

AGENDA ITEM NO. 8 - QUASI-JUDICIAL 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 (as summarised in Appendix A to the report in the agenda).

Appendix A 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:

Conservative: (2): Councillors Mrs. C.A. Cave and R. Crowley
Labour (2): Councillors Mrs. A.J. Moore and Ms. S. Sivagnanam
Llantwit First Independents: (1): Councillor Mrs. S.M. Hanks
Vale Independents: (1): Councillor J.W. Thomas

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

Membership:

Conservatives: (2): Councillors A.R. Robertson and L.O. Rowlands
Llantwit First Independents: (1): Councillor Mrs. S.M. Hanks
Vale Independents: (1): Councillor T.H. Jarvie
Independent: (1): Councillor K.P. Mahoney
Plus one vacancy to be agreed at the Annual Meeting

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

Membership:

Conservatives: (2): Councillors A.R.T. Davies and G.C. Kemp
Labour: (2): Councillors L. Burnett and M.R. Wilson
Llantwit First Independents (1): Councillor G. John

Vale Independents: (1) Councillor T.H. Jarvie
Independent: (1): Councillor K.P. Mahoney

(d) Planning Committee (17 Members)

Membership:

Conservatives: (6): Councillors Mrs. C.A. Cave, V.P. Driscoll, S.T. Edwards, G.C. Kemp, L.O. Rowlands and Ms. M. Wright
Labour: (5): Councillors Ms. R.M. Birch, Mrs. P. Drake, N.C. Thomas, Mrs. M.R. Wilkinson and M.R. Wilson
Llantwit First Independents: (1): Councillor E. Williams
Plaid Cymru: (2): Councillors N.P. Hodges and Dr. I.J. Johnson
Vale Independents: (3): Councillors J.C. Bird, B.T. Gray and A.C. Parker

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

Membership:

Conservative: (2): Councillors Mrs. C.A. Cave and V.P. Driscoll
Labour (1): Councillor Mrs. P. Drake
Vale Independents: (1): Councillor J.C. Bird
Plus one vacancy due to political balance calculations

(f) Public Protection Licensing Committee (15 Members)

Membership:

Conservatives: (5): Councillors Mrs. J.E. Charles, R. Crowley, V.P. Driscoll, Mrs. R. Nugent-Finn and Ms. M. Wright
Labour: (4): Councillors Ms. J. Aviet, Mrs. P. Drake, Mrs. A.J. Moore and Mrs. M.R. Wilkinson
Llantwit First Independents: (1): Councillor Mrs. J.M. Norman
Plaid Cymru: (1): Councillor S.T. William
Vale Independents: (3): Councillors K.F McCaffer, M.J.G. Morgan and J.W. Thomas
Plus one vacancy to be agreed at the Annual Meeting

(g) Statutory Licensing Committee (15 Members)

Membership:

Conservatives: (5): Councillors Mrs. J.E. Charles, R. Crowley, V.P. Driscoll, Mrs. R. Nugent-Finn and Ms. M. Wright
Labour: (4): Councillors Ms. J. Aviet, Mrs. P. Drake, Mrs. A.J. Moore and Mrs. M.R. Wilkinson
Llantwit First Independents: (1): Councillor Mrs. J.M. Norman
Plaid Cymru: (1): Councillor S.T. William
Vale Independents: (3): Councillors K.F McCaffer, M.J.G. Morgan and J.W. Thomas
Plus one vacancy to be agreed at the Annual Meeting

- (h) **Standards Committee (9 Members, including 5 independent 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:

Conservatives: (1): Councillor A.R. Robertson

Labour: (1): Councillor Ms. R.M. Birch

Vale Independents: (1): Councillor B.T. Gray

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

Membership:

Conservatives: (1): Councillor A.R. Robertson

Labour: (1): Councillor Ms. R.M. Birch

Vale Independents: (1): Councillor B.T. Gray

- (j) **Appointment of Local Authority Governors Advisory Panel (6 Members - to be chaired by the Cabinet Member for Education and Regeneration)**

Membership:

Conservatives: (2): Councillors S.J. Griffiths and Mrs. R. Nugent-Finn

Labour: (2): Councillors L. Burnett and Mrs. M.R. Wilkinson

Plaid Cymru: (1): Councillor N.P. Hodges

Vale Independents: (1): Councillor T.H. Jarvie

- (k) **Community Liaison Committee (13 Members)**

Membership:

Conservatives: (4): Councillors G.D.D. Carroll, Mrs. C.A. Cave, A.R. Robertson and L.O. Rowlands

Labour: (4): Councillors Ms. J. Aviet, Ms. R.M. Birch, Mrs. S.D. Perkes and M.R. Wilson

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

Plaid Cymru: (1): Councillor N.P. Hodges

Vale Independents: (2): Councillors M.G.J. Morgan and A.C. Parker

Independents: (1): Councillor R.A. Penrose

- (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 Chairman, who must not be a member of any political group on the Executive.

Membership:

Conservatives: (3): Councillors V.J. Bailey, G.D.D. Carroll and A.R. Robertson

Labour: (3): Councillors Mrs. S.D. Perkes, N.C. Thomas and M.R. Wilson

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

Plaid Cymru: (1): Councillor N.P. Hodges

Vale Independents: (2): Councillors K.F. McCaffer and M.J.G. Morgan

(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.

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

Membership:

Conservatives: (2): Councillors V.J. Bailey and Mrs. J.E. Charles

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

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

Vale Independents: (1): Councillor K.F. McCaffer

Independent: (1): Councillor R.A. Penrose

(o) Governance and Audit Committee (7 Members plus 1 Lay Member)

Membership:

Conservatives: (2): Councillors G.D.D. Carroll and L.O. Rowlands

Labour: (2): Councillors Mrs. P. Drake and M.R. Wilson

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

Plaid Cymru: (1) Councillor Dr. I.J. Johnson

Vale Independents: (1): Councillor K.F. McCaffer

(p) Joint Consultative Forum (7 Members)

Membership:

Conservatives: (2): Councillors A.R. Robertson and L.O. Rowlands

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

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

Plaid Cymru: (1): Councillor Dr. I.J. Johnson

Vale Independents: (1) Councillor M.J.G. Morgan

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

Membership:

Conservatives: (2): Councillors V.J. Bailey and R. Crowley
Labour: (2): Councillors L. Burnett and N. Moore
Llantwit First Independents: (1): Councillor Mrs. S.M. Hanks
Vale Independents: (1): Councillor B.T. Gray

(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:

Conservatives: (1): Councillor V.J. Bailey
Labour: (1): Councillor Mrs. A.J. Moore
Llantwit First Independents: (1): Councillor Mrs. S.M. Hanks
Plaid Cymru: (1): Councillor N.P. Hodges
Vale Independents: (1): Councillor K.F. McCaffer

(s) Trust Committee (7 Members)

Membership:

Conservative: (2): Councillors G.D.D. Carroll and S.T. Edwards
Labour: (2): Councillors Mrs. P. Drake and M.R. Wilson
Plaid Cymru: (1): Councillor S.T. Wiliam
Vale Independents: (1): Councillor T.H. Jarvie
Independent: (1): Councillor R.A. Penrose

(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:

Conservatives: (3): Councillors Mrs. C.A. Cave, R. Crowley and L.O. Rowlands
Labour: (1): Councillor Ms. R.M. Birch
Llantwit First Independents: (1): Councillor Mrs. J.M. Norman
Plaid Cymru: (1): Councillor Miss. A.M. Collins
Vale Independents: (1): Councillor K.F. McCaffer
Plus one vacancy to be agreed at the Annual Meeting

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

Membership:

Conservative: (2): Councillors Mrs. J.E. Charles and R. Crowley
Labour: (2): Councillors Mrs. P. Drake and M.R. Wilson

Plaid Cymru: (1): Councillor S.T. Wiliam
Vale Independents: (1): Councillor G.A. Cox
Independent (Councillor Mahoney): (1): Vacant

(v) Equalities Consultative Forum (6 Members – to be Chaired by the Cabinet Member for Performance and Resources)

Membership:

To be Chaired by the Cabinet Member for Performance and Resources
Conservative: (2): Councillors Mrs. J.E. Charles and L.O. Rowlands
Labour: (2): Councillors N. Moore and Ms. S. Sivagnanam
Plaid Cymru: (1): Councillor Miss. A.M. Collins
Vale Independents: (1): Councillor K.F. McCaffer

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

Membership:

Conservatives: (2): Councillors V.P. Driscoll and Mrs. R. Nugent-Finn
Labour: (1): Councillor L. Burnett
Llantwit First Independents (1): Councillor Mrs. S.M. Hanks
Plaid Cymru (1): Councillor S.T. Wiliam
Vale Independents: (1): Councillor A.C. Parker
Plus one vacancy to be agreed at the Annual Meeting

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; Glamorgan Wildlife Trust; 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 and Regeneration.

(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 Legal, Regulatory and Planning Services and the Chairman of the Public Protection Licensing Committee.

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

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

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.