

AGENDA MANAGEMENT SHEET

Name of Committee	Council
Date of Committee	17 May 2005
Report Title	Arrangements for the New Council
Summary	The Council is asked to approve the arrangements for the new council following the quadrennial elections
For further information please contact:	David Carter Jane Pollard County Solicitor and Assistant County Solicitor Assistant Chief Executive Tel: 01926 412565 Tel: 01926 412564
Background papers	None

CONSULTATION ALREADY UNDERTAKEN:- Details to be specified

- Other Committees
- Local Member(s)
- Other Elected Members
- Cabinet Member
- Chief Executive Ian Caulfield, Chief Executive, David Carter,
County Solicitor and Assistant Chief Executive
- Legal Jane Pollard
- Finance
- Other Chief Officers
- District Councils



- Health
- Police
- Other Bodies/Individuals

FINAL DECISION Yes

SUGGESTED NEXT STEPS: Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an Overview and Scrutiny Committee
- To an Area Committee
- Further Consultation

Council – 17 May 2005.

Arrangements for the New Council

**Joint Report of the Chief Executive and County
Solicitor and Assistant Chief Executive**

Recommendation

That the Council determines the member structures and other arrangements it wishes to make.

1.0 Outcome of Election

The quadrennial elections held on 5 May resulted in the election of a Council comprising:

Political Party	No of Members
Conservative	27
Labour	23
Liberal Democrat	11
Independent	1

No single party can therefore command an overall majority of seats on the Council

2.0 Status of Existing Committees and Members

In an election year those members of committees who are re-elected to the Council (plus co-opted members where appropriate) discharge the duties of the committee until the appointment of their successors. The present Chair of the Council, Councillor Alan Smith, continues in office until the appointment of his successor under the Local Government Act 1972. He will preside over the election of the new Chair.

3.0 Leader and Cabinet Model

The Council has adopted the Leader and Cabinet model of executive arrangements. The Leader is automatically a member of the Cabinet and also chairs the Cabinet. A maximum of nine other members may be appointed to the Cabinet. The Council has also adopted the convention of the appointment of a Deputy Leader although this has no statutory basis. Members of the Cabinet may not appoint deputies.

4.0 Numbers and Political Balance

- 4.1 Article 5 of the Constitution requires as a minimum the establishment of the following bodies

Cabinet
Overview and Scrutiny Committees
Standards Committee
Regulatory Committee
Area Committees

- 4.2 The political balance rules do not apply to the Cabinet or any Committees established by the Cabinet. Except in very limited circumstances only Cabinet members may be appointed to Cabinet Committees.

- 4.3 The Local Government and Housing Act 1989 requires that appointments to committees and sub-committees must achieve political balance in their membership. As no single party has an overall majority of seats the Act prescribes that the number of seats allocated to individual party groups on committees and sub-committees must reflect that group's proportion of the membership of the Council, unless other arrangements are agreed locally (see paragraph 7 below).

- 4.4 The ground rules are:

Committees: the aggregate allocation of all committee seats must be proportional to the party groups' overall membership on the Council. Within those allocations each individual committee must be split as close to the overall proportions as possible.

Sub-committees: the sub-committee is split proportionally – there is no aggregation.

Panels, Working Parties: the national rules do not apply but the Council has applied the proportionality rule as a matter of good practice.

- 4.5 The overall rules can be set aside in favour of local arrangements provided this is agreed by the Council with no-one voting against it.

5.0 Area Committees

Area Committees established in accordance with Article 5.5 are not required to meet the political balance requirements. (One for each District or Borough Council in Warwickshire where the members of the Area Committee are the elected members of the County Council from the relevant District or Borough Council area.)

6.0 Other Bodies

6.1 Co-ordinating Overview and Scrutiny Group

Terms of reference:

- To liaise with the overview and scrutiny committees over their respective work programmes, to ensure that there is efficient use of the committees' time, and that the potential for duplication of effort is minimised.
- Where matters fall within the remit of more than one overview and scrutiny committee, to provide a forum for discussion as to which of them will assume responsibility for any particular issue.
- To provide a mechanism for discussion about the priority of referral made by or to the committees where the volume of such reports creates difficulty for the management of Executive business or jeopardises the efficient running of the Council business.

Membership:

Chairs of each overview and scrutiny committee and up to 5 other elected members.

6.2 Leaders Liaison Group

Terms of reference:

To provide a forum for the Leader and Deputy Leaders of the political groups on the Council to consult on issues relating to the work of the Council.

Membership – Leaders and Deputy Leaders of the Conservative Group, Labour Group and Liberal Democrat Group.

6.3 Education Liaison Group

Terms of reference:

To act as a consultative forum on matters relating to the education of pupils and students in Warwickshire and provide advice to the local authority.

Membership:

Cabinet portfolio holder for Schools
Cabinet portfolio holder for Young People, Lifelong Learning and Families,
(other Cabinet Members as appropriate)
Chair of the Learning Overview & Scrutiny Committee,
Political Group spokespersons for Education

(Plus representatives from other groups as set out in Part 2, Section 9 of the Constitution).

6.4 School Admissions Forum

Terms of reference:

- considers existing and proposed admission arrangements and assess how well they serve the interests of local parents and children;
- tries to promote agreement on admissions issues and consider improvements to the process;
- monitors how admissions relate to published admission numbers;
- considers the admission arrangements for vulnerable children and those admitted outside the usual admission round;
- considers the effectiveness of any changes to the admission arrangements as a consequence of the revised Admissions Code of Practice.

Membership:

3 County Councillors (plus representatives of schools, governors and diocesan authorities)

6.5 School Organisation Committee

Terms of reference:

To vote on the School Organisation Plan and other proposals in relation to the organisation of schools under the School Standards and Framework Act 1998 and the Learning and Skills Act 2000.

(Body required to meet statutory requirements).

Membership:

7 County Councillors appointed proportionately to the representation of the groups and individual members on the Council.

(Plus representatives from other groups as set out in the Part 2 , Section 9 of the Constitution)

6.6 Standing Advisory Conference on Religious Education (SACRE)

Terms of reference:

- To advise the Cabinet on religious worship and religious education within schools
- To determine applications by individual schools for exemptions from the requirements of Christian worship

Membership:

5 County Councillors appointed proportionately to the representation of groups and individual members on the Council.

(Plus representatives from other groups as set out in Part 2, Section 9 of the Constitution).

6.7 Warwickshire Strategic Partnership and Local Strategic Partnerships (LSPs).

The Warwickshire Strategic Partnership is overseen by a County Leaders Group comprising leaders of all key agencies in Warwickshire.

There are also five Local Strategic Partnerships.

Terms of reference:

To improve the quality of life of Warwickshire's residents through enhanced partnership working that addresses those needs.

Membership of the LSPs ranges from individuals to representatives from voluntary groups and officers and elected members from statutory bodies.

County Councillor Membership:

County Leaders Group – 1 (Leader of the Council)

North Warwickshire -3 County Councillors

Nuneaton and Bedworth – 1 County Councillor

Rugby – 3 County Councillors

Stratford on Avon – 3 County Councillors

Warwick - 3 County Councillors

6.8 Audit Panel

Terms of reference

- To consider the annual Audit Management Letter received from the Council's auditors
- To consider the content of the External Audit Plan
- To consider such other matters as the Cabinet or Standards Committee may refer to it from time to time.
- To make recommendations to the Cabinet and/or Standards Committee as appropriate.

Membership

5 councillors: Leader of the Council and one other Cabinet member
One member from each of the political groups on the Standards Committee
Independent Member of the Standards Committee

6.9 Other panels

There are also a number of policy panels and groups that will be the subject of review by the appropriate appointing body.

7.0 Schemes of Delegation

The Council is required to set out in its Constitution its General Scheme of Delegation, the delegations (allocation of responsibilities) made to member bodies and officers. It is suggested that the Council confirms the delegations made by the previous Council except in so far as they may be inconsistent with the arrangements made for the member bodies set out above.

To assist members draft resolutions are set out in Appendix 1 based on the arrangements made by the previous Council.

DAVID CARTER
County Solicitor and Assistant
Chief Executive
Shire Hall
Warwick
9 May 2005

IAN CAULFIELD
Chief Executive

APPENDIX 1 Draft Resolutions

1. That the Council elects Councillor _____ as the Chair of the Council
 2. That the Council elects Councillor _____ as Vice-Chair of the Council
 3. That the Council elects Councillor _____ as the Leader of the Council
 4. That the Council elects Councillor _____ as the Deputy Leader of the Council
3. (1) That the Committee Structure and the Scheme of Delegation remain unchanged except that
- (a) the Cabinet shall comprise [x] members
 - (b) the Portfolios of the Cabinet members shall be as shown in Appendix 3
 - (c) the Terms of Reference of the Overview and Scrutiny Committees shall be as shown in Appendix 2
- (2) That the Council confirms that the current arrangements for Area Committees.
- (3) That the number of places on other committees be as follows

Committees	Lab	Con	LD	Other	Total
Cabinet					
Standards					
Regulatory					
W O&S Committee					
X O&S Committee					
Y O&S Committee					
Z O&S Committee					
L O&S Committee					
M O&S Committee					
N O&S Committee					
Area Committees	All members in that Area				
Total					

- (4) That the Council appoints the following committees and the members to sit on them,

Cabinet
Standards Committee
Regulatory Committee
W Overview and Scrutiny Committee

X Overview and Scrutiny Committee
Y Overview and Scrutiny Committee
Z Overview and Scrutiny Committee
L Overview and Scrutiny Committee
M Overview and Scrutiny Committee
N Overview and Scrutiny Committee

(5) That the following portfolios are assigned to the following Cabinet members

(a) Policy and Governance; Councillor

(b) etc

(6) That John Bridgeman be confirmed as the Chair of Standards Committee

(7) That the Co-ordinating Overview and Scrutiny Group be reconfirmed to consist of the Chairs of the Overview and Scrutiny Committees and the following elected members

Councillors

(8) That the Leaders Liaison Group be reconfirmed to consist of

(9) That the arrangements for the Education Liaison Group be reconfirmed and the councillor membership be:

(10) That the following 3 members be appointed to the School Admissions Forum:

(11) That the following 7 members be appointed to the School Organisation Committee:

(12) That the following 5 members be appointed to the Standing Advisory Council for Religious Education:

(13) That the County Council membership of the County Leaders Group that oversees the Warwickshire Strategic Partnership and membership of the Local Strategic Partnerships be:

County Leaders Group – 1 (Leader of the Council)
North Warwickshire – 3
Nuneaton & Bedworth – 1
Rugby – 3

Stratford –3
Warwick -3

- (14) That the following 5 members be appointed to the Audit Panel:

- (15) That the Council confirms the delegations made to officers by the previous Council

APPENDIX 2 OVERVIEW AND SCRUTINY COMMITTEES

Terms of Reference

Name of Committee	Terms of Reference

