

# County Council

21 May 2014



## Appointments to Joint Bodies and Other Bodies 2014/15

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### Report of Colette Longbottom, Head of Legal and Democratic Services

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#### Purpose of the Report

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

#### Appointments Process

2. Appendix 1 sets out the joint bodies which require seats to be allocated in accordance with political proportionality. Traditionally the joint committee of the North of England Open Air Museum was contained in this section, however, due to new governance arrangements, the Joint Committee ceased to exist on 31 March 2014. Revised governance arrangements have provided for a limited company of Beamish Museum to be established. The membership of its Board comprises fifteen trustees, with eight being local authority nominated trustees from core local authority partners (including the Chair) according to the proportion of their respective contributions; one being a nominated trustee from the 'Friends of Beamish'; and a further six being co-opted trustees. The appointments to the representatives from Durham County Council will be provided for in the criteria set out in paragraph 4b (iii) of the report.
3. Appendix 2 lists other bodies and local authority associations where both the Majority Party and Minority Parties traditionally have representation and indicates how the seats were allocated in 2013/14.
4. In relation to the appointment to other outside bodies, the Council should agree at its Annual Meeting the protocol for appointment to these bodies to which the Council are invited to nominate. The current criteria is set out below. In relation to the Shadow County Durham Housing Group Board, paragraphs 12 and 13 of the report refer.

'The Head of Legal and Democratic Services, in consultation with the appropriate Group Leaders, is authorised 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 the party with the largest proportion of seats on the Council would be allocated the seat.

- (iii) The remaining outside 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. This does not include appointments to the Shadow County Durham Housing Group Board.

5. In the case where a Joint Committee or other body has an annual meeting, any changes of member representation would be effective from that date.

### **Police and Crime Panel**

6. The Council agreed on 25 July 2012, to the composition of the Police and Crime Panel, which is a joint committee with Darlington Borough Council. 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 who were appointed on 1 November 2012 for a two year term.
7. It is necessary to appoint members in accordance with legislation relating to political balance, and also described in the Police and Reform and Social Responsibility Act 2011, as 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.
8. The local elections in County Durham on 2 May 2013 changed the political composition of full Council. As a result the political proportionality of the Panel, when taken together with Darlington Borough Council changed. The 10 seats to elected members will remain 7 elected representatives of Durham County Council, and 3 elected representatives of Darlington Borough Council. The resulting distribution of seats is shown in Appendix 3.

## **Representative – Joint Audit Committee**

9. At the annual Council meeting on 22 May 2013, Council 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 was nominated as Durham County Council's representative.
10. The tenure of the appointment was for 5 years, however this was ultimately for the PCC and Chief Constable to confirm. The appointee would receive reasonable travel and other expenses in connection with their role, and an allowance which would be reimbursed by the Police and Crime Commissioner and Chief Constable. Council is required to confirm the appointment for the ensuing year.

## **Charter Trust of the City of Durham**

11. The Council agreed on 20 March 2013 the composition of the Charter Trust 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.

## **Shadow County Durham Housing Group Board**

12. The Council agreed on 8 January 2014 the establishment of a shadow parent Board to progress the transfer process and to ensure appropriate shadow governance arrangements are put in place to meet challenging transfer deadlines, and agreed the nominations of three members to the Board.
13. Council determined that political balance would not apply, and that only members from the relevant housing areas should vote on the nominations. Council is required to make the appointments for the ensuing year. Appendix 5 lists members from the relevant housing areas of Durham City Homes, Dale and Valley Homes, and East Durham Homes.

## **Combined Authority for the North East**

14. The Council agreed on 2 April 2014 appointments to the North East Combined Authority for the following positions:-
  - The Council Representative of the North East Leadership Board (NELB) should be the Leader of the Council;
  - A substitute member to the NELB being a member of the Cabinet;
  - Two members to the Transport North East Committee (TNEC) (one of whom should be the one holding the portfolio for transport);

- Two members to be representatives on the overview and scrutiny committee of the combined authority (which should be 2 labour representatives);
- One member to the Governance Committee who should be from either the Standards or Audit Committee

15. Council is required to make the appointments for the ensuing year.

### **Recommendations and reasons**

16. The Council is asked to:

- (a) agree the allocation of seats on the joint body detailed in Appendix 1.
- (b) allocate the memberships of the bodies and local authority associations detailed in Appendix 2 for 2014/15.
- (c) 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:-
  - (j) 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 remaining outside 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. This does not include appointments to the Shadow County Durham Housing Group Board.
- (d) agree the allocation of seats on the Police and Crime Panel as detailed in Appendix 3.

- (e) grant a similar delegated authority to allow any changes to be made to memberships of the main outside bodies/ joint bodies approved by Council, which may become necessary during the course of 2014/15, again in consultation with the appropriate Group Leader(s).
- (f) to confirm the appointment for the ensuing year of the elected member of the Authority to serve on the Joint Audit Committee to assist the Police and Crime Commissioner and Chief Constable, noting the nomination would be subject to approval of the Police and Crime Commissioner.
- (g) agree the allocation of seats on the Chartered Trust as detailed in Appendix 4.
- (h) agree the nominations of three members to the Shadow County Durham Housing Group Board.
- (i) agree the appointments to the following positions on the North East Combined Authority:-
- The Council Representative of the NELB be the Leader of the Council;
  - A substitute member to the NELB being a member of the Cabinet;
  - two members to the TNEC (one of whom should be the one holding the portfolio for transport);
  - two members to be representatives on the overview and scrutiny committee of the combined authority (2 labour representatives)
  - one member to the Governance Committee who should be from either the Standards or Audit Committee

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**Appendix 1: JOINT OTHER BODIES – REPRESENTATION**

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**Joint Bodies which require seats to be allocated in accordance with political proportionality**

	<b>Labour Group</b>	<b>Durham Independent Group</b>	<b>Lib Dem Group</b>	<b>Conservative Group</b>	<b>Durham County Council Independent Group</b>
<b>County Durham and Darlington Fire and Rescue Authority</b> 21 SEATS	<b>16</b> (15.92)	<b>2</b> (2.37)	<b>2</b> (1.52)	<b>1</b> (0.68)	<b>0</b> (0.51)

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**Appendix 2: OTHER BODIES – showing allocations in 2013/14**


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	<b>TOTAL NO. OF SEATS</b>	<b>MAJORITY GROUP</b>	<b>MINORITY GROUP</b>
Association of North East Councils Association	11 (plus 1 ex-officio position)	Ex-officio position- Leader of the Council 8 - Deputy Leader, Cabinet Portfolio Holder for Economic Regeneration, Group Secretary plus 5 Members	3 – Leader of Durham Independent Group Leader of Liberal Democrat Group Leader of Conservative Group
County Durham Development Company	14	10 - Chairman of Council, Leader, Deputy Leader, Cabinet Portfolio for Economic Regeneration, Cabinet Portfolio for Neighbourhoods and Local Partnerships, Group Secretary, Group Treasurer plus 3 Members	4 – Leader of Durham Independent Group Leader of Liberal Democrat Group Leader of Conservative Group Leader of DCC Independent Group
CDDC Directors (incorporating 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

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### Appendix 3: Police and Crime Panel

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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	Labour	DIG	Lib Dem	Cons	DCC Ind	Ind	Ind	Total
Durham	94	14	9	4	3	1	1	126
Darlington	33		5	15				53
Total	127	14	14	19	3	1	1	179

There are two elected members on Durham County Council who do not wish to be treated as part of a group, and will not therefore be allocated seats on the Panel. The distribution of seats between groups has therefore been calculated on a proportional split of 177 seats, as opposed to 179.

	Labour	DIG	Lib Dem	Cons	DCC Ind
Proportion	127/177	14/177	14/177	19/177	3/177
%	71.75%	7.91%	7.91%	10.73%	1.70%
Actual Seats	<b>7 seats</b> (7.18)	<b>1 seat</b> (0.79)	<b>1 seat</b> (0.79)	<b>1 seat</b> (1.07)	<b>0 seat</b> (0.17)

#### Allocation to each Authority:

##### Durham County Council

7 seats - Labour 5; Durham Independent Group 1, and Liberal Democrat 1

##### Darlington Borough Council

3 seats - Labour 2; Conservative 1



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

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### **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 2013 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.

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**Appendix 5: Relevant Housing Group Areas**

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**Durham City Homes****Labour**

Armstrong, B  
Armstrong, J  
Bell, D  
Blakey, J  
Bonner, A  
Chaplow, J  
Conway, P  
Corrigan, K  
Guy, S  
Hall, D  
Moir, B  
Plews, M  
Taylor, P  
Turnbull, J  
Williams, A M

**Dale and Valley Homes**

Allen, J  
Buckham, J  
Gunn, O  
Hart, J  
Kay, C  
Lee, J  
Lethbridge, J  
Nicholson, H  
Patterson, A  
Pemberton, T  
Stephens, B  
Tomlinson, E  
Wilson, C  
Yorke, R

**East Durham Homes**

Alvey, J  
Bell, E  
Bell, J  
Bennett, H  
Bleasdale, H  
Boyes, D  
Brookes, P  
Clark, J  
Crute, R  
Forster, S  
Hovvels, L  
Huntington, E  
Laing, A  
Maitland, J  
Measor, J  
Morrison, S  
Napier, A  
Nicholls, M  
Pounder, L  
Shaw, K  
Stradling, P  
Surtees, A  
Taylor, L  
Todd, R

**Durham Independent Group**

Zair, S

Maslin, J

**Liberal Democrat**

Freeman, D  
Holland, G  
Hopgood, A  
Martin, N  
Ormerod, R  
Simmons, M  
Stoker, D  
Wilkes, M

**DCC Independent Group**

Savory, A  
Shuttleworth, J