



Report of Corporate Management Team

Helen Lynch, Head of Legal and Democratic Services

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 To agree the appointments process of Members to Joint and Other Bodies.

Executive summary

- 2 The Council is required to agree at its annual meeting the appointments to the joint bodies and other bodies to which the Council are invited to nominate representatives. The background and criteria for appointing to these bodies is set out in paragraph 4 of the report.

Recommendation

- 3 The Council is asked to:
 - (a) agree the allocation of seats on the County Durham Fire and Rescue Authority as detailed in Appendix 2.
 - (b) agree the allocation of seats on Business Durham Advisory Board as set out in Appendix 3.
 - (c) agree the allocation of seats on the Charter Trust as detailed in Appendix 4.
 - (d) agree the allocation of seats on the Police and Crime Panel as detailed in Appendix 5.
 - (e) determine the appointment for the ensuing year of the elected member of the Authority to serve on the Joint Audit Committee to assist the Police, Crime and Victims Commissioner, and Chief

Constable, noting the nomination would be subject to approval of the Police, Crime and Victims Commissioner.

- (f) agree the appointments to the positions on the North East Combined Authority, and the North East Combined Authority and North of Tyne Combined Authority;
- (g) agree the nominations of two members to Believe Housing Board (formerly the County Durham Housing Group Board), and one member to the Values Group.
- (h) authorise the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s), to make appointments to the other outside bodies to which the Council are invited to nominate, in accordance with the following criteria:-
 - (i) Identify those organisations whose purpose is aligned to a specific Cabinet Portfolio, and nominate Members accordingly.
 - (ii) Identify local outside bodies from each electoral division and allocate those to local members. If there are more seats on an outside body than local members then the political balance would be applied. For those local bodies which are strategic in nature representation by a specific Cabinet Portfolio would be appropriate.

If a consensus on the allocation of seats to Members within the electoral division could not be reached, should the division be represented by Members from different parties and agreement could not be reached, the party with the largest proportion of seats on the Council would be allocated the seat.
 - (iii) The bodies which are not local to a particular electoral division, for example, those with a County or Regional remit, appointments be made in accordance with the overall political proportionality of the Council, except in the case of Housing Associations and bodies providing services in one particular locality, in such circumstances the membership would be from that locality.
- (i) authorise the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s), to make any changes to memberships of the main outside bodies/ joint bodies approved by Council, which may become necessary during the course of 2019/20.

Appointments Process

- 4 The Council is required to agree at its annual meeting the appointments to the joint bodies, and other bodies to which the Council is invited to nominate representatives. For those bodies not specifically referenced in paragraphs (a) to (g) of the report, the criteria for appointments is listed in paragraph (h). Where a joint body or other body has an annual meeting any changes of member representation would be effective from that date.

(a) County Durham and Darlington Fire and Rescue Authority

This is a joint body and seats are required to be allocated in accordance with political proportionality, as set out in Appendix 2.

(b) Business Durham Advisory Board

Appointments to the Board have traditionally been allocated to the Majority Party and the largest Minority Party. Appendix 3 indicates how the seats were allocated in 2018/19.

(c) Charter Trust of the City of Durham

The Council agreed the composition of the Charter Trust on 20 March 2013 as a result of the Electoral Boundary Review of County Durham. The composition of the Trust is as set out in Appendix 4, and Council is required to confirm the appointments to the Trust.

(d) Police and Crime Panel

The Council agreed to the composition of the Police and Crime Panel, which is a joint committee with Darlington Borough Council on 25 July 2012. Its composition of 12 members is made up of 7 elected representatives of Durham County Council, 3 elected representatives of Darlington Borough Council, and 2 independent co-opted members.

It is necessary to appoint members in accordance with legislation relating to political balance, and also as described in the Police and Reform and Social Responsibility Act 2011- the “balanced appointment objective”. This means that Councillors on the panel represent all parts of the relevant police area, represent the political make-up of the relevant authorities when taken together, and have the skills, knowledge and experience necessary for the Police and Crime Panel to discharge its functions effectively.

The 10 seats to elected members will remain 7 elected representatives of Durham County Council, and 3 elected representatives of Darlington Borough Council. The political make-up of the relevant authorities when taken together is shown in Appendix 5.

(e) Representative – Joint Audit Committee

At each annual Council meeting since 2013, Council has agreed the nomination from the Authority for a representative to serve on the Joint Audit Committee to assist the Police and Crime Commissioner and Chief Constable. The Joint Committee's membership was to be enhanced by the appointment of two elected members, one from Durham County Council and one from Darlington Borough Council. Councillor E Bell has been nominated as Durham County Council's representative since 2013. The tenure of the appointment was originally for a 5 year period, however the Police, Crime and Victims Commissioner, and Chief Constable have confirmed that the position is to continue for a further 5 year term, noting the nomination would be subject to approval of the Police, Crime and Victims Commissioner.

There is no restriction on the same member being re-appointed. The appointee would receive reasonable travel and other expenses in connection with their role, and an allowance which would be reimbursed by the Police, Crime and Victims Commissioner, and Chief Constable. Council is required to determine the appointment for the ensuing year.

(f) North East Combined Authority

The Council is to agree at its annual meeting appointments to the North East Combined Authority and to the North East Combined Authority and North of Tyne Combined Authority Joint Transport Committees. The following positions together with any special requirements for appointment are as follows:-

North East Combined Authority

- One member to the Leadership Board;
- A substitute member to the Leadership Board;
- Two members to be representatives on the Overview and Scrutiny Committee (2 Labour representatives, neither of which can be members of the Leadership Board, or the North East Joint Transport Committee);
- Two substitute members to the Overview and Scrutiny Committee (2 Labour representatives, neither of which can be members of the Leadership Board, or the North East Joint Transport Committee);
- One member to the Audit and Standards Committee (1 Labour representative who must be from either the Standards or Audit Committee);

- A substitute member to the Audit and Standards Committee (1 Labour representative who must be from either the Standards or Audit Committee);
- One member to the Economic Development and Regeneration Advisory Board (should be the portfolio holder for Economic Development);
- A substitute member to the Economic Development and Regeneration Advisory Board;

North East Combined Authority and North of Tyne Combined Authority

- One member to the North East Joint Transport Committee;
- A substitute member to the North East Joint Transport Committee
- Two members to the North East Joint Transport Overview and Scrutiny Committee (2 Labour representatives, neither of which can be members of the Combined Authority's Cabinet, or Joint Transport Committee);
- Two substitute members to the North East Joint Transport Overview and Scrutiny Committee (2 Labour representatives, neither of which can be members of the Combined Authority's Cabinet, or Joint Transport Committee);
- One member to the North East Joint Transport Audit Committee (1 Labour representative who should be from the Audit Committee);
- A substitute member to the North East Joint Transport Audit Committee (1 Labour representative who should be from the Audit Committee);

(g) Believe Housing (formerly the County Durham Housing Group)

The Council is to agree at its annual meeting the nominations of appointments to Believe Housing Board and its Values Group.

The Council is to nominate two members to the Believe Housing Board, and nominate one member to the Values Group. The criteria for making nominations is that political balance would not apply, and that only members from the relevant housing area should be eligible for nomination (former areas of Durham City Homes, Dale and Valley Homes, and East Durham Homes). The Values Group require one member from the three combined housing areas. Appendix 6 lists the members from the relevant areas. All members are eligible to vote on the appointments.

(h) Other Bodies

In relation to the appointment to all other bodies to which the Council are invited to nominate the current criteria for appointment to these bodies is set out below:-

The Head of Legal and Democratic Services, in consultation with the appropriate Group Leaders, is authorised to make appointments to the other bodies to which the Council are invited to nominate, in accordance with the following criteria:-

- (i) Identify those organisations whose purpose is aligned to a specific Cabinet Portfolio, and nominate Members accordingly.
- (ii) Identify local outside bodies from each electoral division and allocate those to local members. If there are more seats on an outside body than local members then the political balance would be applied. For those local bodies which are strategic in nature representation by a specific Cabinet Portfolio would be appropriate.

If a consensus on the allocation of seats to Members within the electoral division could not be reached, should the division be represented by Members from different parties, the party with the largest proportion of seats on the Council would be allocated the seat.

- (iii) The bodies which are not local to a particular electoral division, for example, those with a County or Regional remit, shall be appointed to in accordance with the overall political proportionality of the Council, except in the case of Housing Associations and bodies providing services in one particular locality, when the membership would be from that locality. [This does not include appointments to the Believe Housing Board, and its Values Group].

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Appendix 1: Implications

Legal Implications – As set out in the report

Finance – None specific within this report

Staffing – None specific within this report

Risk – None specific within this report

Equality and Diversity/ Public Sector Equality Duty – None specific within this report

Accommodation – None specific within this report

Crime and Disorder – None specific within this report

Human Rights – None specific within this report

Consultation – As set out in the report

Procurement – None specific within this report

Disability Issues – None specific within this report

Appendix 2: Joint Body – County Durham and Darlington Fire and Rescue Authority

Seats to be allocated in accordance with political proportionality

	Labour Group	Liberal Dem Group	Durham County Council Ind Group	Conservative Group	Durham Ind Group	Spennymoor Ind Group	North East Party Group
County Durham and Darlington Fire and Rescue Authority 21 SEATS	12 (12.363)	3 (2.541)	2 (2.033)	2 (1.692)	1 (1.355)	*1/2 (0.508)	*1/2 (0.508)

* The Spennymoor Independent Group and the North East Party Group are entitled to one seat between the 2 groups. The seat will be allocated to one group in the first year, and will be alternated in the second if all things remain as current.

Appendix 3: Business Durham Advisory Board

	TOTAL NO. OF SEATS	MAJORITY GROUP	MINORITY GROUP
Business Durham Advisory Board	7	6 - Chairman of Council, Leader, Deputy Leader, Cabinet Portfolio for Economic Regeneration, plus 2 Members	1 Leader of Largest Minority Group

Appendix 4: Membership of the Charter Trust for the City of Durham

Membership of the Charter Trust for the City of Durham

1. Members representing any of the electoral areas as set out below which remain wholly within the original Charter Trustees boundary:-
 - Belmont
 - Brandon
 - Coxhoe
 - Durham South
 - Elvet and Gilesgate
 - Framwellgate and Newton Hall
 - Neville's Cross
 - Sherburn
2. The three Elected Members of the Deerness Electoral Division.
3. The Trustees representing the Trimdon and Thornley: Willington and Hunwick; and Esh and Witton Gilbert areas be one Member from each of these areas receiving the highest number of votes for their Electoral Division at the 2017 County Election.
4. The three additional Trustees representing the wider area are:-
 - The existing Chairman of the County Council (If the Chairman was a Charter Trustee as of right, the position would not be filled by another member)
 - A Cabinet Member
 - An additional Member appointed by the Leader of the Council.

Appendix 5: Police and Crime Panel

The seats must be politically proportionate to the total number of councillors in the Force area as shown in the next diagram (10 seats):-

Authority	Lab	Con	Lib Dem	DCC IG	DIG	Spen IG	NE PG	Darl Ind	Green	Ind	Total
Durham	73	10	15	12	8	3	3		0	2	126
Darlington	20	22	3					3	2	0	50
Total	93	32	18	12	8	3	3	3	2	2	176

There are two elected members on Durham County Council who do not wish to be treated as part of a group, and therefore the distribution of seats between groups has been calculated on a proportional split of 174 seats, as opposed to 176.

	Labour	Con	Lib Dem	DCC IG	DIG	Spen IG	NE PG	Darl Ind	Green
Proportion	93/174	32/174	18/174	12/174	8/174	3/174	3/174	3/174	2/174
%	53.449%	18.390%	10.345%	6.897%	4.598%	1.724%	1.724%	1.724%	1.149%
Actual Seats	5 seats (5.34)	2 seats (1.83)	1 seat (1.03)	1 seat (0.68)	1 seat (0.46)	0 seat (0.17)	0 seat (0.17)	0 seat (0.17)	0 seat (0.15)

Allocation to each Authority:

Durham County Council

7 seats - Labour 4; Liberal Democrat 1; DCC Independent Group 1; and Durham Independent Group 1.

Darlington Borough Council

3 seats - Labour 1; Conservative 2.

Appendix 6: Relevant Housing Areas

Former Durham City Homes area	Former Dale and Valley Homes area	Former East Durham Homes area
<p>Labour</p> <p>Bell, D Chaplow, J Corrigan, K Dunn, S Hall, D Kellett, B McKeon, M Taylor, P Turnbull, J Wilson, M</p>	<p>Labour</p> <p>Allen, J Gunn, O Kay, C Lethbridge, J Manchester, R Patterson, A Quinn, S Stephens, B Tinsley, F Tucker, T Wilson, C Yorke, R</p>	<p>Labour</p> <p>Bell, E Bell, J Bennett, H Bleasdale, G Boyes, D Brookes, P Clark, J Crute, R Grant, J Higgins, J Hovvels, L Huntington, E Kennedy, L Laing, A Maitland, J McLean, I Morrison, S Napier, A Pounder, L Shaw, K Surtees, A</p>
<p>Liberal Democrat</p> <p>Brown, L Coult, B Freeman, D Hopgood, A Mavin, E Mavin, L Ormerod, R Scott, E Simmons, M Simpson, A Stoker, D Wilkes, M</p>	<p>Liberal Democrat</p> <p>Huntington, G</p> <p>DCC Independent Group</p> <p>Reed, A Savory, A Shuttleworth, J</p>	<p>DCC Independent Group</p> <p>Cochrane, I</p>
<p>DCC Independent Group</p> <p>Blakey, J</p>	<p>Durham Independent Group</p> <p>Jopling, P Zair, S</p>	<p>North East Group</p> <p>Hawley, K Liddell, K McDonnell, S</p>