

## Appendix 3

### Executive Committees

The Leader or Executive have established and appointed the following Committees of the Executive:

<b>EXECUTIVE COMMITTEE:</b>	<b>Highways and Transport Strategic Board</b>
<b>MEMBERSHIP:</b>	<p>Portfolio Holder for Sustainable, Resilient and Connected Places (Chair), Leader, Portfolio Holder for Financial Planning and Assets, and the Portfolio Holder for Vibrant and Healthy Places.</p> <p>The Director of Place, Sustainable Growth and Transport, and the Assistant Director of Highways and Transport or their nominated deputies shall attend meetings.</p> <p>In addition, the Chairs and Vice-Chairs of each Community Panel may attend and may speak at meetings on matters of relevance to their panel area but shall not be entitled to vote. Any local councillor for a ward which is directly affected by a matter to be considered at a meeting of the Committee shall receive notification of that matter to enable them to make representations to the Committee in writing or in person.</p>
<b>TERMS OF REFERENCE:</b>	<p>The Highways and Transport Board shall be responsible for the exercise of the following executive functions (unless or until the Leader or Executive shall determine otherwise):</p> <ul style="list-style-type: none"><li>• To agree and keep under review the implementation of the rolling 3 year strategic programme for highways and transport (revenue and capital) and the one year delivery plan.</li></ul>

- To recommend to Council any Highways or Transport Strategies and Policies within the Policy Framework for example the Local Transport Plan.
- To agree strategies and policies relating to Highways and Transport that are not in the Policy Framework.
- To agree responses to highways and transport consultation papers when referred by the Director or not reserved by Executive.
- To authorise the entering of agreements with public transport operators to provide financial support for services which are not available commercially.
- To consider and determine traffic management matters, other than those matters that are delegated to officers, are the responsibility of the Community Panels under the agreed Locality Scheme Budget, and those matters that require urgent determination or are of a temporary nature. The relevant local Councillor shall be notified of the matter.
- To consider information and updates provided by the Director on highways asset management strategy and delivery plan for promoting best practice and the implementation of asset management principles for all highway maintenance activities.
- To receive and consider referrals from Community Panels on Highways and Transport matters.

**EXECUTIVE COMMITTEE:**

**Nuclear Issues Board**

**MEMBERSHIP:**

Leader (Chair), Portfolio Holder for Cumberland Policy and Regulatory Services, Deputy Leader (Statutory), and the Portfolio Holder for Financial Planning and Assets.

In addition, any local councillor for a ward directly affected by a matter to be considered by the Committee shall receive notification of that matter to enable them to make representations to the Committee in writing or in person.

The Committee may, as and when it considers necessary, invite or co-opt (non voting) industry and other local stakeholders and will liaise with other local authorities, regional and central government and other governmental agencies. Such persons or bodies may only be given access to confidential information and/ or exempt information on term to be decided by the Monitoring Officer so as to ensure that the Access to Information Procedure Rules are observed.

**TERMS OF REFERENCE:**

The Nuclear Issues Board shall be responsible for the exercise of the following executive functions (unless or until the Leader or Executive shall determine otherwise):

- to advise the Executive on policy and issues relating to the nuclear industry in Cumberland including public and worker safety, environmental issues, socio-economic impact, the decommissioning of existing facilities and the possible development of new capacity.
- to make recommendations on research.
- To take decisions on REPPIR 2019 (determination of the Sellafield Detailed Emergency Planning Zone).

**EXECUTIVE COMMITTEE:**

**Budget Consultation Board**

**MEMBERSHIP:**

Portfolio Holder for Financial Planning and Assets (Chair), Leader, Deputy Leader (Statutory), Deputy Leader.

The Chief Executive, Section 151 Officer and Monitoring Officer or their nominated deputies shall be invited to attend meetings.

In addition, the Leaders and Deputy Leaders of each political group shall be invited to attend and may speak and contribute to the discussion at meetings but shall not be entitled to vote. Substitutes may be arranged with the consent of the Chair.

**TERMS OF REFERENCE:**

The Budget Consultation Board shall be convened at such times throughout the budget setting process as the Chair may determine. The purpose of the Board is to enable cross party discussion on budget formulation pre-decision. This is not a substitution for the overview and scrutiny budget consultation but is additional to seek the views of political groups.

The Board shall have no decision making powers but will report into the Executive as part of the budget setting process

**EXECUTIVE COMMITTEE:**

**Shareholder and Trustee Committee**

**MEMBERSHIP:**

Portfolio Holder for Financial Planning and Assets (chair), Leader, Deputy Leader (Statutory), Portfolio Holder for Sustainable, Resilient and Connected Places and Portfolio Holder for Policy and Regulatory Services.

The section 151 officer (Shareholder Representative), Chief Executive and Monitoring Officer will also attend meetings.

The Section 151 Officer is the Shareholder Representative and is authorised to perform

all functions within the powers and duties of the Shareholder and Trustee Committee in any case where the prompt performance of any of the Council's shareholding functions is desirable and necessary, subject to the action being reported through delegated decision notices.

The Monitoring Officer is authorised to perform all functions

**TERMS OF REFERENCE:**

The Shareholder and Trustee Committee shall meet at least twice each year and shall exercise responsibility for the Council's functions as Corporate Shareholder and Corporate Trustee under the Companies Act 2006 and Charities Act 2011 which may include without limitation:

Shareholder duties

- To determine the Shareholder Agreements between the Council and the Companies including Business Plans
- To determine a guidance note for duties of directors and trustees (including conflicts of interests)
- To approve and adopt a conflict of interest policy for the Committee
- To make decisions that only the Council as shareholder can make by law e.g. altering a company's Articles of Association and using, where applicable the written resolution procedure to do so, as prescribed by the Companies Act 2006.
- For non-Companies Act 2006 decisions, a process will be followed without using the formal written resolution procedure. In these circumstances, the Chairman of the Committee will sign a document to record the fact that they have approved the decision.
- To consult with the Companies to determine a set of key operating principles the Companies will seek to adapt. These principles will ultimately be agreed by the Companies and the Committee
- To appoint and dismiss directors of the Companies (where power to do so is reserved to the shareholder)

- To appoint and remove a Company Secretary and Auditor
- To agree any loan agreements or draw-down of Council financing (subject to funds being made available by the Council and any previous authorised delegations)
- To agree any reserved matter required by the Articles of Associations or Shareholder Agreements
- To agree the Articles of Association or any amendment thereof
- To approve the Companies Delegation Matrix
- To agree and approve the allotment of shares (equity investments)

#### Trustee duties

- To ensure compliance with and further each of the Charities' charitable objects, trust deeds and associated public benefit; including an annual review
- To ensure the completion and submission of Charity Annual Account returns and the Charity Annual Trustee Report to the Charity Commission
- To arrange a Trustee meeting to agree the accounts and Trustee's Annual Report within two months of the financial year ending
- To comply with best practice (Statement of Recommended Practice, SORP) to produce annual accounts and a report that includes an explanation of what the charity has done for the public benefit during the year
- To make strategic decisions including approving annual business plans, management agreements and leases
- To annually review the purposes of the Charities and make any required applications to amend the Charities' governing documents to support effective management of the Charities
- To approve and adopt a conflict of interest policy
- To approve disposals (leases, licences) in accordance with S117 of the 2011 Charities Act 2011 including:

- To consult the public on the disposal of charity property where required to do so
- Issue public notices regarding proposed disposal of charity property where required to do so.
- To approve the formation of management companies where considered to be a suitable mechanism for managing a charity. This could include the charity becoming a member of a management company where suitable to do so.