

Corporate Policy Committee

Date of Meeting:	9 th June 2022
Report Title:	Appointments to Sub-Committees, Working Groups, Joint Committees and Boards
Report of:	David Brown, Director of Governance and Compliance
Report Reference No:	CP/42/22-23
Ward(s) Affected:	No specific wards

1. Purpose of Report

- 1.1. This report requests the Corporate Policy Committee to appoint a number of sub-committees and working groups, and to appoint to joint committees and boards, for the 2022-23 municipal year.

2. Executive Summary

- 2.1 The Council at its annual meeting on 18th May 2022 approved the political representation on its main committees. The appointment of certain sub-committees, working groups 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.

3. Recommendations

- 3.1. That the Committee appoint the bodies referred to in this report and, where appropriate, agree the political representation and determine the membership subject to agreement that where it is not possible to determine the whole membership of a body at this meeting, nominations be submitted by the relevant political groups to the Head of Democratic Services and Governance.

4. Reasons for Recommendations

- 4.1. The Committee is responsible for appointing the bodies referred to in this report.

5. Other Options Considered

- 5.1. Not applicable.

6. Background

A. Bodies which report to the Corporate Policy Committee

1. Constitution Working Group

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.

The Constitution provides for the appointment of a Working Group of no more than 8 members.

Last year, the Committee resolved that the Working Group should comprise 6 members with the following composition: 2 Conservative: 2 Labour: 2 Independent Group.

The membership of the Working Group last year comprised Councillors M Asquith, J Bratherton, L Crane, A Martin, J Nicholas and M Warren.

Recommendation: That a Constitution Working Group of up to 8 members be appointed.

2. Community Governance Review Sub-Committee

The Constitution provides for the appointment of a Community Governance Review Sub-Committee to carry out a Borough-wide review of the governance arrangements of all of the Borough's town and parish councils, and make appropriate recommendations to the Corporate Policy Committee. The terms of reference are set out in the Appendix for information.

Council at its meeting on 27th April 2022 approved the recommendations of the Community Governance Review and resolved by order to give effect to the recommendations. There may be a need for matters arising from the Review to be considered by the Sub-Committee, and this would be the next phase of the Sub-Committee's work.

The Community Governance Review Sub-Committee comprises 7 members on a politically proportionate basis. The former Constitution Committee appointed a Community Governance Review Sub-Committee of 7 members on a politically proportionate basis but included, in addition, one member

each from the Liberal Democrat and Real Independent Groups on a non-voting basis, resulting in a membership of 9: 3 Conservative: 2 Labour: 2 Independent: 1 Liberal Democrat: 1 Real Independent. At its meeting last year, the Corporate Policy Committee endorsed the continuation of that approach.

The membership of the Sub-Committee last year comprised Councillors M Asquith, J Bratherton, C Browne, L Crane, S Edgar, A Martin and A Stott. Councillors B Murphy and P Williams were associate non-voting members.

Recommendation: That the Community Governance Review Sub-Committee be re-appointed on the same basis as before.

3. Staffing Appeals Sub-Committee

This 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.

Under the constitution, 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 (4 Conservative: 3 Labour: 2 Independent: 1 Liberal Democrat).

Recommendation: That this approach be continued.

4. General Appeals Sub-Committee

This 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.

Under the constitution, 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 (4 Conservative: 3 Labour: 2 Independent: 1 Liberal Democrat).

Recommendation: That this approach be continued.

5. Shared Services Joint Committee

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.

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 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.

Last year, the Committee approved a Cheshire East membership comprising 1 Conservative: 1 Labour: 1 Independent. It also agreed that Councillor A Stott or Councillor A Moran be named as a reserve member for the Independent Group.

The Council's current representatives on the Joint Committee are Councillors J P Findlow, J Rhodes and A Stott, with Councillor A Moran in reserve.

Recommendation: That the Committee appoint three members to the Shared Services Joint Committee.

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

1. Cheshire East Health and Wellbeing Board

Cheshire East Health and Wellbeing Board is a joint board to which this Council appoints three councillors as voting members. The terms of reference are set out in the Appendix for information.

The agreed transitional provisions provided that the lead service committee in respect of this Board would be the Adults and Health Committee; and the three Council nominees to the Board would 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.

Last year, this Committee appointed Councillor S Corcoran as one of the Council's three voting members on the Board. Councillor J Clowes was appointed as an associate non-voting member by the Board itself.

Recommendation: That the Committee appoint one voting member to the Cheshire East Health and Wellbeing Board

2. Joint Extra Care Housing Management Board

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. There is a link to the Board's terms of reference under the Background Papers section of this report.

The Joint Extra Care Housing Management Board comprises three elected members from each authority. The transitional provisions provided that nominations for Cheshire East Council would be made by the chairs of the Corporate Policy Committee, Adults and Health Committee and Finance Sub-Committee.

Last year, the Chair of this Committee nominated Councillor N Mannion to the Board.

Recommendation: That the Committee Chair be recommended to nominate one Member to the Board.

7. Implications of the Recommendations

7.1. Legal Implications

7.1.1. 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.

7.1.2. 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:

7.1.2.1. Not all of the seats can be allocated to the same political Group (i.e. there are no single group committees).

7.1.2.2. The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.

7.1.2.3. 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.

7.1.2.4. The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.

7.1.3. The proposals contained in this report meet the requirements of the legislation.

7.1.4. The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

7.2. Finance Implications

7.2.1. There are no direct finance implications.

7.3. Policy Implications

7.3.1. There are no direct implications for policy.

7.4. Equality Implications

7.4.1. There are no direct implications for equality.

7.5. Human Resources Implications

7.5.1. There are no direct human resource implications.

7.6. Risk Management Implications

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

7.7. Rural Communities Implications

7.7.1. There are no direct implications for rural communities.

7.8. Implications for Children & Young People/Cared for Children

7.8.1. There are no direct implications for children and young people/Cared for Children.

7.9. Public Health Implications

7.9.1. There are no direct implications for public health.

7.10 Climate Change Implications

7.10.1. There are no direct climate change implications.

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services and Governance Brian.reed@cheshireeast.gov.uk
Appendices:	Appendix: Terms of reference of sub-committees, joint committees and working groups
Background Papers:	The background papers relating to this report can be inspected by contacting the report writer. Joint Extra Care Housing Management Board terms of reference