

County Council – 21 May 2019

Appointments to Committees and Other Bodies

Recommendations:

- (1) That Council confirms the Committee structure and delegations to member bodies as set out in the Constitution (subject to any amendments proposed and agreed at this meeting). (*see draft recommendations 1 and 2 set out in the appendix*).
- (2) That Council agrees the appointment of members to the Committees and other bodies (*see draft recommendations 3 to 10 set out in the appendix*).
- (3) That Council confirms the delegations to officers as set out in the Constitution including the appointment of a Director of Public Health (*draft recommendation 11 in the appendix*).
- (4) That the Council authorises the Strategic Director of Resources to make such amendments to the Council's Constitution as may be required as a consequence of any changes agreed by Council (*draft recommendation 12 in the appendix*).

1.0 Introduction

- 1.1 Article 5 of the County Council's Constitution requires, as a minimum, the establishment of the following bodies:

Cabinet

Overview and Scrutiny Committee (at least one)

Audit and Standards Committee

Regulatory Committee

Staff and Pensions Committee (The Portfolio Holder for Customer and Transformation Chairs).

- 1.2 The Cabinet is appointed by the Leader of the Council (who was appointed by Council at the Annual Meeting on 23 May 2017 for a 4 year period and is automatically a member and Chair of Cabinet). A maximum of nine other members may be appointed to the Cabinet and their appointment and portfolios are matters for the Leader. The Leader must also appoint a Deputy Leader from the Cabinet members. The Leader will confirm the appointment of the Cabinet at the Leader Decision Making Session after this Council meeting.
The agenda for the Leader Decision Making session will be circulated to all members for information.

- 1.3 Committees are appointed by the County Council. These are currently (as mentioned above) the Audit and Standards Committee, Regulatory Committee, Staff and Pensions Committee and four Overview and Scrutiny Committees:

Adult Social Care and Health
Children and Young People
Communities
Resources and Fire & Rescue

This report seeks the Council's confirmation (or amendment) to the current structure, taking account of the rules set out in the following section, and appointments of members to those seats. (The remit of each Committee is set out in the Council's Constitution and available on the Council's website).

- 1.4 Section 4 of this report also seeks confirmation of membership on a number of other member bodies which fall within the responsibility of Council to appoint, including appointments to some strategic external organisations.
- 1.5 Sub-Committees are appointed by their parent Committee. The Pension Fund Investment Sub-Committee is appointed by the Staff and Pensions Committee (meeting on the rising of this meeting). The Dispensations Sub-Committee is appointed from time to time by the Chief Executive as required from membership of the Audit and Standards Committee.
- 1.6 The Chairs and Vice Chairs of all Committees will also be appointed at a meeting of each Committee immediately following this Council meeting, other than the Chair of the Audit and Standards Committee which has an independent chair (John Bridgeman) and the Council is invited to confirm his appointment.

2.0 Allocation of seats between political groups

- 2.1 The composition of the Council is 36 Conservative Group; 10 Labour Group; 8 Liberal Democrat Group; 2 Green Group; and 1 Whitnash Residents Association.

The Local Government and Housing Act 1989 requires that appointments to committees and sub-committees must achieve political balance in their membership. (There are exceptions to this notably for geographically based committees on which all local members sit).

- 2.2 The other 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 groups: the national rules do not apply but the Council has applied the proportionality rule as a matter of good practice.

- 2.3 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.
- 2.4 An allocation to committees was agreed by annual council following the County elections in 2017. The by election in November 2018, following the death of independent member Keith Lloyd, was won by the Liberal Democrat Group which meant an increase in the group from 7 to 8 members. The new member of the Liberal Democrat Group filled the vacancy on the Regulatory Committee and therefore the current allocation is as set out below.

The Council is invited to agree the allocation of seats and make/ confirm membership (completing the tables in the appendix to this report).

- 2.5 Group Leaders are also invited to identify their Group Spokespersons.

Current Allocation to Committees	Conservative	Labour	Liberal Democrat	Green	Whitnash Residents Association	Total
Audit & Standards Committee	4	1	1			6
Regulatory Committee	7	2	3			12
Staff & Pensions Committee	4	1	1			6
Adult Social Care & Health OSC	7	2	1			10
Children & Young People OSC	7	1	1	1		10
Communities OSC	6	2	1	1		10
Resources & Fire and Rescue OSC	6	2	1		1	10
Total	41	11	9	2	1	64

3.0 Regulatory Committee – pool of substitutes

It would be helpful to identify members who could form a pool of substitutes who can be called upon to become a member of the Regulatory Committee should a member of the Committee be unable to attend a particular meeting. Those willing to be potential substitutes will need to have some had some planning and development training and this will be provided once a list of members has been agreed.

4.0 Appointments to other bodies required to be made/confirmed by Council

The Council is invited to confirm appointments to the following bodies (the number required on each being as set out in the appendix).

4.1 Health and Wellbeing Board

The Health and Wellbeing Board is a committee off the Council but the rules regarding proportionality do not apply to the Board which has a mixed membership of councillor and non-councillor (including statutory officer) appointments. The membership is four county councillors which to date has included the Cabinet Portfolio Holders for Adult Social Care and Health and Children's Services plus the Leader of the Council (Chair).

The current County Councillor membership is:

Conservative: Councillors Les Caborn, Jeff Morgan and Izzi Seccombe
Labour: Councillor John Holland

4.2 Coventry and Warwickshire Joint Health Overview and Scrutiny Committee

The Council on 18 July 2017 agreed to the establishment of the Coventry and Warwickshire Joint Health Overview and Scrutiny Committee. Warwickshire County Council and Coventry City Council each has five seats and appointments by each authority reflects the political balance of that authority.

The current County Councillor membership is:

Conservative: Councillors Mark Cargill, Clare Golby and Wallace Redford
Labour: Councillor John Holland
Liberal Democrat: Councillor Jerry Roodhouse

4.3 Corporate Parenting Panel

The Council approved a new Corporate Parenting Policy in September 2017. The membership of the Panel now includes the Cabinet Portfolio Holder for Children's Services as Chair, plus five other members.

The current membership is:

Conservative: Councillors Peter Gilbert, Jeff Morgan, Chris Williams and Pam Williams
Labour: Councillor Caroline Phillips
Liberal Democrat: Councillor Jerry Roodhouse

4.4 Standing Advisory Council for Religious Education

This is a statutory body that advises the Cabinet on religious worship and religious education within schools. The membership includes representatives of religious denominations and teacher representatives. The County Council membership is five councillors. There is currently one vacancy at present. There is no statutory requirement for political proportionality.

The current membership is:

Conservative: Councillors Clare Golby, Pam Williams and one vacancy

Labour: Councillor Caroline Phillips

Liberal Democrat: Councillor Sarah Boad.

4.5 Warwickshire Waste Partnership

The Waste Partnership comprises five County Councillors and a councillor from each of the five district and borough councils. The Chair is appointed by the Partnership. The current County Councillor membership is:

Conservative: Councillors Dave Reilly, John Horner and Andy Wright.

Labour: Councillor Richard Chattaway

Liberal Democrat: Councillor Jenny Fradgley

4.6 Local Pension Board and Fire & Rescue Pension Board

The terms of reference for these two statutory boards specify that the tenure of membership and the Chair is three years (up to a maximum of nine years). If a member resigns during their term of office the replacement is appointed for three years from the date of appointment. Confirmation of appointments is for the Scheme Manager (the County Council as the administering authority). The current membership and terms of office are set out below.

There has been one change to membership since 2018 (as shown below in bold) that requires confirmation by the Council. There remains a vacancy for an employee representative (nomination from unions is awaited) and a vacancy following the retirement of the Deputy Chief Fire Officer which will be filled when the Deputy Chief Fire Officer is appointed.

<i>Local Pension Board</i>	<i>Date of appointment</i>	<i>End of term of office</i>
Councillor Parminder Singh Birdi (WCC Employer rep)	May 2018	May 2021
Councillor Dave Parsons (WCC Employee rep)	September 2017	September 2020
Keith Bray (Independent Chair)	May 2018	May 2021
David Buckland (Employee rep, Stratford replaced Chris Blundell)	March 2019	March 2022
Vacancy (Employee rep)		
Keith Francis (Employer rep)	May 2018	May 2021
Alan Kidner (Employee rep)	May 2018	May 2021

<i>Local Fire Pension Board</i>	<i>Date of appointment</i>	<i>End of term of office</i>
Katie Brown (Fire HR Manager)	July 2018	July 2021
Liz Firmstone (Finance Service Manager –Transformation)	July 2018	July 2021
Marcus Giles (FBU)	July 2018	July 2021
Tony Morgan (Retained Firefighters Union)	July 2018	July 2021
Paul Morley (Fire Officers Association)	July 2018	July 2021
Vacancy (Deputy CFO)		

4.7 The Police and Crime Panel

Police and Crime Panels are joint committees of the principal authorities in a police area, which in Warwickshire means the County Council and the five district borough councils.

The current membership of the Panel is:

County Council Members

Conservative: Councillors Mike Brain and Adrian Warwick

Labour: Councillors Richard Chattaway and Neil Dirveiks

Liberal Democrat: Councillor Nicola Davies

There will be one representative from each of the District and Borough Councils to be confirmed following local elections

Coopted Members: Andy Davis and Bob Malloy

The chair is appointed by the Panel.

The composition of the panel has to meet the principle of ‘fair representation’. This means that each council within the police area must have at least one member. The composition should also take account of, as far as practical, both political and geographical proportionality. This means the Councillor members, when taken together, should represent all parts of the police area and also represent the political make-up of the relevant authorities when taken together.

It will, therefore, be necessary to review the membership of the Police and Crime Panel in the light of any changes in the number of seats held by each political group across the Warwickshire area following the district and borough elections on 2 May 2019. As it may not be possible to finalise the membership in time for this Council meeting a recommendation is included in the appendix that would delegate authority to the Strategic Director of Resources to change the allocation of seats in consultation with Leaders of the political groups.

4.8 Appointment to strategic external bodies

There is also a need for Council to confirm its appointments to key strategic bodies, namely the Local Government Association, County Councils Network, Coventry and Warwickshire Local Enterprise Partnership. The Council is invited to appoint to these (see recommendation 9 in the appendix to this report).

5.0 Appointments to other external bodies

There are some appointments to external bodies that are made by the Leader and which the Leader is being invited to confirm in the Leader decision making session on the rising of Council. Other appointments to external bodies were made by the Regulatory Committee in 2017 and do not require confirmation.

6.0 Members Allowances Scheme

The current Member Allowances Scheme was agreed in March 2018 and a took effect from May 2018. There are no proposed amendments to the scheme. The allowances will increase by 2% from the date of this meeting in line with the average increase in staff salaries and as set out in the scheme.

7.0 Schemes of Delegation to Members and Officers

The Council's Constitution sets out the delegation of powers to member bodies and to officers in so far as they relate to non-executive functions. The Council is invited to confirm these - except in so far as they may be inconsistent with any changes to the arrangements made for the member bodies set out above.

The Council is required to appoint a Director of Public Health. Consideration has been given to this post in the context of the new senior leadership structure. As this is a statutory post, arrangements are being made to recruit a Director of Public Health for Warwickshire at Assistant Director level, reporting to the Strategic Director People.

Background Information

None

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Draft Recommendations

1. That the Council confirms the Committee structure and delegations to member bodies as set out in the Constitution

(subject to any amendments proposed and agreed at this meeting-list any changes required to terms of reference/size/membership of committees)

2. That the number of places on Council Committees be as follows

Committees	Con	Lab	LD	Green	WRA	Total
Audit & Standards Committee						6
Regulatory Committee						12
Staff & Pensions Committee						6
<i>Such Overview and Scrutiny Committees as may be appointed each to be listed separately</i> <i>4 x 10 places as below:</i>						
Adult Social Care & Health OSC						10
Children & Young People OSC						10
Communities OSC						10
Resources and Fire & Rescue OSC						10
Total (to be politically proportionate)	40.420 (41)	11.227 (11)	8.89 (9)	2.245 (2)	1.122 (1)	64

3. That the following form a pool of substitutes for the Regulatory Committee:

4. That the Council appoints the committees and membership:
Groups to nominate members and identify spokespersons.

Committees	Con	Lab	LD	Green	Ind	Total
Audit & Standards Committee						
Regulatory Committee						
Staff and Pensions Committee						
<i>Such Overview and Scrutiny Committees as may be appointed each to be listed separately</i>						
Total (to be politically proportionate)						

5. That John Bridgeman be confirmed as the Chair of the Audit and Standards Committee.
6. That the Council confirms/amends membership to the following bodies:

Groups to nominate members

	Conservative	Labour	Liberal Democrat
Health and Wellbeing Board (4)	3	1	
Joint Coventry & Warwickshire Health OSC (5)	3	1	1
Corporate Parenting Panel (6)	4	1	1
Standing Advisory Council on Religious Education (SACRE) (5)	3	1	1
Warwickshire Waste Partnership (5)	3	1	1

7. That Councillor Les Caborn be appointed Chair of the Health and Wellbeing Board
8. (a) That the following be confirmed/appointed to the Local Pension Board and Local Fire & Rescue Pensions Board:

<i>Local Pension Board</i>	<i>End of term of office</i>
David Buckland	March 2022
Vacancy – employee representative	May 2022

<i>Local Fire & Rescue Pension Board</i>	<i>End of term of office</i>
Vacancy Deputy CFO	May 2022

- (b) That the Council confirms the re-appointment of Keith Bray as independent Chair of the Local Pension Board and of the Warwickshire Fire and Rescue Local Pension Board
9. (a) That *[if the allocation of County Council seats between the political groups is known in time for this meeting]* the following County Councillors be appointed to the Police and Crime Panel:
 - (b) That the Strategic Director of Resources, in consultation with the Leaders of the political groups, be authorised to change the allocation of seats between the political groups on the Police and Crime Panel following the district/borough elections to ensure the geographical and political balance of the Panel.

10. That the Council confirms/appoints to the following external bodies

	Conservative	Labour	Liberal Democrat
LEP (1)	1		
LGA (4)	2	1	1
CCN (4)	2	1	1
LGA Fire Commission	1		

11. That the Council confirms the delegations to officers as set out in the Constitution, including the appointment of a Director of Public Health.

12. That the Council authorises the Strategic Director of Resources to make such amendments to the Council's Constitution as may be required as a consequence of any changes agreed by the Council.