

Council meeting October 10 2018

Item 3 The JNC Framework for Statutory Officers

Further Legal Implications

1. An amendment has been circulated because the Council has legal advice it would be inappropriate for a Committee to delegate decisions to a single member in cases of urgency.
2. Because of this prohibition, the reference to the proposal for the Chair of the Appointments Committee to have authority to act alone should not be implemented, and the Council should approve the terms of reference of the Appointments Committee to the extent that there is no such delegation. The 9th bullet point in Appendix 2 must be revised to exclude delegation to the Chair of the Appointments Committee.
3. The Constitution provides for 5 members of the Appointments Committee. They are the Chair of Overview and Scrutiny, two such executive members as the Mayor shall nominate on a meeting by meeting basis, and two or the smallest higher number of non-executive members to ensure political balance. There is provision for substitutes.
4. Accordingly it is only for the Council to confirm the non-executive membership of the Committee, and for the Mayor to nominate only as a matter arises for consideration.