

Wiltshire Council

Annual Council

22 May 2018

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 Democratic Services of their nominated councillors to serve on committees by noon Monday 21 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 Democratic Services of their nominated substitute members to serve on committees also by noon Monday 21 May. Details of committee memberships will be circulated as soon as nominations have been received from Group Leaders as Appendix 2.
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 who will record and present your apologies at the meeting. They can also advise on the named substitutes for your political group. The onus is on the councillor to contact the substitute councillor although it would be helpful for you to notify Democratic services as they will report the temporary change of membership to the committee.

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 currently includes 4 non-voting co-opted members, and the terms of reference allow for up to 8 such members to be appointed, half of which must be town or parish council representatives. The Standards Committee at its meeting on 18 April 2018 recommended Council confirm it appoint four co-opted non-voting members to 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.
11. 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).
12. Wherever possible the members of Area Planning Committees should be made up of local councillors. These committees however, unless the Council has determined otherwise under the previous item, will still need to be appointed on a politically proportional basis. 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.
13. 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.

14. 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. Group Leaders can of course make subsequent requests for changes within their allocation of seats as approved by Council at future meetings of Council should the need arise.
15. 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). The voting Employer Representatives serve a four year fixed term from first appointment .
16. The Local Pension Board is constituted entirely under the Public Service Pensions Act 2013 and is not a Committee of the Council. The Local Pension Board's terms of reference and membership are included in the Council's constitution. It reports to the administering authority and its membership is as defined in the Public Service Pensions Act 2013. The rules on political proportionality do not apply. Local Pension Board members serve a four-year fixed term from first appointment. There is currently a vacancy for an Employer Member Representative (Group1) for Wiltshire Council.

Matters for Decision

- (A) To appoint councillors to serve on those committees in accordance with the agreed scheme of committee places, 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 the decision of the Standards Committee to appointment four non-voting co-opted members until May 2021 as follows:

Mr Richard Baxter
Mr Philip Gill MBE
Mr Michael Lockhart
Miss Pam Turner

- (E) Re-appoint the following persons as Independent Persons each for a four year term (until 2021):

Mr Tony Drew
Mrs Caroline Baynes
Mr Stuart Middleton

- (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)
Vacancy	Parent Governor (Special Educational Needs)
Ms Jill Hughes	Parent Governor (Primary)
Non-Elected Non-Voting Members	Representing
James Wilkins	School, Children and Young People representatives
Ms Cathy Shahrokni (Substitute Ms Jen Jones)	Further Education Representative
Miss Sarah Busby	Secondary Schools Headteacher Representative
Miss Tracy Cornelius	Primary School Headteachers Representative
Mr John Hawkins	School Teacher Representative

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

Name	Representing
Cllr Steve Weisinger.	Swindon Borough Councillor (as determined by Swindon Borough Council)

Cllr Steve Allsopp.	Swindon Borough Councillor (as determined by Swindon Borough Council)
Linda Stuart	Employer Representative
Diane Hall	Employer Representative
Stuart Dark	Scheme Member Observer- appointed by Unison
Mike Pankiewicz	Scheme Member Observer- appointed by Unison

(H) To re-appoint the Local Pension Board under the Public Service Pensions Act 2013 and consequent amendments to the Local Government Pension Scheme Regulations 2013 with the terms of reference as set out in the Constitution:

Name	Representing
Howard Pearce	Independent Chairman
David Bowater	Scheme Member Representative
Barry Reed	Scheme Member Representative
Mike Pankiewicz	Scheme Member Representative
Sarah Holbrook	Employer Member Representative
Cllr Richard Britton	Employer Member Representative
Vacancy	Employer Member Representative

And to note that the decision to appoint to the vacant position of Employer Member Representative will be taken at the meeting of Council in July 2018.

Ian Gibbons
Director - Legal and Democratic Services

Appendices

Appendix 1 – List of appointments to Area Boards

Appendix 2 - Membership of Committees nominations (to follow)

Background papers: None