

North Somerset Council

REPORT TO THE COUNCIL

DATE OF MEETING: 25 JUNE 2019

SUBJECT OF REPORT: APPOINTMENTS ON OUTSIDE BODIES AND OTHER ROLES

TOWN OR PARISH: NONE SPECIFIC

OFFICER/MEMBER PRESENTING: HEAD OF LEGAL AND DEMOCRATIC SERVICES

KEY DECISION: NO

RECOMMENDATIONS

- 1 That Council determines the appointment of Members on outside bodies; and
- 2 That the nomination of Members to serve on the Children's Champions Group and Home to School Transport Appeal Panel is formalised.

1. SUMMARY OF REPORT

The schedule of appointments is attached to this report at Appendix 1 and Council is invited to make its nominations accordingly. Council is also invited to formalise the nomination of members to serve on the Children's Champions Group and on the Schools Transport Appeals Panel.

2. POLICY

The Constitution provides that appointments to external organisations are reserved to Council, save where such appointments have been delegated by the Council, or are exercisable by the Executive. Executive outside body appointments are due to be considered by the Executive on 25 June.

Appointments of three or more are subject to political balance.

3. DETAILS

Appointments to external organisations consist of bodies to which the Council is required to appoint members, bodies where it is desirable for a member to be appointed, and those where the Council has a power of appointment but does not need to be a member.

At the Annual Meeting Council confirmed appointments to the Avon Fire Authority and to the Police and Crime Panel only, reserving the remainder of these appointments for further

consideration. The updated schedule of appointments is attached to this report. Since the Annual Meeting, Heritage and Regeneration Champion has been added to the schedule.

In addition to those appointments listed within the attached schedule, councillor representation is required for other roles, such as the Children's Champions Group (ToR attached at Appendix 2) and the Home to School Transport Appeals Panel (ToR attached at Appendix 3). Council is asked to consider formalising nominations to these roles.

4. CONSULTATION

Prior to the Municipal Elections the schedule of annual appointments was circulated to Group Leaders for their consideration. Council subsequently considered these appointments at the Annual Meeting.

5. FINANCIAL IMPLICATIONS

The Council has determined either that travel expenses to the main meeting place will be paid by the Council, with other travel expenses requiring prior authorisation, or that expenses aren't paid by the Council, in which circumstances claims are submitted to the Outside Body concerned.

6. LEGAL POWERS AND IMPLICATIONS

The Constitution provides that appointments to external organisations are reserved to Council, save where such appointments have been delegated by the Council, or are exercisable by the Executive. Political Balance applies to appointments of three or more.

7. RISK MANAGEMENT

N/A

8. EQUALITY IMPLICATIONS

N/A

9. CORPORATE IMPLICATIONS

N/A

10. OPTIONS CONSIDERED

N/A

AUTHOR

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BACKGROUND PAPERS

Outside Bodies correspondence: Council Appointments 2018/19
Minutes of the Annual Council Meeting, 14 May 2019

Appendix 1

NORTH SOMERSET COUNCIL APPOINTMENTS ON EXTERNAL ORGANISATIONS: APPOINTMENTS MADE BY THE COUNCIL

Section A - Appointments subject to political balance (appointments of three or more)

Organisation	Appts	Auth. Granted by	Representative(s)	Political Group Nominating	Term of Office Expires	Name & Address of Correspondent
Avon Fire Authority	4 (1:1:1:1) [Exp Cat: N]	COU 22/2019	Cllr Donald Davies Cllr Ruth Jacobs Cllr Robert Payne Cllr Richard Tucker	I C LD L	May 2023 4-year term (subject to 8 year limit in total)	Lynette White, Executive Assistant to the Chair of the Fire Authority www.avonfire.gov.uk
Bristol Port Company Liaison Committee	3 (1:1:1) [Exp Cat: Y]				Municipal Year End	Julie Lock, PA to the Chief Operating Officer, Bristol Port Company julie.lod@bristolport.co.uk
Local Access Forum	3 (1:1:1) [Exp Cat: Y]				May 2023 4-year term	Democratic Services Manager
LGA General Assembly	4 (1:1:1:1) [Exp Cat: Y]				Municipal Year End	Member Services, Local Government Association Fatima.deabreu@local.gov.uk
Standing Advisory Council on Religious Education	3 (1:1:1) [Exp Cat: Y]				May 2023 4-year term	Democratic Services Manager
University of Bristol Court	3 (1:1:1) [Exp Cat: Y]				Municipal Year End	Planning, Policy and Project Support secretariat@bristol.ac.uk

Section B - appointments not subject to political balance (less than three appointments)

Organisation	Appts	Auth. Granted by	Representative	Political Group Nominating	Term of Office Expires	Name & Address of Correspondent
Alliance Homes Board (formerly NS Housing Board)	1 [Exp Cat: N]			N/A	Municipal Year End	Company Secretary Alliance Homes philippa.armstrong-owens@alliancehomes.org.uk
Bimbeck Regeneration Trust	2 [Exp Cat: Y]			N/A	Municipal Year End	Charles McCann chales@talk21.com
Bristol Airport Consultative Committee	1 [Exp Cat: Y]			N/A	Municipal Year End	James Gore, Bristol International Airport jgore@bristolairport.com
Campaign to Protect Rural England	1 [Exp Cat: Y]			N/A	Municipal Year End	Gill Sammons, CPRE gillsayzeland@googlemail.com
Clevedon Community Association	1 [Exp Cat: Y]			N/A	Municipal Year End	Anne Scholes, Clevedon Community Centre admin@ccassoc.org.uk
Clevedon Pier Trust	1 [Exp Cat: Y]			N/A	Municipal Year End	Linda Strong, Clevedon Pier Trust linda@clevedonpier.com
Clifton Suspension Bridge Trust	1 [Exp Cat: Y]			N/A	Municipal Year End	Tim Baines, Clerk to the Trustees tim.baines@croecw.co.uk
Durnford Quarry Local Liaison Group	1 [Exp Cat: Y]			N/A	Municipal Year End	Tarmac Southerm Ltd. Andy.cadell@tarmac.com
Heritage & Regeneration Champion	To be determined			N/A	To be determined	Roger Willmot, Service Leader Strategic Developments Development & Environment

Organisation	Appts	Auth. Granted by	Representative	Political Group Nominating	Term of Office Expires	Name & Address of Correspondent
Mead Vale Community Association	1 [Exp Cat: Y]			N/A	Municipal Year End	Rev Emma Aymes emma.ames@virgin.net
North Somerset Citizens Advice Bureau	1 [Exp Cat: Y]			N/A	Municipal Year End	Director North Somerset Citizen's Advice Bureau bureau@nsomersetcab.cabnet.org.uk
Police and Crime Panel	2 [Exp Cat: N]	COU 22/2019	Cllr Richard Westwood Cllr Roz Willis	N/A	June 2023 4-year term of office	Patricia Jones, Clerk to the Police & Crime Panel PLJones@somerset.gov.uk
Portishead Youth Centre Management Committee	1 [Exp Cat: Y]			N/A	Municipal Year End	Portishead Youth Centre Ltd., mail@portisheadyouthcentre.co.uk
Richard Durban Trust	2 [Exp Cat: Y]			N/A	4-year term	Jenny Stevenson LLB John Hodge Solicitors 01934 410910
Sevenside Sirens Trust	1 [Exp Cat: N]			N/A	Municipal Year End	Cooksley & Co, Trust Administrators info@sevensidesirens.co.uk
Standing Conference of Severnside Local Authorities	2 [Exp Cat: Y]			N/A	Municipal Year End	Severn Estuary Partnership, c/o School of Earth and Ocean Sciences, Main Building, Park Place, Cardiff CF10 3AT severn@cardiff.ac.uk
Strawberry Line Society (formerly the Cheddar Valley Railway Walk Committee)	1 [Exp Cat: Y]			N/A	Municipal Year End	Irene Thresher, Treasurer & Membership Secretary the Strawberry Line Society Irene.thresher@btinternet.com

Organisation	Appts	Auth. Granted by	Representative	Political Group Nominating	Term of Office Expires	Name & Address of Correspondent
University of Bath Court	1 [Exp Cat: Y]			N/A	Municipal Year End	Mark Pender, Secretary to Court, Office of the University Secretary, University of Bath m.p.pender@bath.ac.uk
Uphill Victory Hall	1 [Exp Cat: Y]			N/A	Municipal Year End	Honorary Secretary, Uphill Victory Hall c/o John wood
Wessex Reserve Forces & Cadets Association	2 [Exp Cat: N]			N/A	Municipal Year End	Alan Owens, Staff Officer Wessex RFCA wx-offman@rfca.mod.uk
Weston Town Centre Co Ltd	2 [Exp Cat: Y]			N/A	Municipal Year End	steve.townsend@wsmtcp.co.uk
Contact Officer: Heather Sanders 01934 634907						
<p>Guide to Expenses Categories: N - Expenses not paid by the Council and any claim should be submitted to the Outside Body concerned. Y - Only travel expenses to the main meeting place to be submitted to the Council. Any other travel expenses will require prior authorisation before travel to establish if payment will be made.</p>						

Children's Champions Group

Terms of Reference

The remit for the Children's Champions Group is as follows:

- (1) To advocate as Corporate Parents on behalf of children and young people looked after by North Somerset Council, including care leavers, and support other elected Members and senior managers across the Council in fulfilling their statutory responsibility as a Corporate Parent and in understanding the impact on looked after children of all Council decisions.
- (2) To examine how the Council's commitment to looked after children and young people in the care of the Council is being carried out in practice, and to make recommendations to the Executive Member for Children and Young People's Services on how this could be improved.
- (3) To promote involvement of all Councillors and Council committees in the corporate parenting role.
- (4) To consider the impact of Council decisions and the activities of relevant partner agencies in contributing to positive outcomes for looked after children and young people and care leavers.
- (5) To engage with and listen to children and young people in care, their carers and care leavers and to respond to their views and take into account the issues they raise when acting on their behalf.
- (6) To develop and implement a work programme
- (7) To provide an annual report and other reports as necessary, as and when appropriate, about matters to do with children and young people in the care of, or who have left the care of, the Council and to report as necessary to the Executive Member for Children and Young People's Services.
- (8) To consider key performance information to ensure that the Council is securing a permanent home for children within the care system.

Membership

(9) The membership of the Children's Champions Group shall comprise:

- (a) 9 North Somerset Committee/ Panel Members
- (b) A representative of the Foster Carers Association
- (c) A representative of Unite (The Children in Care Council)

[Note: the Young Person's Communications Officer will attend meetings of the Children's Champions Group on behalf of Unite. Unite are in agreement with this arrangement, and there is an open invitation for Unite to attend meetings]

- (d) The Designated Nurse

(e) Virtual School Head

- (10) The Executive Member for Children and Young People's Services (who may attend any Children's Champions Group meeting as a non-voting Member). [Note: The Assistant Executive Member also has an open invitation to attend the Children's Champions Group)
- (11) Representatives of other relevant partner organisations may be formally co-opted on to the Children's Champions Group as and when appropriate; or otherwise encouraged to participate in CCG meetings and activities.

[Note: It was felt that it was unrealistic to invite partner agencies such as the Clinical Commissioning Group to attend as full Members of the Group but that these should be identified within the work plan to ensure a higher level of engagement and representation in CCG activities].

Home to School Transport Appeal Panel

Terms of Reference

The Home to School Transport Appeal Panel exists to consider often complex cases which fall outside the Home to School Travel Assistance policy. This document outlines the terms of reference of the Panel, and includes guidance on the considerations the Panel may take into account in reaching decisions on how the Council should exercise its discretion under section 509 of the Education Act 1996.

In this document, references to “parent” should be read to include parents or carers. It will also include workers engaged to support parents or carers provided authority to correspond with a third party has been provided.

1. Composition

- 1.1 The Panel will consist of a representative from each of the following disciplines:
 - Home to School Transport
 - School Admissions
 - Prevention and Re-engagement Team
 - Special Educational Needs
- 1.2 An Elected Member of North Somerset Council will also be a member of the Panel.
- 1.3 In usual circumstances, a Senior Officer responsible for making decisions within the discipline should attend. However, a suitably briefed and experienced substitute may attend if necessary.
- 1.4 The Home to School Transport representative will chair the panel.
- 1.5 Should a vote be necessary to determine the outcome of any decision, all Panel members listed in 1.1 and 1.2 above will be entitled to vote.
- 1.6 Should a vote be tied; the Chair of the Panel will have the casting vote.

2. Frequency of Meetings

- 2.1 The Panel will meet once each month provided there are cases requiring consideration. At times of high demand, such as prior to the start of a new school year, the Panel may elect to meet more frequently.
- 2.2 Where an urgent case requires consideration outside this cycle of meetings the Chair of the Panel may circulate details via email (or other means as necessary) for urgent consideration and response.

3. Administrative Arrangements

- 3.1 The Integrated Transport Unit and Business Support will provide the clerical support to the Panel, including provision of a minute taker, preparation of agenda and minutes, and communication of decisions to parents, schools or other affected bodies or individuals.
- 3.2 At times of illness or annual leave, it may be necessary for teams represented by Panel members to provide cover for administrative duties on a temporary basis.
- 3.3 Prior to a Panel meeting, members will be provided with copies of parents' representations, along with any associated evidence submitted.
- 3.4 Should parents wish to make verbal representation instead of or in addition to their written evidence, the Administrator responsible for clerical support to the panel (and thus not a voting member) will receive the evidence and ensure that accurate transcripts are provided.
- 3.5 Panel members will also receive any relevant maps, measurements, admissions details or other information which it is expected may be necessary to reach a decision on a case.
- 3.6 The proceedings of Panel may be recorded to facilitate accurate note taking. Any recordings made will be destroyed after use and the printed minute will stand as an agreed record of proceedings.

4. Powers and Decision-Making Process

- 4.1 The Panel will consider written representations from parents including any supporting evidence which they deem relevant to their claim that free home to school travel assistance should be provided. An opportunity for parents or representatives to address the Panel in person will not be provided.
- 4.2 Each case will be considered individually on its merits, but the Panel may make reference to other similar cases and prior decisions on the basis that decisions should be reached equitably.
- 4.3 The Panel will consider each case in one or more of the following respects:
 - Has the Home to School Transport Policy been applied correctly with reference to the original decision to refuse transport?
 - Does the representation convince the Panel that provision of free travel is necessary to ensure access to education suitable for the child in question?
 - Is a decision to provide free travel compatible with the duty to ensure provision of efficient instruction and training, and the avoidance of unreasonable expenditure?
 - Would a decision not to provide free travel due to the concern that it would incur additional expenditure be perverse in the sense that enforcing the policy as published would incur greater costs?

- Would a decision not to provide free travel mean that duties or priorities under other North Somerset Council policies would be compromised, with particular reference to matters of sustainability, community cohesion or safety?

4.4 In reaching its conclusion in a given case, the Panel is entitled to consider additional information relating to school admissions, school attendance, special educational needs, education welfare concerns, social care matters or other related details, in so far as these have a bearing on the need for travel to be provided.

4.5 Should the Panel need to consider additional matters outside the members' areas of expertise, it may seek an opinion from a relevant or suitably qualified source within North Somerset Council, schools or other partner organisations as necessary. If this is not immediately available it may be necessary to defer the decision.

4.6 The Panel will normally reach one of three conclusions:

- To uphold the appeal, meaning that the Council will provide free home to school travel.
- To dismiss the appeal, meaning that the Council will not provide free home to school travel.
- To defer the appeal, pending the provision of additional information.

The outcome will be communicated to parents in writing, with a list of the key points which the panel considered in coming to their decision.

4.7 In cases where the Panel upholds an appeal and requires travel to be provided by the Council, the Panel may restrict or limit the provision of transport by type, duration or condition provided to do so is reasonable.

4.8 The Panel will not normally consider a second or subsequent appeal by a parent for provision during the same school year unless circumstances have changed materially, or additional information has become available. Such changes might include house moves, school moves, changes in care arrangements or associated with developing medical conditions.

5. Other Matters for the Panel

5.1 The Panel may be asked to consider other situations which arise relating to travel provided under the Home to School Transport policy, for example:

- To consider parents' representations where pupils have been permanently excluded from home to school travel services.
- To consider parents representations where they wish their child to be transported by a means other than that provided currently.

6. Quorum

- 6.1 A case may be decided based on a simple majority of the members in attendance, provided they exceed three in number.
- 6.2 The Chair may elect to defer cases to a future hearing (or to emergency consideration as in 2.2 above) where they require the views or specialist expertise of a particular panel member who is not in attendance.

7. Review & Policy Implications

- 7.1 The Panel will review these Terms of Reference annually.
- 7.2 Where similar situations arise in several individual cases, the Panel may wish to make recommendations for changes to the Home to School Travel Assistance Policy. However, the development and approval of final policy remains the duty of the Integrated Transport Unit and Executive Member for .
- 7.3 The Panel will have an opportunity to feed transport and associated policy matters to the relevant team via the Chair, or to Council via Elected Member representation.