

Corporate Policy Committee

13 June 2024

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

Report of: David Brown, Director of Governance and Compliance

Report Reference No: CP/08/24-25

Ward(s) Affected: No specific wards.

Purpose of Report

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

Executive Summary

- 2 The Council, at its annual meeting on 15 May 2024, 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. Appoints the sub-committees, working groups, panels, boards and joint committees for 2024-25 as set out within the report and the member appointments to them.

2. Agree that a sub-committee be appointed (Electoral and Polling District Review Sub-Committee) with the same roles and responsibilities as the existing Electoral Review Sub Committee, to make recommendations to the Corporate Policy Committee in respect of all matters relating to the Cheshire East Council Electoral Review and also to formally determine all matters relating to the Cheshire East Council Polling District Review, without any further reference to the Corporate Policy Committee.
3. Where appropriate, agree to submit member nominations to the above bodies to the Head of Democratic Services and Governance; and
4. Note the terms of reference of the bodies referred to in the report.

Background

A. Bodies which report to the Corporate Policy Committee

Constitution Working Group

- 3 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.
- 4 The working groups membership of 6 has the following composition: 2 Conservative: 2 Labour: 2 Independent Group.
- 5 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.

Staffing Appeals Sub-Committee

- 6 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.
- 7 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.
- 8 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

General Appeals Sub-Committee

9 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.

10 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.

11 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

Shared Services Joint Committee

12 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.

13 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.

14 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

Electoral and Polling District Review Sub-Committee

15 The existing Electoral Review Sub-Committee is entering the final stages of its work relating to the Boundary Commission's review of Cheshire East Council's electoral arrangements, which will determine the Council's membership, boundaries, warding, number of members per ward etc from May 2027. The Commission will soon publish its proposals for the Council's electoral arrangements, having received the Council's submission and other representations on the above matters. Following publication of the Commission's proposals, the Council will have the opportunity to respond, and the Sub-Committee will need to continue its work for that purpose.

16 The recommendations of this report therefore ask the Corporate Policy Committee to re-appoint a Sub-Committee with the powers previously delegated to the Electoral Review Sub-Committee. The existing role of the Sub Committee can be seen in the report which was made to the Corporate Policy Committee in July 2023 which can be found [here](#). The July 2023 resolution of the Corporate Policy Committee is set out below:

17 **“RESOLVED** (unanimously)

“That

1. “a sub-committee be appointed (the Electoral Review Sub-Committee) to make recommendations to the Corporate Policy Committee in respect of all matters relating to the Cheshire East Council Electoral Review.
2. “The Sub-Committee comprise 7 members, on a politically proportionate basis as set out in the report, with an open invitation to a member of the Liberal Democrat Group to attend meetings of the Sub-Committee on an informal non-voting basis, and to contribute to the Sub-Committee's debates”;

18 However, legislation requires the Council to undertake a review of its Polling Districts by January 2025. This is an entirely separate piece of work to the Commission's review of the Council's other electoral arrangements. Further information is contained in guidance prepared by the Electoral Commission:

[Reviews of polling districts, polling places and polling stations | Electoral Commission](#)

- 19 The Polling District review is expected to be relatively “light-touch”, addressing a small number of polling issues, such as the identification of new polling stations and the allocation of Electoral Registers to new polling stations.
- 20 It is expected that a more fundamental Borough-wide review of Polling Districts will need to be undertaken when the Boundary Commission publishes its final recommendations to Parliament on the Cheshire East Electoral Review. It would not be appropriate to undertake a full Borough-wide review of Polling Districts until the Boundary Commission’s work is complete.
- 21 The existing Electoral Review Sub-Committee is ideally placed to undertake the Polling District Review, having the relevant expertise amongst its members following the detailed work which they carried out on the boundaries as part of its work to date. But it’s terms of reference need to be expanded to include the work which must be done on the Polling District Review.
- 22 Given that the Polling District Review is very limited in terms of the number of polling districts to be reviewed, and the proposed light-touch nature of the review, it is recommended that the proposed Sub-Committee be empowered to formally determine all matters relating to the Polling District Review without any further reference to the Corporate Policy Committee.
- 23 The existing Electoral Review Sub-Committee comprises 7 members, on a political proportionate basis of 3 Conservative members, 3 Labour members and one Independent member, observing the Council’s conventions on calculation. This size of Sub-Committee worked very well for the purposes of the Sub-Committee’s work, and it is recommended that the same number of members and political composition be observed for the new Sub-Committee.

B. Other Bodies to which the Corporate Policy Committee is required to make appointments

Joint Member Scrutiny Task Group

- 24 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.

25 It is proposed that 3 Members from each of Cheshire East and Cheshire West and Chester Councils would be appointed.

26 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

Cheshire East Health and Wellbeing Board

27 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.

28 The current Terms of Reference are set out in the Appendix to this report for information.

29 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.

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.

Cheshire East Health and Care Partnership Board

33 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](#).

34 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.

35 The Corporate Policy Committee, on 15 June 2023 , 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.

36 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.

C. Appointments to Outside Organisations

Tatton Park Board

37 In July 2023, the Corporate Policy Committee agreed the appointments to outside organisations, including the Tatton Park Board. The Committee resolved that the appointments made would run until May 2027.

38 The Corporate Policy Committee appointed the following representatives onto the Tatton Park Board on a 3:3:1 political proportionality:

Cllr Tony Dean, Cllr Mark Goldsmith, Cllr Nick Mannion, Cllr Hannah Moss, Cllr Kate Hague, Cllr John Place and Cllr Jill Rhodes.

39 Following the change of Group membership of Cllr Moss, there is now a vacancy on the Tatton Park Board.

40 Councillor Mark Goldsmith has also requested to stand down from his position on the Tatton Park Board as the Independent Group representative.

41 The Committee is asked to approve the replacement Conservative Group and Independent Group nominations to the Tatton Park Board to represent this outside organisation until May 2027.

Manchester Airport Consultative Committee

42 Councillor Nick Mannion has requested to stand down from his position on the Manchester Airport Consultative Committee.

43 The committee is asked to approve a replacement member to represent this outside organisation until May 2027.

Mental Health Partnership Board

44 The Corporate Policy Committee appointed the following representatives onto the Mental Health Partnership Board as representatives of the Adults and Health Committee and Children and Families Committee at its meeting in July 2023.

45 Cllr Nicola Cook and Cllr Dawn Clark.

46 Following the changes of committee membership in May 2024, the Committee is asked to approve the 2x replacement nominations to the Mental Health Partnership Board.

Safeguarding Adults Board

47 The Corporate Policy Committee appointed the following representative onto the Safeguarding Adults Board as a representative of the Adults and Health Committee at its meeting in July 2023.

48 Cllr Dawn Clark

49 Following the changes of committee membership in May 2024, the Committee is asked to approve the replacement nomination to the Safeguarding Adults Board.

Consultation and Engagement

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

Reasons for Recommendations

51 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

	Option	Impact	Risk
52	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

- 53 The Committee has power to appoint informal working groups, panels or task groups with defined terms of reference and timeframes.
- 54 In addition, the Committee has power to appoint representatives to serve on outside bodies and organisations.
- 55 The Committee also has power and/or has historically been asked to nominate members to each of the sub-committees particularly where they fall within the remit of the Committee.
- 56 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 and 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:

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

57 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

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

Policy

59 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

60 There are no direct equality, diversity and inclusion implications.

Human Resources

61 There are no direct human resources implications.

Risk Management

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

Rural Communities

63 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)

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

Public Health

65 There are no direct implications for public health.

Climate Change

66 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 1 – Terms of reference of bodies to which the Corporate Policy Committee makes appointments.
Background Papers:	None.