



Borough of Telford and Wrekin

Full Council

Thursday 15 May 2025

Governance Update

Cabinet Member:	Cllr Lee Carter - Leader of the Council	
Lead Director:	Anthea Lowe - Director: Policy & Governance	
Service Area:	Policy & Governance	
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Wards Affected:	All Wards	
Key Decision:	Not Key Decision	
Forward Plan:	Not Applicable	
Report Considered by:	Full Council – 15 May 2025	

1.0 Recommendations for decision/noting:

It is recommended that Full Council:-

- 1.1 notes the political balance for the forthcoming political year;
- 1.2 appoints to the Committees and Boards, as shown at **Appendix A** of this report and tabled at the meeting (if any), for the 2025/26 Municipal Year, and approves the appointment of the Chair and Vice Chair for each body;
- 1.3 delegates authority to the Monitoring Officer, to make any further calculations of political balance following any additional changes in membership;
- 1.4 confirms that review and approval of the Terms of Reference for each Committee and Board be delegated to the relevant Committee or Board;
- 1.5 authorises the Monitoring Officer to give effect to nominations to Committees and Boards notified to her in writing by Group Leaders;
- 1.6 approves the revised Constitution at Appendix B, noting the changes set out within the body of this report; and

- 1.7 agrees the creation of a special responsibility allowance for the new positions of Chair and Vice-Chair of Regulatory Committee.

2.0 Purpose of Report

- 2.1 This report details the political balance of the Council for the new municipal year and provides for the appointment of Members who will serve on the relevant Committees and boards. It further indicates the proposed nominees for Chair and Deputy Chair of each body.
- 2.2 It also seeks approval for a revised Constitution, picking up legislative changes with respect to the Contract Procedure Rules and a slight revision to the Committee structure.

3.0 Background

- 3.1 In accordance with the Constitution, the Annual Meeting of the Council will appoint such committees and boards as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Cabinet functions; will agree the size of each Committee; and will appoint a Chair, Deputy Chair, Members and substitute Members (where appropriate) for each committee and board in accordance with political balance rules.
- 3.2 The Governance Committee is charged with ensuring that the Constitution is reflective of the organisation, how it conducts its business and ensures that business can be transacted expediently. However, Council retains overall responsibility for this function and has the authority to approve changes. It is therefore considered expedient for Full Council to give approval to required changes now, prior to Governance Committee considering a revised format Constitution at its first meeting of the new Municipal year, in order that required changes are made now.

4.0 Summary of main proposals

Political Balance

- 4.1 The political balance of the authority is as follows:-

Labour	70%
Conservative	13%
Liberal Democrats	11%

For the purpose of calculating political balance and appointments to Committees and Boards, only those who form part of a group should be included. Therefore, where Independent Members do not sit as a group, they are disregarded in this exercise. However, it is considered to be good practice for committees to reflect the democratic make up of the Council and so seats on Committees are offered to Independent members.

The various Committees and Boards to be appointed for 2025/26 are shown at **Appendix A**, calculated in accordance with the political balance above.

- 4.2 Political balance rules have been applied where appropriate in terms of:
- (a) the allocation of seats to political groups on each individual Committee/Board; and
 - (b) the overall number of seats allocated to each political group reflecting the relative size of each group as a percentage of the total number of Council members.
- 4.3 Group Leaders have been notified of the allocation of seats to the Committees/Boards, based on the principles set out at paragraph 4.2. Each political group has been asked to submit nominations to its allotted seats, and the proposed membership for each Committee/Board (including substitutes where appropriate) is shown at **Appendix A**, where known. The Monitoring Officer has delegated authority to make appointments to each Committee or Board following notification from Group Leaders of nominees.
- 4.4 **Appendix A** also shows the nominees for Chair of each body and for Deputy/Vice Chair of each body, for approval.
- 4.5 Council is also asked to re-assert delegated authority to the Monitoring Officer to appoint Members to Committees and Boards in accordance with the wishes of the Group Leaders as notified in writing. This delegation avoids the necessity to refer each nomination to Council as it is effectively an administrative task. Similarly, Council is asked to delegate authority to the Monitoring Officer to undertake further political balance calculations to account for any subsequent changes in membership. If the delegation is approved, the Monitoring Officer must give effect to the calculation and nominations, provided it is lawful and not contrary to the Council's own procedure rules or when the appointment is exercisable only by the Cabinet.

The Constitution

- 4.6 The Constitution requires Council to agree the Terms of Reference of all Committees and Boards. It is recommended that each Committee be authorised to review its own Terms of Reference which ensures that each Committee remains relevant. This reflects the practice that occurs each municipal year.
- 4.7 There are also a number of changes proposed to the Constitution, namely a slight revision to the Contract Procedure Rules, by way of an interim measure, with new revised Contract Procedure Rules being considered by Governance Committee at its first meeting of the municipal year. primarily to reflect legislative changes to the procurement regime, by way of revised contract procedure rules. A copy of the proposed Constitution is set out at **Appendix B**, with changes shown in red text.
- 4.8 It is best practice to undertake benchmarking in respect of the governance structures in place across an authority and the best way of doing so it to look at an authority's nearest statistical neighbours. An exercise has identified that the Council is presently an outlier in respect of employee dismissal appeals uniquely

being carried out by a dedicated Appeals Committee. Across the country, this once common practice, is no longer de rigeur. It has proved increasingly challenging to list appeal hearings within the required timescales set out in the Council's Disciplinary and Grievance policies, as a panel of 5 members are required. The Council must ensure that the timescales set out in its own policies are met, to mitigate against an adverse uplift in potential awards at the Employment Tribunal for failing to follow the applicable Acas code. Consequently, it is proposed that Appeals Committee be dissolved as a Committee.

- 4.10 The revised Constitution therefore amends the Employment Procedure Rules to direct future appeals to the next applicable layer of senior management for all roles at SDM level and below, with all Statutory Chief Officer and Deputy Statutory Chief Officer roles being undertaken by Personnel Committee, in accordance with the NJC Conditions of Service for Local Authority Chief Officers. In relation to these matters, where Members need to be involved, these functions will be subsumed by Personnel Committee which already retains responsibility for appointments.
- 4.8 In respect of Licensing Committee and the new proposed Regulatory Committee, the proposal splits the responsibilities for certain licensing and regulatory functions between the two committees. The change also brings the Council into line with most Local Authorities across the country, and reflects the precise wording of both the Licensing Act 2003 and Gambling Act 2005.
- 4.9 Given the proposed change and the fact that both Licensing Committee and Regulatory Committee will both hold similar, complementary remits and responsibilities, Members are also asked to approve that a Special Responsibility Allowance be payable to the Chair and Vice-Chair of the newly created Regulatory Committee, commensurate to that of Licensing Committee given the time and responsibility commitment. This will then form part of a wider review later in the year.

5.0 Alternative Options

- 5.1 The changes outlined in this report are aimed at ensuring good governance and proper decision making in a timely fashion. Council could choose not to implement the changes, however for the reasons set out within the report it would appear sensible for Council to do so in order for it to carry out its business effectively. It is also a statutory requirement for Council to make appointments to Boards and Committees at its Annual Meeting.

6.0 Key Risks

- 6.1 There are no risks associated with the recommendations contained within this report.

7.0 Council Priorities

- 7.1 The recommendations in this report are aligned with the Council priority to be a community-focussed, innovative Council providing efficient, effective and quality services.

8.0 Financial Implications

- 8.1 The creation of Special Responsibility Allowances for a Chair and Vice-Chair of Regulatory Committee and the abolition of Appeals Committee (and the associated SRA,) will lead to slightly increased expenditure on Special Responsibility payments to Members which will need to be met from existing budgets. However, the roles will require a similar level of work, reading and oversight as the existing SRAs for the Chair and Vice-Chair of Licensing Committee. The level of SRA paid for these roles will also be considered by the Independent Remuneration Panel.

9.0 Legal and HR Implications

- 9.1 Full Council at its Annual General Meeting should make appointments to its Committees and Boards for the forthcoming municipal year. In addition, Full Council has the power to delegate authority to a designated officer as envisaged by the recommendations in this report.
- 9.2 Full Council has ultimate responsibility for the Constitution and can legally effect change to the committee structure of the Council, the employment procedure rules and the contract procedure rules.
- 9.3 There are no human resource implications arising from this report.

10.0 Appendices

- A Boards and Committees Membership 2024/25 (to follow)
- B Draft Constitution May 2025

11.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	06/05/2025	07/05/2025	ACL
Finance	06/05/2025	07/05/2025	MLB