



## Appointments to Joint Bodies and Other Bodies 2018/19

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### Report of Helen Lynch, 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 2 sets out the joint body which requires seats to be allocated in accordance with political proportionality.
- 3 Appendix 3 lists other bodies where both the Majority Party and Minority Parties traditionally have representation and indicates how the seats were allocated in 2017/18.
- 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 13 to 15 of the report refer to the County Durham Housing Group Board, and its Operations Committee.

'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 County Durham Housing Group Board, and its Operations Committee.

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 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.

### **Police and Crime Panel**

7 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.

8 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.

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 5.

### **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. 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.

- 11 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.

### **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) must be the Leader of the Council;
- A substitute member to the NELB;
- Two members to the Transport North East Committee (TNEC) (at least one of whom must be a member with the portfolio for transport);
- A substitute member to the TNEC;
- One member to the Governance Committee who must be from either the Standards or Audit Committee;
- A substitute member to the Governance Committee who must be from either the Standards or Audit Committee;
- Two members to be representatives on the Overview and Scrutiny Committee (2 Labour representatives, neither of which can be members of NELB, or TNEC);
- Two substitute members to the Overview and Scrutiny Committee (2 Labour representatives, neither of which can be members of NELB, or TNEC);
- One member to the Economic Development and Regeneration Advisory Board (must be the portfolio holder for Economic Development);
- A substitute member to the Economic Development and Regeneration Advisory Board;

## County Durham Housing Group Board

- 13 The Council is to agree at its annual meeting the nominations of appointments to the County Durham Housing Group Board, and its Operations Committee.
- 14 The Council is to nominate two members to the County Durham Housing Group Board, and nominate three members to the Operations Committee. 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 Operations Committee require one member from each of the three housing areas. Appendix 5 lists the members from the relevant areas. All members are eligible to vote on the appointments.

## Recommendations and reasons

- 15 The Council is asked to:
- (a) agree the allocation of seats on the joint body detailed in Appendix 2.
  - (b) allocate the memberships of the bodies detailed in Appendix 3 for 2018/19, and determine that with the revised number of groups on the Council, the number of seats on the County Durham Development Company be increased from 15 to 16 to include representation by each of the group leaders on the Council.
  - (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 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, or its Operations Committee.

- (d) 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 2018/19.
- (e) agree the allocation of seats on the Charter Trust as detailed in Appendix 4.
- (f) agree the allocation of seats on the Police and Crime Panel as detailed in Appendix 5.
- (g) 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.
- (h) agree the appointments to the following positions on the North East Combined Authority:-
  - (i) The Leader of the Council to the North East Leadership Board (NELB);
  - (ii) A member of Cabinet be the substitute member of the NELB;
  - (iii) Two members to the Transport North East Committee (TNEC) (one of whom is the member holding the portfolio for transport);
  - (iv) A substitute member to the TNEC;
  - (v) One member to the Governance Committee from either the Standards or Audit Committee;
  - (vi) A substitute member to the Governance Committee from either the Standards or Audit Committee;
  - (vii) Two members to be representatives on the Overview and Scrutiny Committee;
  - (viii) Two substitute members to the Overview and Scrutiny Committee;

- (ix) One member to the Economic Development and Regeneration Advisory Board (being the member holding the portfolio for Economic Development
- (x) 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, and three members to the Operations Committee.

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## **Appendix 1: Implications**

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**Finance** – None specific within this report

**Staffing** – None specific within this report

**Risk** – None specific within this report

**Equality and Diversity** – 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 Discrimination Act** – None specific within this report

**Legal Implications** – As set out in the report

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**Appendix 2: JOINT BODY – REPRESENTATION**

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

	<b>Labour Group</b>	<b>Liberal Dem Group</b>	<b>Durham Ind Group</b>	<b>Conservative Group</b>	<b>Durham County Council Ind Group</b>	<b>Spennymoor Ind Group</b>	<b>North East Party Group</b>
<b>County Durham and Darlington Fire and Rescue Authority</b> 21 SEATS	<b>12</b> (12.432)	<b>2</b> (2.352)	<b>2</b> (1.680)	<b>2</b> (1.680)	<b>2</b> (1.512)	<b>1</b> (0.840)	<b>0</b> (0.504)

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**Appendix 3: OTHER BODIES – showing allocations in 2017/18**

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	<b>TOTAL NO. OF SEATS</b>	<b>MAJORITY GROUP</b>	<b>MINORITY GROUP</b>
County Durham Development Company	15	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	5 –Leader of Liberal Democrat Group Leader of Durham Independent Group Leader of Conservative Group Leader of DCC Independent Group Leader of Spennymoor 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 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 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.

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## Appendix 5: 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	Lab	Lib Dem	DIG	Cons	DCC Ind	Spn Ind	NE	Darl Ind	Ind	Total
Durham	74	14	10	10	9	5	3		1	126
Darlington	29	3		16				2		50
Total	103	17	10	26	9	5	3	2	1	176

There is one elected member on Durham County Council who does not wish to be treated as part of a group, and therefore the distribution of seats between groups has therefore been calculated on a proportional split of 175 seats, as opposed to 176.

	Labour	Lib Dem	DIG	Cons	DCC Ind	Spn Ind	NE	Darl Ind
Proportion	103/175	17/175	10/175	26/175	9/175	5/175	3/175	2/175
%	58.857%	9.715%	5.714%	14.857%	5.143%	2.857%	1.714%	1.143%
Actual Seats	<b>6 seats</b> (5.89)	<b>1 seat</b> (0.97)	<b>1 seat</b> (0.57)	<b>1 seat</b> (1.49)	<b>1 seat</b> (0.51)	<b>0 seat</b> (0.29)	<b>0 seat</b> (0.17)	<b>0 seat</b> (0.11)

### Allocation to each Authority:

#### Durham County Council

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

#### Darlington Borough Council

**3 seats - Labour 2; Conservative 1.**

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**Appendix 6: Relevant Housing Areas**


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

