

Wiltshire Council

Annual Council

18 MAY 2021

Appointment of Councillors to Committees

Introduction

1. Following on from the decision to formally re-appoint committees and allocate seats to political groups, the Council must now formally agree the appointment of councillors and substitutes to those Committees in accordance with the scheme of committee places agreed under the last item.

Appointment of Councillors and Substitutes

2. Each political group should state the names of the councillors it wishes to take its allocated places on committees and when those wishes are known, the Council is under a duty to make the appointment of those councillors as soon as practicable. It is a legal requirement however that the Council formally approves the appointment of councillors to committees and therefore it is essential that each political group notifies the Democratic Governance Manager of their nominated councillors to serve on committees by noon Monday 17 May. Group Leaders may also wish to bear in mind the advantages of achieving a geographical spread of appointees particularly for area planning committees.
3. The Constitution currently provides that the Council will appoint substitute councillors to serve on each committee. Each political group is currently entitled to appoint up to four substitutes where it has a councillor on that committee. As with nominations of committee members (see paragraph 2 above) it is a legal requirement that the Council formally approves the appointment of substitute members to committees and therefore it is essential that each political group notifies the Democratic Governance Manager of their nominated substitute members to serve on committees.
4. Councillors are encouraged to make use of the substitute system to ensure committees are fully represented in the case of absences by the appointed members. If a councillor finds that they are unable to attend a meeting, then they should contact Democratic Services to make their apologies and inform who will substitute for them at that meeting.

Committees of the Council

5. There are specific issues that need to be considered under the appointment of councillors.

6. The statutory rules regarding senior officers appointments embodied in the Council's Constitution require the Officer Appointments Committee to include at least one member of the Executive.
7. Also the Staffing Policy Committee requires two members of the Cabinet as Cabinet representation is required on its sub-committees by the Council's constitution and the Local Authorities (Standing Orders) (England) Regulations 2001.
8. The Standards Committee allows for up to 8 non-voting co-opted members to be appointed, half of which must be town or parish council representatives. Recruitment for these positions is being undertaken and appointments are made by the Standards Committee.
9. As part of the Council's arrangements for dealing with Code of Conduct complaints, the Council is required to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes a decision on an allegation it has decided to investigate. The Council has previously appointed 3 Independent Persons on a four-year term as detailed below, three new nominees are now recommended for appointment as detailed in recommendation E below.
10. As referenced in the previous report on the appointment of committees, the Children's Select Committee must include nominees of the Church of England, the Roman Catholic Church and a number of elected parent governor representatives (historically there have been 3 appointed representatives – one from each school sector). They will be voting members. The Council also has discretion to appoint an unlimited number of co-opted members onto this committee as representatives of children's organisations/agencies (historically this has been on a non-voting basis).
11. Wherever possible the members of Area Planning Committees should be made up of local councillors. The geographical consideration does not apply to the Strategic Planning Committee where applications of a more strategic nature are determined and where members are expected to apply a more strategic approach.
12. All unitary councillors representing the electoral divisions covered by an Area Board will be appointed to their relevant area board as set out in Appendix 1 to this report.
13. It has been a long standing convention that the chairmen of Select Committees would have a seat on the Overview and Scrutiny Management Committee. It has also previously been considered appropriate that the Chairman of the Financial Planning Task Group should also have a seat on the Overview and Scrutiny Management Committee. Similar conventions are in place in respect of the chairmen of the 4 Area Planning Committees having a seat on the Strategic Planning Committee. Group Leaders are therefore asked to consider these conventions when submitting their nominations for committee places.

14. The Wiltshire Pension Fund Committee comprises five Wiltshire Councillors, two voting members from Swindon Borough Council (appointed by Swindon Borough Council), two voting Employer Representatives and two non-voting employee representatives (one representing Wiltshire Council employees, one representing Swindon Borough Council employees).
15. The Investment Sub Committee is a Sub-Committee of the Wiltshire Pension Fund Committee, in accordance with its Terms of Reference, the membership comprises the Chair and Vice Chair of the Wiltshire Pension Fund Committee, and two co-opted members of the Wiltshire Pension Fund committee.
16. The Local Pension Board is constituted entirely under the Public Service Pensions Act 2013 and is not a Committee of the Council. The rules on political proportionality do not apply.

Matters for Decision

- a) To appoint councillors to serve on those committees in accordance with the agreed scheme of allocations, until the next occasion membership is reviewed under the provisions of the Local Government & Housing Act 1989.
- b) To appoint substitute members (to a maximum of four per group) to the committees referred to in (A) above.
- c) To appoint those councillors representing electoral divisions to their respective area boards as set out in Appendix 1 to this report.
- d) To note that Council has previously delegated the appointment of co-opted members of the Standards Committee, to the Committee.
- e) To appoint the following persons as Independent Persons each for a four year term:

Tony Drew
Damian Kearney
Patricia Bunch

- f) To reappoint the following non-elected members to the Children's Select Committee:-

Non-Elected Voting Members	Representing
Vacancy	Church of England
Dr Mike Thompson	Clifton Diocese Roman Catholic Church
Vacancy	Parent Governor (Secondary- maintained)
Vacancy	Parent Governor (Secondary – academy)

Non-Elected Voting Members	Representing
Vacancy	Parent Governor (Special Educational Needs)
Vacancy	Parent Governor (Primary)
Non-Elected Non-Voting Members	Representing
Maisy Humphrey (Sub Declan Kiely)	School, Children and Young People representatives
Nikki Barnett	Further Education Representative
Sarah Busby	Secondary Schools Headteacher Representative
Catriona Williamcon	Primary School Headteachers Representative
John Hawkins	School Teacher Representative

- g) To re-appoint the following co-opted members to the Wiltshire Pension Fund Committee:

Name	Representing
Swindon Borough Councillor	Swindon Borough Councillor (as determined by Swindon Borough Council)
Swindon Borough Councillor	Swindon Borough Councillor (as determined by Swindon Borough Council)
Diane Hall	Employer Representative
Vacancy (to be appointed in July)	Employer Representative
Stuart Dark	Scheme Member Observer- appointed by Unison
Mike Pankiewicz	Scheme Member Observer- appointed by Unison

To reappoint the Investment Sub Committee in accordance with its Terms of Reference with the following co-opted members:

Name	Representing
Swindon Borough Councillor	Swindon Borough (as determined by Swindon Borough Council 21 May)

Cllr Gordon King	Wiltshire Council member of Wiltshire Pension Fund Committee.
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h) To re-appoint the Local Pension Board under the Public Service Pensions Act 2013 until the expiry of the 4 year term:

Name	Representing
Mark Spilsbury	Independent Chairman
Rod Lauder	Scheme Member Representative
Barry Reed	Scheme Member Representative
Mike Pankiewicz	Scheme Member Representative
Paul Smith	Employer Member Representative
Vacant	Employer Member Representative
Ian Jones	Employer Member Representative

Perry Holmes
Director - Legal and Governance

Report Author: Libby Johnstone (Democracy Manager)

Appendices

Appendix 1 – List of appointments to Area Boards
Appendix 2 - Membership of Committees nominations