

County Council

25 May 2021

Appointments to Committees and Other Bodies

Recommendations:

- (1) That Council confirms the Committee structure and delegations of non-executive functions to member bodies as set out in the Constitution (subject to any amendments proposed and agreed at this meeting):
- (2) That Council agrees the appointment of members to the Committees and other bodies as set out in the appendix (subject to any amendments).
- (3) That Council confirms the delegations of non-executive functions to officers as set out in the Constitution.
- (4) That the Council agrees an amendment to the Constitution as it applies to the Health and Wellbeing Board consequent upon the merger of the three Clinical Commissioning Groups into a single body covering Warwickshire such that there will be a single CCG appointment moving forward.
- (5) That the Council authorises the Strategic Director for Resources to make such amendments to the Council's Constitution as may be required as a consequence of any changes agreed by Council together with any minor amendments necessitated by changes to any roles and titles referred to in the Constitution and to ensure accuracy and compliance with legislation and the Council's prior decisions.
- (6) That the Council authorises the Chief Executive to agree the final appointments to the Police and Crime Panel in consultation with Group Leaders as she considers to be necessary to meet the requirements of geographical and political proportionality required and to work with District and Borough representatives to achieve that end.
- (7) That the Council authorises the Strategic Director for Resources to appoint an Independent Remuneration Panel to commence a review the Member Allowances Scheme

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

- 1.2 The Cabinet is appointed by the Leader of the Council (who is appointed at this Council Annual Meeting 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 a Leader Decision Making Session and any changes in the delegations to portfolio holders and support (non-decision making) roles for additional members.

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 the 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 3 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 (which will meet on the rising of this meeting of full Council).
- 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 (Mr John Bridgeman) and the Council is invited to confirm his appointment.
- 1.7 The Dispensations Sub-Committee is arranged from time to time by the Strategic Director for Resources as required drawn from membership of the

Audit and Standards Committee. A meeting of the Dispensations Sub-Committee will meet subsequently to confirm existing dispensations for a four year period.

- 1.8 A review into the operation of Scrutiny has recently been undertaken. Proposals will be brought forward to Council shortly taking into account the outcome of that review.

2.0 Allocation of seats between political groups

- 2.1 The composition of the Council is 42 Conservative Group; 6 Labour Group; 5 Liberal Democrat Group; 3 Green Group; 1 Whitnash Residents Association.

- 2.2 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).

- 2.3 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 political balance 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 The allocation to committees agreed at the Annual meeting in 2020 is set out below and the Council is invited to confirm the allocation of seats for 2021/22 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 and allocation of Special Responsibility Allowances to their spokespersons. The table below shows the 2020/21 distribution of seats, the political balance entitlement and the change required to bring back into political balance.

Committees	Con	Lab	LD	GR	WRA	Ind Con	Ind Con	Ind Lab	Vac	Vac	Total
Audit & Standards Committee (6)	3	1	1							1	6
Regulatory Committee (12)	7	2	2						1		12
Staff & Pensions Committee (6)	4	1	1								6
Adult Social Care & Health (10)	6	1	2	1							10
Children and Young People (10)	6	1	1	1			1				10
Communities (10)	6	1	1	1		1					10
Resources and Fire & Rescue (10)	6	1	1		1			1			10
2020 Distribution total	38	8	9	3	1	1	1	1	1	1	64
Change	+9	-1	-3	0	0	-1	-1	-1	-1	-1	
Political Balance Entitlement 2021	47	7	6	3	1	n/a	n/a	n/a	n/a	n/a	64

3.0 Appointments required to be made/confirmed by Council

The Council is invited to confirm appointments to the committees and bodies set out in the Appendix

3.1 Audit and Standards Committee

The membership of the Audit and Standards Committee is comprised of 6 elected members and two co-opted (independent) members. There is currently a vacancy for one independent member. A recruitment process was commenced last year to appoint a replacement independent member but has so far been unsuccessful. The Committee is chaired by Mr John Bridgeman, one of the independent members. The Council is invited to confirm the appointment of Mr John Bridgeman as the Chair of the Committee.

3.2 Health and Wellbeing Board

The Health and Wellbeing Board is a committee of 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 with responsibility for adult social care and health and for children's services plus the Leader of the Council. The Council also appoints the Chair of the Board.

The past chair of the Board was Cllr Les Caborn as the Portfolio Holder with responsibility for adult social care and health. Due to Councillor Caborn's retirement a new chair is required. The Council is invited to confirm the appointment of the Chair of the Health and Well-being Board as provided for in the Appendix.

Members are also asked to note and approve a change to the constitution of the County Council as regards the membership of the Board. Following the merger of the Clinical Commissioning Groups (CCGs) into a single body covering Warwickshire there will now be a single CCG representative to the Board and the Council's Constitution will be amended accordingly. The CCG will be invited to confirm its representative following the Council meeting.

3.3 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.

Applying political balance to the Council's allocated seats for 2021/22 would result in allocation of 4 Conservative seats and 1 Labour seat

3.4 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 with responsibility for children's services as Chair, plus five other members.

The Council is invited to confirm the membership of the Panel and the Portfolio Holder with responsibility for children's services as the Chair.

3.5 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 no statutory requirement for political proportionality.

3.6 Warwickshire Waste Partnership

The Waste Partnership comprises five County Councillors and a councillor from each of the five District and Borough Councils. It operates under a Memorandum of Understanding and the Chair is appointed by the Partnership.

3.7 Local Pension Board and Fire & Rescue Pension Board

The terms of reference for these two statutory boards specify that the tenure of membership is a rolling three year term, subject to a maximum of 9 years in total. Each has an independent Chair also appointed for a three-year term. If a member resigns during their term of office the replacement is appointed for three years. Confirmation of re-appointments is for the Scheme Manager (the County Council as the administering authority).

The County Council is also asked to confirm that the Employer representatives on the Fire & Rescue Board should be either members or officers of the Council.

The term of office of several members is due to expire during 2021 and Council is requested to confirm the re-appointment of those board members for a period of three years to ensure the boards remain quorate

LGPS Local Pension Board	End of term of office following this appointment
Councillor Parminder Singh Birdi (WCC Employer Rep) Keith Bray (Independent Chair) Keith Francis (Employer Rep) Alan Kidner (Employee Rep)	May 2024
Fire & Rescue Local Pension Board	End of term of office
Sian Marsh (Employee Rep) (FBU) – from July 2021	July 2024
Tony Morgan (Employee Rep) (Retained Firefighters Union) – from July 2021	July 2024
Paul Morley (Employee Rep) (fire Officers Association) – from July 2021	July 2024
Barnaby Briggs (Employers Rep) – May 2021	May 2024
Caroline Jones (Employers Rep) – May 2021	May 2024

There is a vacancy for a Councillor as WCC Employer Rep on the Fire and Rescue Local Pension Board and the Local Pension Board, and Council is asked to confirm the appointments set out in the Appendix

3.8 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 Chair is appointed by the Panel. The Panel at its first meeting will elect a Chair in the usual way.

The composition of the panel must 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 of 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. Due to this requirement and the dates of annual meetings at the other district and borough authorities, Council is asked to delegate to the Chief Executive in consultation with the Group Leaders as she considers to be necessary confirmation of the final make up and appointments to the Panel in advance of its first meeting. The final membership will be confirmed to all Councillors once agreed.

3.9 Joint Negotiating Bodies

The Council has two Joint Negotiating Bodies one for staff and one for teachers. Each has four elected members appointed, (two appointments are made by the Leader and two appointments are made by the Council).

3.10 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 8 in the appendix to this report).

4.0 **Appointments to other external bodies**

There are some appointments to external bodies that are made by the Leader and which the Leader will confirm at a Leader decision making session.

5.0 **Members Allowances Scheme**

An Independent Remuneration Panel undertook a review of the Council's Member Allowances Scheme in 2017. The Panel's report on its findings was considered at the Council meeting on 20 March 2018 and a number of changes were agreed to the Scheme.

In line with our usual 4 yearly review of the Scheme it is considered appropriate to commence a review of the Member Allowances Scheme. It is proposed that this commences with the appointment of an Independent Remuneration Panel to undertake the review with proposals finalised for consideration by Council during the financial year 2021/22.

6.0 Schemes of Delegation

The Council's Constitution sets out the delegation of powers to member bodies. The Council is invited to confirm these as they relate to non-executive functions - 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 also invited to confirm the delegation of non-executive functions to officers as set out in the Constitution.

Background Information

None

	Name	Contact Information
Report Author	Nichola Vine Paul Williams	nicholavine@warwickshire.gov.uk paulwilliamscl@warwickshire.gov.uk
Assistant Director	Sarah Duxbury	Tel. 01926 412319 sarahduxbury@warwickshire.gov.uk
Strategic Director	Rob Powell	Tel 01926 412045 robpowell@warwickshire.gov.uk

Appendix

Recommendations

1. That the Council confirms the Committee structure and delegations of non-executive functions to member bodies and officers as set out in the Constitution
2. That the number of places on Council Committees be as follows

3.

Committees	Con	Lab	LD	GR	WRA	Total
Audit & Standards Committee (6)						
Regulatory Committee (12)						
Staff & Pensions Committee (6)						
Adult Social Care & Health (10)						
Children and Young People (10)						
Communities (10)						
Resources and Fire & Rescue (10)						
Political Balance Entitlement 2021	47	7	6	3	1	

That the Council appoints the committees and membership:

Opposition Group Spokespersons are indicated for Overview and Scrutiny Committees (Sp)

Committees	Con	Lab	LD	Green	WRA/Ind Vacancy	Total
Audit & Standards Committee (6 +2 co-optees) J Bridgeman * +Vacancy						6
Regulatory Committee						12
Staff and Pensions Committee						6

Committees	Con	Labour	Liberal Democrat	Green	WRA	
Adult Social Care & Health OSC						10
Children & Young People OSC						10
Communities OSC						10
Resources and Fire & Rescue OSC						10
Joint Staff Negotiating Body (2)*Leader appt 2	*					
Joint Teachers Negotiating Body 2 *Leader appt 2	*					
Pension Fund Sub-Committee *appointments are made by Staff and Pensions Committee						
Pool of Members to sit on the Appointments Sub-Committees and Staff Appeals Sub-Committees.						

4. That John Bridgeman be confirmed as the Chair of the Audit and Standards Committee.

5. (a) That the Council confirms/amends membership to the following bodies:

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

5 (b) That [] is appointed as the Chair of the Health and Well-being Board;

(c) That the Council agrees an amendment to the Constitution as it applies to the Health and Wellbeing Board consequent upon the merger of the three Clinical Commissioning

Groups into a single body covering Warwickshire such that there will be a single CCG appointment moving forward.

(d) That the Portfolio Holder with responsibility for children's services is appointed as the Chair of the Corporate Parenting Panel.

6. (a) That the following be appointed to the LGPS Local Pension Board and Fire & Rescue Local Pension Board for a three-year term:

<i>LGPS Local Pension Board</i>	<i>End of term of office</i>

<i>Fire & Rescue Local Pension Board</i>	<i>End of term of office</i>

(b) That the Council confirms that the Employer Representatives on the Fire and Rescue Local Pension Board should be members or officers of the Warwickshire County Council

7. That the Council authorises the Chief Executive to agree the final appointments to the Police and Crime Panel in consultation with Group Leaders as she considers to be necessary to meet the requirements of geographical and political proportionality required and to work with District and Borough representatives to achieve that end.
8. That the Council confirms/appoints to the following external bodies

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

9. That Council confirms the delegations of non-executive functions to officers as set out in the Constitution.
10. That the Council authorises the Strategic Director Resources to make such amendments to the Council's Constitution as may be required as a consequence of any changes agreed by Council together with any minor amendments necessitated by changes to roles and titles and to ensure accuracy and compliance with legislation and the Council's prior decisions.
11. That the Council authorises the Strategic Director for Resources to appoint an Independent Remuneration Panel to commence a review the Member Allowances Scheme