

County Council

25 May 2016



Appointments to Joint Bodies and Other Bodies 2016/17

Report of Colette Longbottom, Head of Legal and Democratic Services

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.
- 3 Appendix 2 lists other bodies where both the Majority Party and Minority Parties traditionally have representation and indicates how the seats were allocated in 2015/16. In previous years appointments have been made to the full Association of the North East Councils (ANEC) however following a move to new collaborative working by ANEC, appointments to the full Association are no longer required. Representation on ANEC groups by the Authority will continue to be made in accordance with paragraph 4 below.
- 4 In relation to the appointment to other 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. Paragraphs 14 and 15 of the report refer to the County Durham Housing Group Board

'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, and the party with the largest proportion of seats on the Council would be allocated the seat.

- (iii) The remaining 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 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.

Charter Trust of the City of Durham

- 6 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 3, and Council is required to confirm the appointments to the Trust.

Police and Crime Panel

- 7 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.
- 8 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.
- 9 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 4.

Representative – Joint Audit Committee

- 10 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.
- 11 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.

Combined Authority for the North East

- 12 The Council is to agree at its annual meeting appointments to the North East Combined Authority. The following positions together with any special requirements for appointment are as follows:-
 - 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 Cabinet;
 - Two members to the Transport North East Committee (TNEC) (one of whom should be the one holding the portfolio for transport);
 - A substitute member to the TNEC;
 - One member to the Governance Committee who should be from either the Standards or Audit Committee;
 - A substitute member to the Governance Committee who should be from either the Standards or Audit Committee;
 - Two members to be representatives on the Overview and Scrutiny Committee (which should be 2 labour representatives, and not members of NELB);
 - One member to the Economic Development and Regeneration Advisory Board;
 - A substitute member to the Economic Development and Regeneration Advisory Board;

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

County Durham Housing Group Board

14 The Council is to agree at its annual meeting the nominations of appointments to the County Durham Housing Group Board.

15 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. Previously there have been three nominations made to the Board however following a vacancy that arose during the year the Council was advised not to make a nomination replacement until the outcome of a governance review of the Board is clear. Nominations are therefore sought for two nominations to the Board.

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 detailed in Appendix 2 for 2016/17.
- (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:-
 - (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 remaining 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 County Durham Housing Group Board.

- (d) 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 2016/17, again in consultation with the appropriate Group Leader(s).

- (e) agree the allocation of seats on the Chartered Trust as detailed in Appendix 3.

- (f) agree the allocation of seats on the Police and Crime Panel as detailed in Appendix 4.

- (g) 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.

- (h) agree the appointments to the following positions on the North East Combined Authority:-
 - (i) The Council Representative of the North East Leadership Board (NELB) should be the Leader of the Council;
 - (ii) A substitute member to the NELB being a member of Cabinet;
 - (iii) Two members to the Transport North East Committee (TNEC) (one of whom should be the one holding the portfolio for transport);
 - (iv) A substitute member to the TNEC;
 - (v) One member to the Governance Committee who should be from either the Standards or Audit Committee;
 - (vi) A substitute member to the Governance Committee who should be from either the Standards or Audit Committee;
 - (vii) Two members to be representatives on the Overview and Scrutiny Committee (which should be 2 labour representatives, and not members of NELB);

- (viii) One member to the Economic Development and Regeneration Advisory Board;
- (ix) A substitute member to the Economic Development and Regeneration Advisory Board;
- (i) agree the nominations of two members to the County Durham Housing Group Board.
- (j) authorise the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s) to make appointments to the County Durham Housing Group Board during the course of 2016/17, if necessary once the outcome of the governance review of the Board is clear.

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Appendix 1: JOINT BODIES – REPRESENTATION

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

	Labour Group	Durham Independent Group	Lib Dem Group	Conservative Group	Durham County Council Independent Group
County Durham and Darlington Fire and Rescue Authority 21 SEATS	16 (16.26)	2 (2.20)	2 (1.52)	1 (0.68)	0 (0.34)

Appendix 2: OTHER BODIES – showing allocations in 2015/16

	TOTAL NO. OF SEATS	MAJORITY GROUP	MINORITY 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

Appendix 3: 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 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.

Appendix 4: 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	Labour	DIG	Lib Dem	Cons	DCC Ind	Dar Ind	Ind	Ind	Total
Durham	96	13	9	4	2		1	1	126
Darlington	29		3	17		1			50
Total	125	13	12	21	2	1	1	1	176

There are two elected members on Durham County Council who do not wish to be treated as part of a group, and following location elections in Darlington on 7 May 2015 one Independent Member was appointed, and will therefore not be allocated seats on the Panel. The distribution of seats between groups has therefore been calculated on a proportional split of 173 seats, as opposed to 176.

	Labour	DIG	Lib Dem	Cons	DCC Ind
Proportion	125/173	13/173	12/173	21/173	2/173
%	72.25%	7.51%	6.94%	12.14%	1.16%
Actual Seats	7 seats (7.23)	1 seat (0.75)	1 seat (0.69)	1 seat (1.21)	0 seat (0.12)

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

Appendix 5: Relevant Housing Group Areas

Durham City Homes**Labour**

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

Dale and Valley Homes

Allen, J
Gunn, O
Hart, J
Kay, C
Lee, J
Lethbridge, J
Nicholson, H
Patterson, A
Pemberton, T
Stanton, M
Stephens, B
Tinsley, F J
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
Liversidge, A
Maitland, J
Measor, J
Morrison, S
Napier, A
Nicholls, M
Pounder, L
Shaw, K
Stradling, P
Surtees, A
Taylor, L

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