

AGENDA ITEM NO. 8 - QUASI-JUDICIAL COMMITTEES, COMMITTEES AND OTHER BODIES: APPOINTMENT, TERMS OF REFERENCE AND MEMBERSHIP

SUPPLEMENTARY INFORMATION

Council agreed at the Annual Meeting in 2015 the procedure to be used to determine the allocation of seats across Committees.

Appendix A (previously circulated with the agenda) is the calculation relating to the political balance requirement for Committees in accordance with the Local Government and Housing Act 1989. The Regulatory Services Joint Committee has not been included in the list as Full Council previously appointed two specific Members to be the Council's representatives. Similarly, whilst the Public Protection Licensing Committee is included, the Statutory Licensing Committee is not as it does not need to be politically balanced (although it can be and, in fact, is) as it does not constitute a Committee created under the Local Government Act 1972. Furthermore, the membership of both Committees is the same and, as such, only one need count in terms of the overall political balance calculations

The Leaders of the political Groups have now provided their Groups' representation on the various Committees as follows:

(a) **Appeals Committee (6 Members, none of whom should be members of either the Early Retirement / Redundancy Committee or the Investigating Committee)**

Membership:

Labour (3): Councillors I.R. Buckley, W. Gilligan and S. Lloyd-Selby

Conservative: (1): Councillor S.J. Haines

Plaid: (1) Councillor A. Asbrey

Llantwit First Independents: (1): Councillor S.M. Hanks

(b) **Discretionary Housing Payments Review Committee (7 Members)**

Membership:

Labour (3): Councillors G. Ball, H.C. Hamilton and J. Lynch-Wilson

Conservative: (2): Councillors G.D.D. Carroll and R.R. Thomas

Independent: (1): Councillor K.P. Mahoney

Independent: (1): Councillor I.A.N. Perry

(c) **Investigating Committee (7 Members, none of whom should be members of the Appeals Committee)**

Membership:

Labour (3): Councillors C. Iannucci-Williams, B. Loveluck-Edwards and H.M. Payne

Conservative: (2): Councillors A.M. Ernest and R.E. Godfrey

Plaid: (1) Councillor C.M. Cowpe

Llantwit First Independents: (1): Councillor G. John

(d) Planning Committee (17 Members)

Membership:

Labour (8): Councillors J. Aviet, I.R. Buckley, P. Drake, W. Gilligan, H.M. Payne, C. Stallard, N.C. Thomas and M.R. Wilson

Conservative: (4): Councillor G. Bruce, C.A. Cave, C.E.A. Champion and A.M. Ernest

Plaid: (3): Councillors M. Cowpe, N.P. Hodges and Dr. I.J. Johnson

Llantwit First Independents: (1): Councillor E. Williams

Independent: (1): Councillor I.A.N. Perry

(e) Public Rights of Way Sub-Committee (5 Members)

Membership:

Labour (2): Councillors P. Drake and N.C. Thomas

Conservative: (1): Councillor G. Bruce

Plaid: (1) Councillor N.P. Hodges

Llantwit First Independents: (1): Councillor E. Williams

(f) Public Protection Licensing Committee (15 Members)

Membership:

Labour (7): Councillors L. Burnett, P. Drake, E. Goodjohn, H.C. Hamilton, N.B. Marshallsea, R. Sivagnanam and M.R. Wilkinson

Conservative: (4): Councillors G. Bruce, V.P. Driscoll, R. Fisher and W.A. Hennessy

Plaid: (2) Councillors C.P. Franks and S.T. Wiliam

Llantwit First Independents: (1): Councillor J.M. Norman

Independent: (1): Councillor M.J.G. Morgan

(g) Statutory Licensing Committee (15 Members)

Membership:

Labour (7): Councillors L. Burnett, P. Drake, E. Goodjohn, H.C. Hamilton, N.B. Marshallsea, R. Sivagnanam and M.R. Wilkinson

Conservative: (4): Councillors G. Bruce, V.P. Driscoll, R. Fisher and W.A. Hennessy

Plaid: (2) Councillors C.P. Franks and S.T. Wiliam

Llantwit First Independents: (1): Councillor J.M. Norman

Independent: (1): Councillor M.J.G. Morgan

(h) Standards Committee (3 Members, including 5 independent / lay members; 3 Councillors other than the Leader and not more than 1 member of the Executive; and 1 member of a town/community council wholly or mainly in the Council's area)

Membership:

Labour (1): Councillor R.M. Birch

Conservative: (1): Councillor J.E. Charles

Plaid: (1) Councillor C.P. Franks

(i) Standards Committee Appointments Committee (3 Members – the Elected Members who sit on the Standards Committee)

Membership:

Labour (1): Councillor R.M. Birch
Conservative: (1): Councillor J.E. Charles
Plaid: (1): Councillor C.P. Franks

(j) Appointment of Local Authority Governors Advisory Panel (6 Members - to be chaired by the Cabinet Member for Education, Arts and the Welsh Language)

Membership:

Labour (3): Councillors R.M. Birch, N.B. Marshallsea and M.R. Wilkinson
Conservative: (1): Councillor W.A. Hennessy
Plaid: (1): Councillor A. Asbrey
Independent: (1): Councillor S. Campbell

(k) Community Liaison Committee (13 Members)

Membership:

Labour (6): Councillors R.M. Birch, W. Gilligan, J. Lynch-Wilson, H.M. Payne, S.D. Perkes and M.R. Wilson
Conservative: (3): Councillors C.A. Cave, S.J. Haines and R.R. Thomas
Plaid: (2): Councillors A. Asbrey, N.P. Hodges
Llantwit First Independents: (1): Councillor S.M. Hanks
Independent: (1): Councillor S. Campbell

(l) Democratic Services Committee (10 Members)

To comprise of Councillors only – to be politically balanced with no more than 1 executive Member, who cannot be the Leader.

Full Council to appoint Chair, who must not be a member of any political group on the Executive.

Membership:

Labour (5): Councillors E. Goodjohn, H.C. Hamilton, S.D. Perkes, J. Protheroe and N.C. Thomas
Conservative: (2): Councillors G. Bruce and G.D.D. Carroll
Plaid: (1): Councillor Dr. I.J. Johnson
Llantwit First Independents: (1): Councillor S.M. Hanks
Independent: (1): Councillor K.P. Mahoney

(m) Democratic Services Sub-Committee (3 Members)

Terms of Reference

To hear and determine any complaints from Members regarding a refusal by the Head of Democratic Services to grant family absence under the Family Absence for Elected Members of Local Authorities (Wales) Regulations 2013.

Labour (1): Councillor E. Goodjohn
Conservative: (1): Councillor S.J. Haines
Plaid: (1) Councillor Dr. I.J. Johnson

(n) Early Retirement / Redundancy Committee (7 Members - none of whom should be members of the Appeals Committee)

Membership:

Labour: (3): Councillors P. Drake, H.C. Hamilton and N.C. Thomas
Conservatives: (2): Councillors J.E. Charles and A.M. Ernest
Llantwit First Independents: (1): Councillor G. John
Independent: (1): Councillor M.J.G. Morgan

(o) Governance and Audit Committee (6 Members plus 3 Lay Members)

Membership:

Labour: (3): Councillors P. Drake, E. Goodjohn and J. Protheroe
Conservatives: (1): Councillor N.J. Wood
Plaid Cymru: (1) Councillor M. Hooper
Llantwit First Independents: (1): Councillor J.M. Norman

(p) Joint Consultative Forum (7 Members)

Membership:

Labour: (3): Councillors P. Drake, S.D. Perkes and N.C. Thomas
Conservatives: (2): Councillors J.E. Charles and W.A. Hennessy
Plaid Cymru: (1): Councillor M. Cowpe
Independent: (1): Councillor S. Campbell

(q) Senior Management Appointment Committee (6 Members, including Leader and Deputy Leader)

Membership:

Labour: (3): Councillors B.E. Brooks, L. Burnett and P. Drake
Conservatives: (1): Councillor G.D.D. Carroll
Plaid: (1): Councillor Dr. I.J. Johnson
Llantwit First Independents: (1): Councillor E. Williams

- (r) **Standards Committee Appointment Panel (1 Community Councillor, 1 Lay Person (to be appointed by the Monitoring Officer) and 1 Vale of Glamorgan Councillor from each political group (who is not a member of the Standards Committee)**

Membership:

Labour (1): Councillor J. Protheroe
Conservative: (1): Councillor C.A. Cave
Plaid: (1): Councillor N.P. Hodges
Llantwit First Independents: (1): Councillor G. John

- (s) **Trust Committee (7 Members)**

Membership:

Labour: (3): Councillors H.C. Hamilton, J. Lynch-Wilson and M.R. Wilson
Conservative: (2): Councillors G. Bruce and C.E.A. Champion
Plaid Cymru: (1): Councillor S.T. William
Independent: (1): Councillor K.P. Mahoney

- (t) **Voluntary Sector Joint Liaison Committee (8 Members plus 7 Voluntary Sector representatives and 1 representative as nominated by the Community Liaison Committee from Town and Community Councils)**

Membership:

Labour: (4): Councillors R.M. Birch, I.R. Buckley, L. Burnett and J. Protheroe
Conservatives: (2): Councillors G. Bruce and N.J. Wood
Plaid Cymru: (1): Councillor A.M. Collins
Llantwit First Independents: (1): Councillor J.M. Norman

- (u) **Welsh Church Act Estate Committee (7 Members)**

Membership:

Labour: (3): Councillors P. Drake, H.C. Hamilton and M.R. Wilson
Conservative: (2): Councillors C.E.A. Champion and J.E. Charles
Plaid Cymru: (1): Councillor M. Hooper
Independent: (1): Councillor M.J.G. Morgan

- (v) **Equalities Consultative Forum (6 Members – to be Chaired by the Cabinet Member for Community Engagement, Equalities and Regulatory Services)**

Membership:

To be Chaired by the Cabinet Member for Community Engagement, Equalities and Regulatory Services
Labour: (3): Councillors L. Burnett, B. Loveluck-Edwards and R. Sivagnanam
Conservative: (1): Councillor S.J. Haines
Plaid Cymru: (1): Councillor A.M. Collins
Independent: (1): Councillor I.A.N. Perry

(w) Glamorgan Heritage Coast Advisory Group (7 Members)

Membership:

Labour: (3): Councillors E.J. Goodjohn, J. Lynch-Wilson and C. Stallard

Conservatives: (2): Councillors A.M. Ernest and R. Fisher

Plaid Cymru (1): Councillor C.P. Franks

Llantwit First Independents: (1): Councillor S.M. Hanks

One representative from each of the following:

Natural Resources Wales; Friends of the Glamorgan Heritage Coast; One Voice Wales; Bridgend County Borough Council; National Farmers Union / Farmers Union of Wales / Farming and Wildlife Advisory Group; Wildlife Trust of South and West Wales; Dunraven Estates; Country Landowners Association; Merthyr Mawr Estates, Crown Estates Commissioners and Vale of Glamorgan Tourist Association.

(x) Central South Consortium Joint Education Service Joint Committee (1 Member)

The revised Governance Model for the Consortium includes a streamlined Joint Committee, which consists of a reduced number of Leaders or nominated representatives. Each constituent Local Authority appoints one Member, which (according to the National Model) should be the Leader or nominated representative.

Representative – Cabinet Member for Education, Arts and the Welsh Language

(y) Shared Regulatory Services Joint Committee (2 Members)

The Joint Working Agreement provides for each of the three constituent Authorities to appoint substitutes for its two named Members.

Representatives – Cabinet Member for Community Engagement, Equalities and Regulatory Services and the Chair of the Public Protection Licensing Committee.

Substitutes – Cabinet Member for Neighbourhood and Building Services and the Vice-Chair of the Public Protection Licensing Committee.

(z) Local Authority Trading Company “The Big Fresh Catering Company”

Representatives – The Director of Corporate Resources and the Executive Leader and Cabinet Member for Corporate Resources who will represent the Council as the Shareholder of the Company and who will be advised by a Shareholder Advisory Panel, consisting of Council Officers.

Terms of Reference:

The Shareholder Committee has authority to undertake all the functions of the Council as shareholder under the Companies Act 2006, and all relevant legislation and associated guidance in respect of its shareholder duties including but not limited to the following matters:

- To determine any shareholder agreement between the Council and the company;
- To agree any reserved matter required by the Articles of Association or Shareholder Agreements. Shareholder reserve powers are any or all powers of the directors (or any of them) as restricted in such respects, to such an extent and for such a duration as the Controlling Shareholder may from time to time, by notice in writing to the LATC prescribe.
- To exercise control as owners of the company for the development of the company's strategic direction; business plan and other matters;
- To meet at least once a year and receive an annual report and business plan from the company and to consider the annual audited accounts for consideration and approval including any financial plan for the coming year with cash flow and forecast;
- To agree the operational and financial parameters of the company as required by the Articles of Association including any services to be traded by the company during the coming financial year;
- To determine any guidance, note for duties of directors (including conflicts of interests)
- To approve and adopt any conflict of interest policy for the Committee;
- To make decisions that only the Council as shareholder can make by law e.g. altering a company's Articles of Association and using, where applicable the written resolution procedure to do so, as prescribed by the Companies Act 2006. Unless it has been set out in, or is ancillary or conducive towards doing anything in, the LATC's then current business plan, the directors and/or the LATC may not do anything other than in the ordinary course of business, without the prior written consent of the Controlling Shareholder as required by the LATC's Articles of Association.
- To appoint and dismiss directors of the Company (where power to do so is reserved to the shareholder). As required by the Articles of Association the Controlling Shareholder is required to appoint the Managing Director of the LATC, and appoint and remove as appropriate, the Council Officer, the Council Councillor, and Expert Director in accordance with the LATC's Articles of Association.
- To appoint and remove any Company Secretary appointed and Auditor;
- To ensure that the company does not lose its status as a "Teckal" compliant company within the meaning of the legislation and regulations in force or as amended from time to time;
- To agree any loan agreements or draw-down of Council financing (subject to funds being made available by the Council and any previous authorised delegations);
- To provide annual updates to the Learning and Culture Scrutiny Committee. Part of the role of the Shareholder Committee will require it to ensure that the financial and propriety controls that apply to local authority-controlled companies as set out in the Local Government and Housing Act 1989 will need to be complied with. This and other matters will be monitored by the Shareholder Committee and reported on for scrutiny to the relevant Scrutiny Committee.