

APPOINTMENTS AND COMMITTEES**WDA/19/14****Recommendation**

That the following be determined for the 2014/15 Municipal Year:

1. approval of the Terms of Reference and delegations for the Appeals Committee, Audit and Governance Committee and the Investigating and Disciplinary Committee and the appointment of Members to those committees;
2. approval of the Terms of Reference to the Forward Planning Members Panel and the appointment of its Members;
3. representation on the Boards of Mersey Waste Holdings Limited, Bidston Methane Limited and the North West Employers' Organisation; and
4. delegated powers of the Authority be granted to the Clerk in consultation with all Members to finalise any outstanding appointments in relation to the above.

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APPOINTMENTS AND COMMITTEES**WDA/19/14****Report of the Chief Executive****1. Purpose of the Report**

- 1.1 To make all necessary appointments and approvals in relation to the Authority's Committees; to agree the terms of reference and appointments to the Forward Planning Members Panel; and to consider the Authority's representation on other bodies for the 2014/15 Municipal Year.

2. Background

- 2.1 The Authority appoints its committees and determines their membership at its Annual Meeting each year in accordance with its Procedural Rules.
- 2.2 The Authority also seeks nominations for Members to be appointed to specific panels and outside bodies at its Annual Meeting.
- 2.3 The following therefore need to be determined for the forward year:
- Appeals Committee
 - Audit and Governance Committee
 - Investigating and Disciplinary Committee
 - Forward Planning Members Panel
 - Board of Mersey Waste Holdings Limited
 - Board of Bidston Methane Limited
 - North West Employers' Organisation

3. Appeals Committee

3.1 Terms of Reference

To hear and adjudicate upon:-

1. appeals relating to disciplinary and capability matters; and
2. appeals relating to grading referrals.

Delegation:

To have delegated to it all the powers of the Authority to hear and adjudicate upon appeals relating to disciplinary and capability matters and to determine grading referrals.

Appointments: 4 Members

Quorum: 2 Members

2013/14 Membership (for information): Councillors Graham Morgan, Tony Concepcion, Kevin Cluskey and Irene Williams.

- 3.2 It is worth noting that due to the relatively small size of the Authority, the need for a meeting of the Appeals Committee is rare and no meetings were called in 2013/14.
- 3.3 Members are asked to approve the Terms of Reference and Delegations to the Appeals Committee and to consider its Membership.
- 3.4 In accordance with Procedural Rules, Members may either appoint a Chairperson and Deputy Chairperson to each of its committees at its Annual Meeting or at the first meeting of the committee. In practice, Members usually consider these appointments at the first meeting of the relevant committee, however, Members may consider such appointments at this meeting if they so wish. This also applies to the Audit and Governance Committee and the Investigating and Disciplinary Committee.

4. Audit and Governance Committee

4.1 Terms of Reference

To deal with:-

1. the Authority's Statement of Accounts and other statutory financial determinations with the exception of Revenue and Capital Budget approval; and
2. the consideration of audit plans (internal and external) and reviews and receipt of the Annual Audit Letter.

Delegations:

To approve, only in those instances where an Authority Meeting is not scheduled within the timeframes required, the Statement of Accounts, Prudential Indicators, the Annual Governance Assessment and Statement issued under ISA 260 (UK&I), Audit Plans, Action Plans resulting from Audit Reviews and Inspections and the Annual Audit Letter.

Appointments: 4 Members

Quorum: 2 Members

2013/14 Membership (for information): Councillors Graham Morgan, Patricia Hardy, Alan Cunliffe and Kevin Cluskey.

- 4.2 For information, the Audit and Governance Committee is only called where scheduling does not allow for governance issues to be considered at an Authority meeting and this need did not arise in 2013/14.
- 4.3 Members are asked to approve the Terms of Reference and Delegations to the Audit and Governance Committee and to consider its Membership.

5. Investigating and Disciplinary Committee

5.1 Terms of Reference:

To hear and adjudicate upon:-

1. matter relating to disciplinary, grievance, capability and sickness absence matters in relation to the Chief Executive

Delegation:

To hear and adjudicate upon matters relating to the investigation of disciplinary, grievance, capability and sickness absence, and to determine the action (if any) or range of actions, as appropriate, in relation to the Chief Executive.

Appointments:

3 Members (taking into account political balance and that each Member to be from a different constituent council).

Quorum: 2 Members

2013/14 Membership (for information): Councillors Kevin Cluskey, Laura Robertson-Collins and Steve Williams.

- 5.2 The Investigating and Disciplinary Committee would only be called in the event that an issue with the Chief Executive arose and to date no meetings have been called.

6. Forward Planning Members Panel

- 6.1 The Authority occasionally establishes Member panels which provide an effective way to engage Members in specific areas of the Authority's business. It should be noted however that these panels are not decision making bodies and therefore no quorum is required.
- 6.2 In previous years, the Authority established a Chief Executive's Appraisal Panel which met with the Chief Executive for an annual review of performance. The aim of this panel was to identify corporate priorities which would inform the annual review of the Corporate Plan.
- 6.3 Following a review of this process, it is proposed that the panel be renamed the Forward Planning Members Panel as this better reflects the work undertaken by Members and the Chief Executive at these meetings.
- 6.4 The panel would meet between September and October each year to consider priorities which could then be incorporated into the Corporate Plan to be considered for approval by all Members at the Authority meeting in November.
- 6.5 A draft of the Terms of Reference for the group is attached at Appendix 1 for Members' consideration.

- 6.6 For information, the Members appointed to the Chief Executive's Appraisal Panel in 2013/14 were:

Councillors Graham Morgan, Patricia Hardy, Alan Cunliffe and Tony Concepcion.

- 6.7 Members are asked to nominate Members to this panel for 2014/15.

7. Board of Mersey Waste Holdings Limited

- 7.1 Mersey Waste Holdings Limited has ceased operations but remains an active company to enable the Authority to retain favourable contractual arrangements.
- 7.2 The Board of Directors currently includes three Members appointed for a term of two years by the Authority. Councillors Laura Robertson-Collins and Kevin Cluskey were appointed in 2013 and therefore their appointments remain in effect. Councillor Tony Concepcion was appointed in 2012 and therefore this appointment requires review.
- 7.3 Members are entitled to appoint up to four Members to the Board of Mersey Waste Holdings Limited and are asked to consider the appointment of up to two Members to its board in addition to Councillors Robertson-Collins and Cluskey.

8. Board of Bidston Methane Limited

- 8.1 The Authority is entitled to appoint three Members to the Board of Bidston Methane Limited. Members appointed at last year's Annual Meeting were as follows:
- Councillors Steve Williams, Irene Williams and one vacancy.
- 8.2 For information, there is normally just one meeting in the year to approve the annual accounts.
- 8.3 Members are asked to consider the representations on the Board of Bidston Methane Limited for the coming year.

9. North West Employers' Organisation

- 9.1 The Authority is requested each year to appoint a representative to the North Western Employers' Organisation (NWEO).

- 9.2 Councillor Kevin Cluskey was appointed as the Authority's representative in 2013/14.
- 9.3 Members are asked to consider the representation to the NWEO for the coming year.

10. Risk Implications

- 10.1 The appointment of committees and representation on other bodies is a requirement of the Authority's Procedural Rules and therefore failure to do so would be in breach of those rules.
- 10.2 In previous years, Members have granted delegated powers of the Authority to the Clerk to finalise any appointments which have not been agreed at the meeting and thereby mitigating the risk that positions remain vacant. Members are therefore asked to consider granting delegated powers of the Authority to the Clerk to agree outstanding appointments.
- 10.3 For ease of reference, Appendix 2 lists all nominations identified in this report. Members can contact the Clerk for further details regarding each appointment prior to the meeting should they require more information.

11. HR Implications

- 11.1 There are no HR implications associated with this report

12. Environmental Implications

- 12.1 There are no environmental implications associated with this report.

13. Financial Implications

- 13.1 There are no financial implications associated with this report.

14. Conclusion

- 14.1 The Authority is asked to make the determinations for appointments and representations as set out in this report for the 2014/15 Municipal Year and to grant delegated powers to the Clerk to complete any outstanding appointments.

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The background documents to this report are open to inspection in accordance with Section 100D of The Local Government Act 1972 - Nil.



FORWARD PLANNING MEMBERS PANEL

TERMS OF REFERENCE

PURPOSE

The purpose of the Forward Planning Members Panel is to:-

- Review the Authority's performance compared to the existing Authority's corporate plans, strategies and budget.
- Identify current and future priorities taking into account corporate risks and opportunities.
- Consider areas for improvement and future aspirations which can be taken into account during the review of the Corporate Plan.

MEMBERSHIP

The group will consist of four Members to be appointed at the Authority's Annual Meeting.

LIMITATIONS

The panel does not have delegated powers and therefore cannot make decisions on behalf of the Authority although it can make recommendations to be considered by the Authority.

FREQUENCY

The group will meet at least annually prior to the Corporate Plan being considered by the Authority.

Appendix 2

NOMINATIONS REQUIRED

Area	2013/14 Membership	No. of Members
Forward Planning Members Panel (previously the Chief Executive's Appraisal Panel)	Cllrs Hardy, Morgan, Cunliffe and Concepcion	Four
Appeals Committee	Cllrs Morgan, T Concepcion, K Cluskey and I Williams	Four
Audit and Governance Committee	Cllrs Morgan, Hardy, Cunliffe and Cluskey	Four
Investigating and Disciplinary Committee	Cllrs Cluskey, L Robertson-Collins and S Williams	Three (reps from three separate Districts)
Mersey Waste Holdings Ltd Board	Cllrs L Robertson-Collins, K Cluskey and T Concepcion	Up to Four
Bidston Methane Ltd Board	Cllrs I Williams and S Williams	Three
North West Employers' Organisation	Cllr K Cluskey	One