

County Council

26 May 2021

Appointments to Joint Bodies and

Other Bodies 2021/22



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) note the previous allocation of seats on Business Durham Advisory Board as set out in Appendix 3 and the intention of the Head of Legal and Democratic Services to bring a report, following consultation with Group Leaders, to a future meeting of the County Council regarding allocation of seats in the future.

- (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) note the positions on the North East Combined Authority, and the North East Combined Authority and North of Tyne Combined Authority Joint Transport Committee, and authorise the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s) to make appointments once the specifics of the determination of allocation to political groupings are advised to the council by the NECA secretariat.
- (g) agree the nomination of one member to the Believe Housing Group Board (formerly County Durham Housing Group Board).
- (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 2021/22.

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) below, 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 2020/21. It is recommended that no appointments are made to the Advisory Board at this time and that the Head of Legal and Democratic Services brings a report, following consultation with Group Leaders, to a future meeting of the County Council outlining future appointment arrangements.

(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 however from 10 May 2021 Councillor Bell was no longer a councillor. He had undertaken this role as Chair of the County Council's Audit Committee.

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. It may be council wish to appoint the Chair of the Audit Committee into this position.

(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 will be required to be appointed to however the NECA secretariat have not yet provided the special requirements for appointment including whether there are any specific requirements of allocations to political groupings on the council. In the circumstances it is suggested that once the position has been confirmed by the NECA secretariat, the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s) make appointments.

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
- Two substitute members to the Overview and Scrutiny Committee
- One member to the Audit and Standards Committee
- A substitute member to the Audit and Standards Committee
- One member to the Economic Development and Regeneration Advisory Board
- A substitute member to the Economic Development and Regeneration Advisory Board;

North East Combined Authority and North of Tyne Combined Authority Joint Transport Committees

- 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
- Two substitute members to the North East Joint Transport Overview and Scrutiny Committee
- One member to the North East Joint Transport Audit Committee
- A substitute member to the North East Joint Transport Audit Committee

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

The Council is to agree at its annual meeting the nomination of a member to the Believe Housing Board.

The Council is to nominate one member to the Housing Board. 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).

Appendix 6 lists the members from the relevant areas. All members are eligible to vote on the appointment.

(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 – The Council is required at its annual meeting to decide the appointments to the joint bodies, and other bodies to which the Council is invited to nominate representatives. The allocation of seats to political groups must be in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989.

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

Climate Change- 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

Procurement – None specific within this report

Disability Issues – None specific within this report

Consultation – As set out in the report

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

Seats to be allocated in accordance with political proportionality

	Labour Group	Conservative Group	Liberal Dem Group	The Durham Group	Durham County Council Ind Group	Spennymoor and Tudhoe Ind Group
County Durham and Darlington Fire and Rescue Authority 21 SEATS	9 (8.904)	4 (4.032)	3 (2.856)	3 (2.856)	2 (1.848)	0 (0.504)

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 2021 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	Durham Grp	DCC IG	Spem & Tudhoe IG	Darl Ind	Green (Darl)	Ind	Total
Durham	53	24	17	17	11	3		0	1	126
Darlington	18	23	3	0	0	0	3	2	1	50
Total	71	47	20	17	11	3	3	2	2	176

There is one elected member on Durham County Council and one elected member on Darlington Borough 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	Durham Grp	DCCI G	Spem & Tudhoe IG	Darl Ind	Green (Dar)
Proportion	71/174	47/174	20/174	17/174	11/174	3/174	3/174	2/174
%	40.80%	27.01%	11.49%	9.77%	6.32%	1.73%	1.73%	1.15%
Actual Seats	4 seats (4.08)	3 seats (2.70)	1 seat (1.15)	1 seat (0.98)	1 seat (0.63)	0 seat (0.17)	0 seat (0.17)	0 seat (0.12)

Allocation to each Authority:

Durham County Council

7 seats - Labour 3; Conservative Group 1; Liberal Democrat 1; The Durham Group 1; and DCC 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
Blakey, Jan	Currah, Mike	Adcock-Forster, Robert
Brown, Liz	Gunn, Olwyn	Batey, Karan
Chaplow, Jean	Howey, Joanne	Boyes, David
Coult, Bev	Hunt, Cathy	Charlton-Lainé, Rochelle
Elmer, Jonathan	Jackson, Andrew	Cochrane, Ivan
Fletcher, Christine	Johnson, Matt	Crute, Rob
Freeman, David	Jopling, Patricia	Deinali, Stacey
Hall, David	Kay, Charlie	Duffy, Terry
Hopgood, Amanda	Manchester, Richard	Fenwick, Louise
Hutchinson, Gary	Quinn, Shirley	Griffiths, Julie
Kellett, Bill	Reed, Anne	Hawley, Karen
Mavin, Eric	Roberts, Mark-Idwal	Higgins, John
Mavin, Lesley	Savory, Anita	Hood, Chris
McKeon, Maura	Shuttleworth, John	Hovvels, Lucy
Nicholls, Dan	Tinsley, Fraser	Howarth, Diane
Ormerod, Richard	Townsend, Samantha	Kennedy, Leanne
Scott, Elizabeth	Yorke, Rob	McDonnell, Susan
Simmons, Mamie	Zair, Sam	McKenna, David
Simpson, Arnie		McLean, Ian
Stoker, David		Miller Jake
Taylor, Paul		Purvis, John
Wilkes, Mark		Roberts, Isabella
Wilson, Marion		Shaw, Kevin
		Surtees, Angela
		Varty, Chris