

OPEN

Adults and Health Committee

26 June 2023

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

**Report of: Brian Reed, Head of Democratic Services and
Governance**

Report Reference No: AH/01/23-24

Ward(s) Affected: No specific wards

Purpose of Report

- 1 This report seeks approval from the Adults and Health Committee to nominate a member to the Health and Wellbeing Board and the Joint Extra Care Housing Management Board.
- 2 This report contributes to the Council's objective of being an open and enabling organisation - Ensuring that there is transparency in all aspects of council decision making.

Executive Summary

- 3 The Council, at its annual meeting on 24 May 2023 approved 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 Adults and Health Committee or by the committee in conjunction with other service committees.

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| RECOMMENDATION |
| That the Adults and Health Committee |
| 1. agree the nominations to the bodies referred to in this report; |

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

Background

4 A. Bodies which report to the Adults and Health Committee

5 Cheshire East Health and Wellbeing Board

6 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.

7 The current Terms of Reference are set out in Appendix 1 to this report for information. It should be noted that the Terms of Reference are due to be reviewed at the Corporate Policy Committee on 11 July 2023 and Council on 19 July 2023, and a copy of the draft Terms of Reference are set out in Appendix 2 to this report for information.

8 *It is proposed that the Adults and Health Committee agree to the nomination of 1 Member to the Cheshire East Health and Wellbeing Board.*

9 Previous Appointment

10 Councillor J Rhodes

11 Joint Extra Care Housing Management Board

12 The Joint Extra Care Housing Management Board is a joint board of Cheshire East and Cheshire West and Chester Councils, the governance arrangements for which were established in 2011.

13 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 Appendix 1 to this report for information.

14 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.

15 *It is proposed that the Adults and Health Committee agree to the nomination of 1 Member to the Joint Extra Care Housing Management Board.*

16 Previous Appointment
Councillor Arthur Moran

Consultation and Engagement

17 There has been no consultation in relation to this report. The report relates to previous decisions of the Committee and the need to appoint to various bodies in accordance with the rules of political proportionality where these apply and in accordance with the agreed terms of reference of each body.

Reasons for Recommendations

18 In accordance with the Constitution, the Adults and Health Committee is responsible for the appointment of those bodies referred to in this report.

Other Options Considered

| Option | Impact | Risk |
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| Do nothing | The Council's Constitution requires these committees 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

- 19 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.
- 20 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:
- 21 Not all of the seats can be allocated to the same political Group (i.e., there are no single group committees).
- 22 The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.
- 23 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.
- 24 The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.
- 25 The proposals contained in this report meet the requirements of the legislation.
- 26 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

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

Policy

- 28 There are no direct policy implications.

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| An open and enabling organisation |
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| Ensure that there is transparency in all aspects of council decision making |
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Equality, Diversity, and Inclusion

29 There are no direct equality, diversity, and inclusion issues.

Human Resources

30 There are no direct human resources implications.

Risk Management

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

Rural Communities

32 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)

33 There are no direct implications for children and young people.

Public Health

34 There are no direct implications for public health.

Climate Change

35 There are no direct implications for climate change.

| Access to Information | |
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| Appendices: | Appendix 1: Current Terms of reference of bodies to which the Adults and Health Committee makes appointments. Appendix 2: Draft HWBB Terms of Reference |
| Background Papers: | JECHMB Sep 2011 - Governance Arrangements |