

Corporate Policy Committee

15 June 2023

Appointments to Sub-Committees, Working Groups, Panels, Boards and Joint Committees

Report of: David Brown, Director of Governance and Compliance

Report Reference No: CP/2/23-24

Ward(s) Affected: No specific wards

Purpose of Report

- 1 This report seeks approval from the Corporate Policy Committee to appoint or nominate members to the bodies referred to in the report.

Executive Summary

- 2 The Council, at its annual meeting on 24 May 2023, approved the political representation on its main committees. The appointment of certain sub-committees, working groups, panels and boards is a matter for the relevant service committees. This report concerns those bodies which fall to be appointed by the Corporate Policy Committee or by the committee in conjunction with other service committees. Where political proportionality is applicable, the agreed conventions and methods of calculation have been applied.

RECOMMENDATIONS

That the Corporate Policy Committee

1. agree the appointments and nominations to the bodies referred to in this report;
2. where appropriate, agree to submit nominations to the Head of Democratic Services and Governance; and

3. note the terms of reference of the bodies referred to in the report.

Background

3 A. Bodies which report to the Corporate Policy Committee

4 Constitution Working Group

5 The Constitution Working Group has been set up to review the Constitution and make recommendations to the Corporate Policy Committee and Council. The terms of reference are set out in the Appendix for information.

6 The Committee has previously appointed a working group of 6 members with the following composition: 2 Conservative: 2 Labour: 2 Independent Group.

7 *The Corporate Policy Committee is asked to appoint a Constitution Working Group for the current municipal year, with nominations being submitted to the Head of Democratic Services and Governance.*

8 Staffing Appeals Sub-Committee

9 The Staffing Appeals Sub-Committee deals with various staffing-related appeals, such as appeals against dismissal and grievances. The terms of reference are set out in the Appendix for information.

10 The membership of this Sub-Committee comprises 3 members appointed on an ad hoc basis, drawn from a pool of 10. Whilst the Sub-Committee itself does not need to be proportionate, the pool of 10 has previously been selected on a politically proportionate basis. The Committee may wish to continue with this approach.

11 *It is proposed that nominations to the pool of members for the Staffing Appeals Sub-Committee be submitted to the Head of Democratic Services and Governance on the following basis:*

4 Conservative

4 Labour

2 Independent

12 General Appeals Sub-Committee

13 The General Appeals Sub-Committee deals with a range of appeals, such as school transport appeals. The terms of reference are set out in the Appendix for information.

- 14 The membership of this Sub-Committee comprises 5 members appointed on an ad hoc basis, drawn from a pool of 10. Whilst the Sub-Committee itself does not need to be proportionate, the pool of 10 has previously been selected on a politically proportionate basis. The Committee may wish to continue with this approach.
- 15 *It is proposed that nominations to the pool of members for the General Appeals Sub-Committee be submitted to the Head of Democratic Services and Governance on the following basis:*
- 4 Conservative
- 4 Labour
- 2 Independent
- 16 **Shared Services Joint Committee**
- 17 The Shared Services Committee is a joint committee of Cheshire East Council and Cheshire West and Chester Council. It oversees the management of those services which are provided on a Cheshire-wide basis to ensure effective delivery of such services and to provide strategic direction. The terms of reference are set out in the Appendix for information.
- 18 Although this is a joint committee of two councils rather than a sub-committee of the Corporate Policy Committee, it does report to the Corporate Policy Committee (and to its counterpart in Cheshire West and Chester) and it falls to this Committee to appoint the nominees from Cheshire East. Each council appoints three of its elected members as its nominated members of the Joint Committee. The Corporate Policy Committee has previously appointed one member each from the Conservative, Labour and Independent Groups, with the Independent Group also nominating a named reserve.
- 19 *It is proposed that nominations to the Shared Services Joint Committee be submitted to the Head of Democratic Services and Governance in accordance with the following:*
- 1 Conservative
- 1 Labour
- 1 Independent
- 20 **B. Other Bodies to which the Corporate Policy Committee is required to make appointments**
- 21 **Joint Member Scrutiny Task Group**
- 22 Cheshire East Council and Cheshire West and Chester Council have agreed to establish a Joint Member Scrutiny Task Group to provide advice and assurance to decision makers on the transition to a new model for ICT delivery. The Joint Task Group's advice and recommendations would be

considered by the relevant scrutiny bodies and shared with the Shared Services Joint Committee. The terms of reference are set out in the Appendix for information.

- 23 Subject to discussion with the proposed Task Group once established, it was envisaged that the Task Group would meet a minimum of three times each year over the next two years (six meetings in total through the life of the programme). It was proposed that 3 Members from each of Cheshire East and Cheshire West and Chester Councils would be appointed following the local elections in May.
- 24 *It is proposed that nominations to the Joint Member Scrutiny Task Group be submitted to the Head of Democratic Services and Governance in accordance with the following:*
- 1 Conservative*
- 1 Labour*
- 1 Independent*
- 25 **Cheshire East Health and Wellbeing Board**
- 26 Cheshire East Health and Wellbeing Board is a joint board to which this Council appoints three councillors as voting members. The lead service committee in respect of this Board is the Adults and Health Committee, and the three Council nominees to the Board will be formally nominated by the Adults and Health Committee, the Corporate Policy Committee, and the Children and Families Committee. There are no specific criteria which apply to the appointments.
- 27 The current Terms of Reference are set out in the Appendix to this report for information. It should be noted that the Terms of Reference are due to be reviewed by the Corporate Policy Committee on 6th July 2023 and Council on 19th July 2023.
- 28 *It is proposed that the Corporate Policy Committee agree to the nomination of 1 Member to the Cheshire East Health and Wellbeing Board, and that the nominee be notified to the Head of Democratic Services and Governance.*
- 29 **Joint Extra Care Housing Management Board**
- 30 The Joint Extra Care Housing Management Board is a joint board of Cheshire East Council and Cheshire West and Chester Council. It is responsible for providing strategic guidance, making strategic decisions and reviewing performance in relation to extra care housing provision, except where matters are reserved to the respective authorities. The terms of reference are set out in the Appendix for information.
- 31 The Joint Extra Care Housing Management Board comprises three elected members from each authority. The Corporate Policy Committee, Adults and Health Committee and Finance Sub-Committee are each required to appoint

one member to the Board. There are no specific criteria which apply to the appointments.

32 *It is proposed that the Corporate Policy Committee agree to the nomination of 1 Member to the Joint Extra Care Housing Management Board, and that the nominee be notified to the Head of Democratic Services and Governance.*

33 **Cheshire East Health and Care Partnership Board**

34 The Adults and Health Committee, at its meeting on 18 July 2022, agreed the terms of reference for a Cheshire East Health and Care Partnership Board. The terms of reference provide for the establishment of a Cheshire East Place Partnership Board to enable the delivery of integrated population health and care services in Cheshire East. A link to the Board's terms of reference is provided [here](#).

35 In approving the terms of reference of the Board, the Adults and Health Committee asked the Corporate Policy Committee to appoint the membership from Cheshire East. The Terms of Reference provide for the appointment of 3 elected members from Cheshire East Council. The Health and Care Partnership Board has been set up as a partnership rather than as a formal joint committee. Therefore, rules of political proportionality do not apply.

36 The Corporate Policy Committee, on 6th October 2022, agreed to appoint Councillors Arthur Moran, Jill Rhodes and Janet Clowes to the Cheshire East Health and Care Partnership Board on the basis that those members were members of the Adults and Health Committee, which would help to ensure that the views of that Committee were taken forward to the Partnership Board.

37 *The Committee is asked to agree the appointment of 3 members to the Cheshire East Health and Care Partnership Board, and that the nominees be notified to the Head of Democratic Services and Governance.*

Consultation and Engagement

38 There has been consultation with Group Leaders and Administrators in relation to the political representation of these committees.

Reasons for Recommendations

39 In accordance with the Constitution, the Corporate Policy Committee is responsible for the appointment of the bodies referred to in this report.

Other Options Considered

12	Option	Impact	Risk
	Do nothing	The Council's Constitution requires these bodies to be appointed in line with the legislation referenced in this report. Not appointing to these bodies would negatively affect the Council's ability to make decisions in an open and transparent manner.	Failure to comply with the Council's Constitution and the legislation referenced in this report could leave the Council open to legal challenge.

Implications and Comments

Monitoring Officer/Legal

- 40 The Local Government (Committees and Political Groups) Regulations 1990, made pursuant to the Local Government and Housing Act 1989, make provisions in respect of the political group representation on a local authority's committees in relation to the overall political composition of the Council. The legislation applies to the decision-making committees and sub-committees of the Council.
- 41 The legislation requires that, where proportionality applies, and seats are allocated to different political groups, the authority must abide by the following principles, so far as is reasonably practicable:
- 42 Not all of the seats can be allocated to the same political Group (i.e., there are no single group committees).
- 43 The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.
- 44 The total number of seats on all ordinary committees and sub committees allocated to each Political Group bears the same proportion to the proportion on the full Council.
- 45 The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.

- 46 The proposals contained in this report meet the requirements of the legislation.
- 47 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

Section 151 Officer/Finance

- 48 There are no financial implications that require an amendment to the Medium-Term Financial Strategy.

Policy

- 25 There are no direct policy implications.

An open and enabling organisation

Ensure that there is transparency in all aspects of council decision making

Equality, Diversity and Inclusion

- 26 There are no direct equality, diversity and inclusion implications.

Human Resources

- 27 There are no direct human resources implications.

Risk Management

- 28 Failure to comply with the Act and Regulations when appointing its committee memberships would leave the Council open to legal challenge.

Rural Communities

- 29 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 30 There are no direct implications for children and young people.

Public Health

- 31 There are no direct implications for public health.

Climate Change

32 There are no direct implications for climate change.

Access to Information	
Contact Officer:	Brian Reed Head of Democratic Services and Governance Brian.reed@cheshireeast.gov.uk
Appendices:	Appendix – Terms of reference of bodies to which the Corporate Policy Committee makes appointments.
Background Papers:	The background papers relating to this report can be inspected by contacting the report writer.