

**GENERAL GOVERNANCE MATTERS INCLUDING
AMENDMENT OF TERMS OF REFERENCE, INDEPENDENT
REMUNERATION PANEL AND PROPOSED COMMITTEES AND
GROUPS FOR 2022/23 - APPOINTMENT OF MEMBERSHIP
AND CHAIRMEN**

Presented by the Deputy Chief Executive

SUMMARY

This report outlines the previously adopted Governance Structure of the Authority which flows from the Lee Valley Regional Park Act 1966 and seeks decisions on appointments to the following Committees and Groups and the appointment of a Chairman and Vice Chairman for each:

- Executive Committee;
- Audit Committee;
- Scrutiny Committee;
- Regeneration & Planning Committee;
- Land & Property Review Working Group; and
- Levy Strategy Working Group.

Following the Risk Management Workshop on 24 March 2022 minor amendment of the Audit Committee and Executive Committee terms of reference, in regard to monitoring and reviewing risk management to include the Authority Chair and Executive Committee in the reporting process, is also proposed.

It is also suggested that an Independent Remuneration Panel be formed.

RECOMMENDATIONS

- Members Approve:
- (1) membership of Committees and Groups for 2022/23 as agreed at the meeting;
 - (2) amendment of Audit Committee and Executive Committee terms of reference as detailed in paragraphs 10 and 11 of this report;
 - (3) an Independent Remuneration Panel be formed; and

- Members Note: (4) any appointments unfilled at this meeting will be agreed through Group Leaders and reported to the next Authority meeting or Executive Committee.

BACKGROUND

- 1 The Authority is created by its own Act of Parliament, the Lee Valley Regional Park Act 1966 (the 1966 Act) and is able to appoint committees by virtue of the Schedule to the 1966 Act. The Authority periodically reviews its adopted committee structure. The current committee structure serves the Authority's business needs and was streamlined in 2017 replacing two planning committees with a single Regeneration & Planning Committee. Members are reminded that all Members may attend, but not vote at, any committee or working group of which they are not members and, with the agreement of the Chairman, may participate in the discussion.
- 2 Given that a new four year term of office for Members commenced on 1 July 2021 it may be appropriate from a Governance perspective to review the Committee structure to ensure it remains fit for purpose in achieving the Authority's aims and objectives.

TASK AND FINISH GROUPS

- 3 The Authority's Task and Finish Groups were set up to ensure Member involvement with and input into major projects and/or strategic review at an early stage and as necessary. They are not decision making.
- 4 Members of the Task and Finish Groups are not responsible for directly progressing or delivering the project, which is officers' responsibility, but rather for contributing to the project's development and enabling a more in depth engagement with the project.
- 5 The Groups for 2021/22 were:

Land & Property Review Working Group;
Levy Strategy Working Group; and
Leisure Services Contract Review Working Group.
- 6 The Leisure Services Contract Review Working Group is no longer required as the new Leisure Services Contract was entered into with Greenwich Leisure Limited (GLL) in April 2022. It is proposed that the other Groups remain unchanged for 2022/23:

Land and Property Review Working Group; and
Levy Strategy Working Group.
- 7 It is hoped that where possible a core membership of Groups will be maintained in view of the knowledge gained by previous Members of each group.

AMENDMENT OF TERMS OF REFERENCE

- 8 As discussed at the Risk Management Workshop on 24 March 2022, it is proposed to amend the terms of reference of the Audit Committee and Executive Committee in regard to monitoring and reviewing risk management

to include the Authority Chair and Executive Committee in the reporting process.

9 Following Audit Committee's review of the Authority's risk management policy and procedure, including review of the Corporate Risk Register and any sub-risk registers, the Audit Committee will now recommend to Executive Committee any changes or areas of medium to high risk that are of concern to enable the Executive Committee to understand the ramifications of any areas of concern and maintain awareness of current risks.

10 Proposed amendment of the Audit Committee terms of reference highlighted in red below.

- Consider and approve the Authority's annual Financial Statement & Accounts
- Consider significant accounting policies, any changes to them and any significant estimates and judgements
- Establish, monitor and review annually the audit programme; and receive reports from the Authority's internal and external auditors
- Monitor and review the Authority's system(s) of internal financial control and authorise/approve the annual Statement of Internal Control/corporate Governance Statement
- Establish, monitor and review a rolling programme of reviews of all Authority services in line with the principles of Best Value
- To monitor and review the Authority's Health & Safety and risk management policies and programmes
- Any risk management changes or areas of medium to high risk that are of concern to be reported to Executive Committee
- To review and amend the Authority's Whistleblowing, Anti-Fraud, Bribery & Corruption and Fraud Response Plan, and make recommendations to Authority
- Receive and consider reports resulting from Whistleblowing, fraud and corruption, audit investigations

11 Proposed amendment of the Executive Committee terms of reference highlighted in red below.

- To lead the preparation of the Authority's policies and make recommendations to Authority such as:
 - considering capital financing requirements, borrowing limits, the Annual Investment Strategy and any proposals for budget growth.
- Undertake all the powers and duties on behalf of the Authority with the exception of those reserved to the Authority itself or to committees or sub-committees
- To deliver and implement the budget and policies decided by Authority
- Consider and approve the medium term financial plan and funding strategy to support the Authority's strategic direction (as approved by Authority)
- To approve the annual budget timetable and strategy
- Consider annual Levy options and put forward recommendations to Authority
- Within the budget and policy framework set by the Authority set the Capital Investment programme

- Approve details of major capital projects, land acquisitions and disposals
- Review and approve annually fees and charges.
- Monitor and review revenue and capital budget performance (at least 3 times per annum)
- Review, set and monitor annual business plan, priorities, corporate performance indicators and targets
- Consider and approve service development proposals, including a change in mode of delivery, management systems and the introduction of new technology; and recommend to Authority any proposals involving a change in policy
- Consider and approve capital and revenue budget virements between £50,000 and £250,000 in accordance with Financial Regulation 99
- Consider, approve and review the Authority's Financial Regulations, recommending proposed changes to Authority
- **Receive reports on the Strategic Risk Register following review of the Risk Register by the Audit Committee to ensure awareness of current risks**
- To engage with the Queen Elizabeth Olympic Park legacy agenda and to promote and safeguard the Authority's interests within the parameters of the decisions already taken by Authority. Make recommendations to the Authority on its role and position in relation to the Queen Elizabeth Olympic Park legacy
- To nominate a representative/s to Outside Bodies or other groups that require representation
- To establish a dialogue and develop effective working relationships with relevant key political figures relating to the Authority's business
- To approve staffing proposals as they relate to individual employees and department reviews, including early retirements, redundancy and severance arrangements
- The Chairman to carry out the annual appraisal of the Chief Executive by 31 July and consider the individual pay award of the Chief Executive
- To revise and amend as necessary the salary pay award bands for the Chief Executive, Deputy Chief Executive, Corporate Directors and Heads of Service. To agree the individual pay award of the Chief Executive
- To setup Task and Finish Panels/Groups as required

REMUNERATION PANEL

- 12 The Authority set up an Independent Remuneration Panel in 2016 (Paper E/443/16) and the Panel carried out a review of the remuneration paid to the Authority Chairman and Vice-Chairman. The Panel proposed a small increase for both remunerations and that remuneration should be reconsidered at the end of the leisure services contract with Lee Valley Leisure Trust Ltd (now in administration) and taking into account the impact of any new future contract.
- 13 Members are asked to consider the timing for a review of remuneration which is regulated in local authorities and generally carried out every 3 to 5 years. A review would be considered to be best practice for this Authority and it is officers' recommendation that a review is carried out before the end of June next year.

PROPORTIONALITY

- 14 In accordance with its Standing Orders the Authority has adopted the provisions of Local Government legislation concerning proportionality and applies the requirements to its committees.

MEMBERSHIP OF COMMITTEES AND GROUPS

- 15 Membership of committees and task & finish groups as agreed at the meeting will be circulated subsequent to the meeting.

UNFILLED VACANCIES

- 16 Remaining vacancies will be agreed through Group Leaders after the meeting. Under Standing Order 47, these appointments will be approved by the next available Authority meeting or Executive Committee. A final list of the membership will then be circulated to Members.

FOR DECISION

- 17 Subject to any approved changes in committee structure and terms of reference, to determine appointments to:

(1) **Executive Committee**

- a) 8 Members, including Chairman and Vice-Chairman of Authority (at least 50% to be London Members), 1 Member to be nominated jointly by the non-majority groups

(2) **Audit Committee**

- a) 7 Members
b) Chairman & Vice Chairman

(3) **Regeneration & Planning Committee**

- a) 10 Members
b) Chairman and Vice Chairman

(4) **Scrutiny Committee**

- a) 9 Members
b) Chairman & Vice Chairman

(5) **Land & Property Review Working Group**

- a) 7 Members
b) Chairman

(6) **Levy Strategy Working Group**

- a) 8 Members
b) Chairman

ENVIRONMENTAL IMPLICATIONS

- 18 There are no environmental implications arising directly from the recommendations in this report.

FINANCIAL IMPLICATIONS

- 19 There are no financial implications arising directly from the recommendations in this report.

HUMAN RESOURCE IMPLICATIONS

- 20 There are no human resource implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 21 There are no legal implications arising directly from the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

- 22 There is a risk that if committees/groups are not set up at the Annual General Meeting then decisions will be delayed.

EQUALITY IMPLICATIONS

- 23 There are no equality implications arising directly from the recommendations in this report.

Author: Beryl Foster, 01992 709 836, bfoster@leevalleypark.org.uk

APPENDIX ATTACHED

- Appendix A Terms of Reference & Membership of Authority, Committees, Task & Finish Groups

TERMS OF REFERENCE & MEMBERSHIP OF AUTHORITY, COMMITTEES, TASK AND FINISH PANELS

AUTHORITY

Meetings 4 times a year (including AGM)

Membership 28 Members - who are elected Members nominated in accordance with the Lee Valley Regional Park Act plus two non-voting co-opted Members from the Canal & River Trust and the Environment Agency

Terms of Reference

- Adopting and changing Standing Orders
- Making, amending, revoking, re-enacting or adapting bylaws
- Sets strategic direction for the Authority
- Approve policy framework including all Plans and Strategies such as:
 - Annual Investment Strategy
 - Asset Management Plan
 - Capital Investment Programme
 - Level of Reserves
 - Park Development Framework
 - Performance Management
 - Reserves Policy
 - Strategic Business Plan
 - Treasury Management Policy
- Approve Annual Budget and Levy
- Appoint Chief Executive
- Statutory matters
- Approve borrowing
- Approve virements over £250,000
- Approve Financial Regulations
- Approve waivers of Financial Regulations
- Approve bad debt write-offs
- Receive reports from Executive and Audit Committees
- Nominations of appointments to Outside Bodies which are made on an annual basis other than those made by Executive Committee
- Take urgent decisions on any matter assigned to any committee
- Receive any report from the Monitoring Officer and/or Chief Finance Officer

EXECUTIVE COMMITTEE

Meetings 12 times per year and as required by the business

Membership 8 members, including Chairman and Vice-Chairman of Authority (At least 50% to be London Members) 2 Members nominated jointly by the non-majority groups (preferably from one of the London Olympic boroughs)

Terms of Reference

- To lead the preparation of the Authority's policies and make recommendations to Authority such as

- considering capital financing requirements, borrowing limits, the Annual Investment Strategy and any proposals for budget growth.
- Undertake all the powers and duties on behalf of the Authority with the exception of those reserved to the Authority itself or to committees or sub-committees
- To deliver and implement the budget and policies decided by Authority
- Consider and approve the medium term financial plan and funding strategy to support the Authority's strategic direction (as approved by Authority)
- To approve the annual budget timetable and strategy
- Consider annual Levy options and put forward recommendations to Authority
- Within the budget and policy framework set by the Authority set the Capital Investment programme
- Approve details of major capital projects, land acquisitions and disposals
- Review and approve annually fees and charges.
- Monitor and review revenue and capital budget performance (at least 3 times per annum)
- Review, set and monitor annual business plan, priorities, corporate performance indicators and targets
- Consider and approve service development proposals, including a change in mode of delivery, management systems and the introduction of new technology; and recommend to Authority any proposals involving a change in policy
- Consider and approve capital and revenue budget virements between £50,000 and £250,000 in accordance with Financial Regulation 99
- Consider, approve and review the Authority's Financial Regulations, recommending proposed changes to Authority
- **Receive reports on the Strategic Risk Register following review of the Risk Register by the Audit Committee to ensure awareness of current risks.**
- To engage with the Queen Elizabeth Olympic Park legacy agenda and to promote and safeguard the Authority's interests within the parameters of the decisions already taken by Authority. Make recommendations to the Authority on its role and position in relation to the Queen Elizabeth Olympic Park legacy
- To nominate a representative/s to Outside Bodies or other groups that require representation
- To establish a dialogue and develop effective working relationships with relevant key political figures relating to the Authority's business
- To approve staffing proposals as they relate to individual employees and department reviews, including early retirements, redundancy and severance arrangements
- The Chairman to carry out the annual appraisal of the Chief Executive by 31 July and consider the individual pay award of the Chief Executive
- To revise and amend as necessary the salary pay award bands for the Chief Executive, Deputy Chief Executive, Corporate Directors and Heads of Service. To agree the individual pay award of the Chief Executive
- To setup Task and Finish Panels/Groups as required

SCRUTINY COMMITTEE

Meetings	3 per year
Membership	9 Members

Terms of Reference

- To review performance and to scrutinise the activities of the Authority
- To make recommendations to the Executive Committee
- To take evidence from officers of the Authority, interest groups and individuals and make recommendations to the Executive Committee and Authority for policy change and review the performance of outside bodies
- To consider issues referred by the Executive Committee where the views of external bodies/persons may contribute, take evidence and report to the Executive Committee and Authority
- To consider any item to be considered by the Executive Committee (except items of urgent business) before the item is considered by the Executive Committee if required by the Chairman of the Scrutiny Committee. The relevant report to the Executive Committee will be made available to the Scrutiny Committee
- To have regard to the need to avoid duplicating the work of the Audit Committee and Task & Finish Panels/Groups when considering subjects for scrutiny

REGENERATION AND PLANNING COMMITTEE

Meetings 6 weekly or as required
Membership 11 Members

Terms of Reference

- Consideration of all planning matters referred to the Committee relating to s14 of the Lee Valley Regional Park Act 1966
- Comment and make representations on planning applications and proposed policies of the riparian boroughs, regional agencies and national government that will impact the Regional Park
- Approval of policies and proposals from officers on planning matters for submission to full Authority
- Endorsement of planning matters dealt with by way of delegation to officers in accordance with approved policy

AUDIT COMMITTEE

Meetings 3 Scheduled meetings – end June, end September and end February plus the ability to call further meetings to consider extraordinary matters eg whistleblowing, fraud & corruption, reports from auditors/management, special investigations
Membership 7 Members

Terms of Reference

- Consider and approve the Authority's annual Financial Statement & Accounts
- Consider significant accounting policies, any changes to them and any significant estimates and judgements
- Establish, monitor and review annually the audit programme; and receive reports from the Authority's internal and external auditors
- Monitor and review the Authority's system(s) of internal financial control and authorise/approve the annual Statement of Internal Control/corporate Governance Statement

- Establish, monitor and review a rolling programme of reviews of all Authority services in line with the principles of Best Value
- To monitor and review the Authority's Health & Safety and risk management policies and programmes
- Any risk management changes or areas of medium to high risk that are of concern to be reported to Executive Committee
- To review and amend the Authority's Whistleblowing, Anti-Fraud, Bribery & Corruption and Fraud Response Plan, and make recommendations to Authority
- Receive and consider reports resulting from Whistleblowing, fraud and corruption, audit investigations

APPEALS COMMITTEE

Meetings	As required
Membership	3-5 Members excluding any Member who has previously considered the particular case of the individual concerned (to be appointed by the Authority or Executive Committee if necessary).

Terms of Reference

- Hear dismissal appeals for 3rd tier officers and above
- Hear grievance appeals for 3rd tier officers and above
- Disciplinary hearings for 1st and 2nd tier officers
- Salary re-grading appeals for 1st and 2nd tier officers

TASK AND FINISH GROUPS FOR SPECIFIC PROJECTS REPORTING TO EXECUTIVE/AUTHORITY

LAND & PROPERTY REVIEW WORKING GROUP (reporting to Executive Committee)

Meetings	As required
Membership	7 Members

Terms of Reference

- To review the land and property portfolio in support of delivery of the Authority's statutory remit and overall objectives
- To review adopted land acquisition policies
- Develop a land and property acquisition/disposal strategy within the parameters of the Lee Valley Regional Park Act 1966

LEVY STRATEGY WORKING GROUP (reporting to Executive Committee)

Meetings	As required
Membership	8 Members

Terms of Reference

To continue to develop a levy strategy and financial plan that delivers the statutory objectives of LVRPA, whilst reducing the burden on the tax payer.

- i) Review ongoing capital investment requirements beyond 2020 and ensuring capital funding generated from the Land & Property Strategy are utilised for future investment (with short term borrowing to bridge any cash-flow gaps, e.g., ice centre project).**
 - ii) Reducing Leisure Services Contract management fee and development of future contract to deliver further savings from 2020.**
 - iii) Review Grounds Maintenance specification.**
 - iv) Review investment opportunities e.g., Picketts Lock and Ice Centre development.**
 - v) Consideration of transfer of further services to third party organisations.**
 - vi) Shared Services with neighbouring Authorities/institutions.**
 - vii) Recommend income generating stretch target for open spaces.**
 - viii) Savings targets for service review areas, e.g., IT infrastructure.**
 - ix) Review level of general reserves £4m – transfer of risk to third parties e.g., Leisure Services Contract and other contracts.**
 - x) Specify time-scales for reduction e.g., 3, 5, 10 years?**
 - xi) Assess each income generation/cost saving area in terms of level of confidence and timeline.**
 - xii) Recommend any levy target for future years.**
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