clinic.</i>	

<i>To be a statutory member of the Health and Wellbeing Board and to be the lead officer for the Board</i>	

The change takes effect from 1st April 2013

3.4 Other Minor Changes to the Constitution

- 3.4.1 It is proposed to amend the Council Procedure Rules at Part 4.1 of the Constitution so that the order of business for the Annual Council Meeting reflects the actual order in which business is taken. Set out at Appendix 2 is an extract from the current Procedure Rules showing where changes are to be made. In addition rule 4.1.1.12 has been updated to include the Health and Wellbeing Board and other committees in those committees whose membership is approved at the Annual Meeting.

4. **Transfer of Public Health Functions: Transfer Scheme**

- 4.1 The Primary Care Trusts will cease to exist after 31st March 2013 and public health functions will be transferred to local authorities. As part of the closedown and handover arrangements in the run-up to this, arrangements are being made for the transfer of staff, assets and liabilities from the PCTs to local authorities. Work has been undertaken to identify and agree the staff and the assets and liabilities that must be transferred and which will formally transfer through an Order made by the Secretary of State.
- 4.2 The Department of Health has set a timetable for the formal acceptance of the Transfer Scheme by the transferring organisations (the Arden Cluster) and receiver organisations (the Council) after which time the formal Order will be made. The transferring organisation's Board will formally sign off the Transfer Scheme at a meeting on 20th March and the Council, as a receiver organisation, must have arrangements in place to recognise the Transfer Schemes at a Board (i.e. Council) meeting or under delegated arrangements after the Cluster Board meeting and before 25th March 2013. Due to the timing, it will not be possible for this to be done at an actual Council meeting. Therefore, the Council needs to give delegated authority to the Council Solicitor to recognise the Transfer Scheme and sign and apply the Council's seal to the appropriate documents.

5. **Results of consultation undertaken**

- 5.1 Given that the amendments (with the exception of some of those in paragraph 3.4.1) arise from legislative changes, no consultation has been carried out except with the shadow Health and Wellbeing Board

6. **Timetable for implementing this decision**

- 6.1 The timetable for implementation of each amendment is set out in the relevant paragraph of Section 2 of the report.

7. **Comments from Director of Finance and Legal Services**

- 7.1 Financial implications

None

7.2 Legal implications

The Council needs to make the changes to its Constitution to ensure that it can implement the changes required by the Health and Social Care Act 2012. In respect of the transfer of Public Health to the City Council identified staff will transfer under their existing terms and conditions and the Council will acquire all duties and liabilities in respect of their employment.

8. Other implications

8.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The Constitution sets out the governance arrangements of the Council and it is important for the good governance of the Council that these reflect changes in legislation including the establishment of new decision making procedures.

8.2 How is risk being managed?

Having a Constitution that reflects changes in legislation will ensure that the Council meets its legal obligations and will also provide better and more accurate information for the public, stakeholders, councillors and employees on how the Council is governed.

8.3 What is the impact on the organisation?

To put in place appropriate governance arrangements which reflect the provisions of the Health and Social Care Act 2012.

8.4 Equalities / EIA

None

8.5 Implications for (or impact on) the environment

None

8.6 Implications for partner organisations?

None

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www.coventry.gov.uk/councilmeetings

Appendix 1

Draft Terms of Reference of Health and Wellbeing Board

3.9 Health and Wellbeing Board

3.9.1 The Council has established a Health and Wellbeing Board which with effect from April 2013 has the status of a committee established under Section 102 of the Local Government Act 1972 except as may be provided for by regulations. The terms of reference below will take effect on 1st April 2013 when the Board becomes operational.

3.9.2 Composition

3.9.2.1 The Board shall comprise:

- (a) at least one councillor nominated by the Leader of the Council;
- (b) the Director of Community Services (in his or her capacity as Director of Adult Social Services);
- (c) the Director of Children, Learning and Young People (in his or her capacity as Director of Children's Services);
- (d) the Director of Public Health;
- (e) a representative of the Local Health Watch organisation for Coventry;
- (f) a representative of each clinical commissioning group whose area coincides with or falls wholly or partly within the area of the Council; and
- (g) such other persons, or representatives of such other persons, as the Council thinks appropriate.

3.9.2.2 In addition to the appointments referred to in 3.9.2.1 above, the Board may appoint such additional persons to be members of the Board as it thinks appropriate.

3.9.3 Chair and Deputy Chair

The full Council will appoint the Chair and Deputy Chair of the Board.

3.9.4 Quorum and Substitutes

The quorum of the Board will be one half of the total number of members plus one member.

If members of the Board know in advance that they will be unavailable to attend a Board meeting, they may send a substitute who is able to represent them. This substitute should be notified to the Director of Customer and Workforce Services by no later than 1 hour before the meeting.

3.9.5 Voting Rights

Each member of the Board whether an elected or co-opted Member or appointed by virtue of their office or employment shall be entitled to speak and vote on all matters before the Board.

3.9.6 Sub-Committees and Working Groups

The Board may establish sub-committees or working groups to support its deliberations on subject specific matters. Such sub-groups may comprise in part or in whole co-opted members, Councillors and Council officers who are not members of the Board.

3.9.7 Frequency of meetings

The Board will meet at least three times a year and meetings will be subject to the usual Access to Information requirements.

3.9.8 Terms of Reference

The Health and Wellbeing Board will have the following terms of reference:-

- 3.9.8.1 Advancing the health and wellbeing of the people in Coventry;
- 3.9.8.2 Encouraging persons who arrange for the provision of any health or social care services in that area to work in an integrated manner.
- 3.9.8.3 Providing such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of health or social care services, including supporting joint commissioning and pooled budget arrangements where appropriate.
- 3.9.8.4 Encouraging persons who arrange for the provision of any health-related services in its area to work closely with the Board.
- 3.9.8.5 Encouraging persons who arrange for the provision of any health or social care services Coventry and persons who arrange for the provision of any health-related services in Coventry to work closely together.

- 3.9.8.6 Assessing the needs of the Coventry population and leading the statutory joint strategic needs assessment.
- 3.9.8.7 Developing a Health and Well Being Strategy for Coventry.
- 3.9.8.8 Supporting the local voice of patients, and the exercise of patient choice and the development of arrangements for managing joint health and social care resources.
- 3.9.8.9 Keeping under review these terms of reference and making recommendations to full Council on proposed amendments.
- 3.9.8.10 Carrying out any other statutory functions of a health and wellbeing board.

Appendix 2

Council Procedure Rules: Order of Business at the Annual Meeting

4.1.1 Timing and Business

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May.

The Annual Meeting will:-

- 4.1.1.1 elect a person to preside if the Lord Mayor and the Deputy Lord Mayor are not present;
- 4.1.1.2 receive any apologies for absence;
- 4.1.1.3 receive any correspondence and announcements of the Lord Mayor;
- 4.1.1.4 elect the Chair of the Council (being Lord Mayor of the City);
- 4.1.1.5 give a vote of thanks to the Retiring Lord Mayor
- 4.1.1.6 elect the Vice-Chair of the Council (being Deputy Lord Mayor of the City);
- 4.1.1.7 elect the Leader of the Council in any year in which the current Leader's term of office expires. If the Council does not elect the Leader at the Annual Meeting, the election of the Leader shall be an item on the agenda at every ordinary meeting of the Council after the Annual Meeting until the Leader is elected. The existing Leader appoints a Deputy Leader and Cabinet for the discharge of Executive Functions until the Leader is elected; where this is not possible, the Deputy Leader shall become Leader and appoint a Deputy Leader and Cabinet for the discharge of Executive Functions until the Leader is elected.
- 4.1.1.8 receive the report of the Leader of the Council on the appointment of the Deputy Leader and the composition of the Cabinet and the allocation of Executive Functions within the Cabinet;
- 4.1.1.9 agree the minutes of the last meeting and their signature;
- 4.1.1.10 receive the return of persons elected as Councillors (when applicable);
- 4.1.1.11 receive any declarations of interest from Councillors;
- 4.1.1.12 establish the Licensing and Regulatory Committee, Planning Committee, Health and Wellbeing Board, Scrutiny Co-ordination Committee, Scrutiny Boards, Audit Committee, an Ethics Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the

Council nor are executive functions as set out in Part 3, Table 1 of this Constitution. This may also include the appointment of the Chair and Deputy Chair of those bodies

4.1.1.13 decide the size and terms of reference for those Scrutiny Boards and Committees;

Deleted: (with the exception of the Standards Committee which shall appoint its own chair from amongst its membership);

4.1.1.14 decide the allocation of seats to political groups in accordance with the political balance rules;

4.1.1.15 receive nominations and appoint Councillors to serve on each Scrutiny Board and Committee;

Deleted: of

Deleted: and outside body

4.1.1.16 receive nominations and appoint to outside bodies:

Deleted: those Committees and

4.1.1.18 approve a programme of ordinary meetings of the Council, Cabinet, Scrutiny Boards, Committees and Advisory Panels for the year including the date and time of the next Annual Meeting and agree the scheme of delegation as set out in Part 3 of this Constitution; and

Deleted: 4.1.1.17 agree the scheme of delegation as set out in Part 3 of this Constitution;¶

Deleted: 4.1.1.18 decide the date and time of the next Annual Meeting;¶
except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet; ¶

4.1.1.19 consider any business set out in the notice convening the meeting.