Council,
Committees, Sub Committees
and Working Groups

Council

**Consisting of:** all Councillors. Chair: Town Mayor

**Meets:** 12 times per year and additionally if required by emergency business. May (twice), June, July, Sept, Oct, Nov, Dec, Jan, Feb, Mar, Apr

**Time:** Evening 7.00pm on the first Tuesday of the month

**Terms of Reference:** the council is a corporate body, a legal entity separate from that of its members. Its decisions are the responsibility of the whole body. The council has been granted powers by Parliament including the important authority to raise money through taxation (the precept) and range of powers to spend public money.

It is responsible for decision making on the raising of the precept and for the strategic decisions affecting the community and inhabitants of Bollington.

Committees

**Civic Hall Management Executive Committee**

**Consisting of:** 6 Councillors. Chair: Town Mayor

**Meets:** 10 times per year **Time:** 8.00pm following Civic Hall User Group meeting

**Terms of Reference:** to manage the Civic Hall.

Cllr Allan Williams
Cllr Amanda Stott
Cllr Ken Edwards
Cllr Thomas Mayers
Cllr Graham Hibbert
Cllr Chris Bennett

David Naylor, Town Clerk, non-member (Minutes and Key Holder)

**Devolution Executive Committee**

**Consisting of:** 6 Councillors

**Meets:** 4 times per year. **Time:** Daytime 10.00am.

**Terms of Reference:** to access the business case for devolution of assets and services from Cheshire East Council and to make recommendations on behalf of the Council for appropriate or necessary action.

Cllr Amanda Stott
Cllr James Nicholas
Cllr Jon Weston
Cllr Andrew Langdon
Cllr Ken Edwards
Cllr Chris Bennett

David Naylor, Town Clerk, non-member (Minutes and Key Holder)
Planning Executive Committee
**Consisting of:** all Councillors. **Chair:** Deputy Town Mayor

**Meets:** at least 11 times per year (additional meetings before the monthly council meetings for planning application responses that cannot not wait for the next scheduled planning meeting). May, June, July, Sept, Oct, Nov, Dec, Jan, Feb, Mar, Apr.

**Time:** Evening 7.00pm on the third Tuesday of the month and, if required, prior to the monthly Council meeting.

**Terms of Reference and Delegated Authority from Council:** to make recommendations on behalf of the Council on Planning Applications submitted to Cheshire East Council and to report to Council on those recommendations.

Finance Advisory Committee
**Consisting of:** all Councillors. **Chair:** to be elected at first meeting

**Meets:** Once a year in Nov

**Time:** Evening 7.00pm

**Terms of Reference and Delegated Authority from Council:** to make recommendations on behalf of the Council on Budget requirements and Precept requests and to report to Council on those recommendations.

All Councillors
David Naylor, Town Clerk, non-member
Jennifer Brockbank, RFO, non-member (Minutes and Key Holder)

Footpaths & Bridleways Advisory Committee
**Consisting of:** 3 Councillors, at least 1 from each ward and no more than six other co-opted members.

**Meets:** 3 times per year. Feb, June, Sept. **Time:** Evening 7.00pm.

**Terms of Reference:** to advise the Council on all matters relating to designated footpaths and bridleways situated within the boundaries of the Town and to make recommendations to Council for appropriate or necessary action.

Cllr John Whitehurst (East)
Cllr Helen Weston (Central)
Cllr Angela Williams (West)
Doreen Earl Non Cllr
Keith Hartley Non Cllr
John Kershaw Non Cllr
Susan Dale Non Cllr
Andrea Paterson, Town Hall Assistant non-member (Minutes and Key Holder)

Highways Enhancement Advisory Committee
**Consisting of:** 5 Councillors and co-opted representatives from Cheshire East Council and the Bollington Community.

**Meets:** 4 times per year. Jan, Apr, July, Oct. **Time:** Daytime 10.00am.

**Terms of Reference:** to consider parking, road and pavement issues in Bollington and to make recommendations to Council for appropriate or necessary action.

Cllr Allan Williams
Cllr John Whitehurst
Cllr Thomas Mayers
Cllr Andrew Langdon
Cllr Graham Hibbert
Paul Kenyon, Andy Simpson and Simon Davies of Cheshire East Council
David Naylor, Town Clerk, non-member (Minutes and Key Holder)
**Personnel Advisory Committee**

**Consisting of:** 6 Councillors including the Town Mayor and Deputy Town Mayor  
**Meets:** 2 times per year. Mar and Sept. **Time:** Morning 10.00am  
**Terms of Reference:** to advise the Council on staffing needs, equipment and Town Hall matters and make recommendations to Council for appropriate or necessary action and to deal with grievance matters.

Cllr Angela Williams (Town Mayor)  
Cllr Allan Williams (Deputy Town Mayor)  
Cllr Amanda Stott (Former Town Mayor 14/15)  
Cllr Jon Weston  
Cllr Helen Weston  
Cllr James Nicholas  
David Naylor, Town Clerk, non-member (Minutes and Key Holder)

**Strategic Planning Advisory Committee**

**Consisting of:** all Councillors  
**Meets:** 6 times per year. Jan, Mar, May, July, Sept, Nov. **Time:** Evening 7.30pm following Planning Executive Committee.  
**Terms of Reference:** to consider issues of strategic relevance to Bollington; to monitor the delivery of public services to the town and to make recommendations to Council for appropriate or necessary action.

All Councillors  
David Naylor, Town Clerk, non-member (Minutes and Key Holder)
**Working Groups**

**Audit & Accounts Working Group**
**Consisting of:** 4 Councillors  
**Meets:** 3 times per year. Jan, June and Oct. **Time:** Daytime 10.00am.  
**Terms of Reference:** to review the effectiveness of the system of internal financial control. To monitor the budget and treasury management and to make recommendations to Council for appropriate or necessary action.

Cllr Amanda Stott  
Cllr Jon Weston  
Cllr Andrew Langdon  
Cllr Ken Edwards  
Jennifer Brockbank, RFO, non-member (Minutes and Key Holder)

**Civic Functions and Events Working Group**
**Consisting of:** 5 Councillors including the Town Mayor and Deputy Town Mayor  
**Meets:** 10 times per year. **Time:** Daytime 10.00am.  
**Terms of Reference:** to identify new events and review existing events and Civic Functions to ensure they operate smoothly and uphold the dignity of the Council.

Cllr Angela Williams (Town Mayor)  
Cllr Allan Williams (Deputy Town Mayor)  
Cllr Graham Hibbert  
Cllr John Whitehurst  
Cllr Helen Weston  
Cllr Thomas Mayers  
Emma Bambrook, Town Mayor’s Secretary, non-member (Minutes and Key Holder)

**Grants Working Group**
**Consisting of:** 6 Councillors  
**Meets:** 2 times per year. June and Sept. **Time:** Daytime 10.00am  
**Terms of Reference:** to evaluate grant applications and to make recommendations to Council on the amounts to be awarded to organisations.

Cllr Angela Williams (Town Mayor)  
Cllr Amanda Stott  
Cllr James Nicholas  
Cllr Jon Weston  
Cllr Chris Bennett  
Cllr Graham Hibbert  
Jennifer Brockbank, RFO, non-member (Minutes and Key Holder)

**Standing Orders/LCAS Working Group**
**Consisting of:** 4 Councillors  
**Meets:** 3 times per year. Feb, May and Sept, Oct. **Time:** Daytime 10.00am  
**Terms of Reference:** to review standing orders and financial regulations and to monitor progress towards achieving the Local Council Award Scheme qualification and to make recommendations to Council for appropriate or necessary action.

Cllr Allan Williams  
Cllr Andrew Langdon  
Cllr Ken Edwards  
Cllr Chris Bennett  
David Naylor, Town Clerk, non-member (Minutes and Key Holder)
Police Community Support Officer (PCSO) Working Group

Consisting of: 4 Councillors and the PCSO

Meets: 6 times per year. Jan, Mar, May, July, Sept and Nov.

Time: Evening 7.00pm/Daytime 10.00am

Terms of Reference: to monitor the work of the Bollington PCSO and his/her associated crime reduction and community development activities.

Cllr James Nicholas
Cllr John Whitehurst
Cllr Thomas Mayers
Cllr Graham Hibbert
PCSO Jenny Cole
David Naylor, Town Clerk, non-member (Minutes and Key Holder)
Introduction

1. This Legal Topic Note outlines the circumstances in which local councils may invite non-councillors to sit on council committees. Non-councillors may be invited to sit on two different types of committee:

   - Committees set up to discharge the functions of a council are obliged to include at least one councillor (pursuant to section 102(3) of the Local Government Act 1972 hereafter referred to as ‘the 1972 Act’); and
   - Advisory committees (pursuant to s. 102(4) of the 1972 Act) known sometimes as working parties/groups/panels may be set up to advise a council in any matter relating to the discharge of their functions. Such committees may be wholly comprised of persons who are not members of the council (pursuant to section 102(4) of the 1972 Act). In practice and dependent on their terms of reference, advisory committees are usually comprised of both councillors and those who are not members of the council.

2. The topic of working parties/groups/panels is further documented in LTN 1 (Councils’ Powers to Discharge their Functions).

What is the power?

3. The power is set out in s. 102(3) of the 1972 Act. The section states that committees and sub-committees (including joint committees) of councils can appoint persons to (sub-) committee who are not members of the authority.

Does the power apply to all committees?

4. The power is drafted very broadly and applies to all committees and sub-committees other than:

   ‘A committee for regulating and controlling the finance of the local authority or of their area.’

Disqualification

5. S.102(3) of the 1972 Act provides that a person can be appointed as a non-councillor member of a committee unless they have been disqualified pursuant to s. 104 of the 1972 Act. S. 104 states that a person is disqualified if he would be disqualified from being elected or being a member of a local authority pursuant to Part V of the Act. S. 80
of the 1972 Act sets out the circumstances in which a person is disqualified from being a member of a council. In summary, a non-councillor cannot sit on a committee if he or she:

- holds any paid office or employment (other than the office of chair, vice chair or deputy chair) to which he has been appointed by the council or any committee, or sub-committee of the council, or by a paid officer of the council, or by any joint committee on which the council is represented; or
- is the subject of a bankruptcy restriction order or interim bankruptcy order; or
- has within five years before the day of election, or since his election, been convicted of any offence and has had passed on him a sentence of imprisonment of at least three months (whether suspended or not) without the option of a fine; or
- has been found guilty of corrupt or illegal practices or was responsible for incurring unlawful expenditure and the court orders his disqualification.

6. Further details in respect of the disqualification of persons who can be elected as councillors (and, by virtue of s. 102(3), non-members) are set out in LTN 8 (Elections).

Qualification

7. Persons wishing to become councillors may only do so if they meet the qualification requirements set out in s. 79 of the 1972 Act (also set out in detail in LTN 8 - Elections). These qualification provisions, however, do **not** apply to non-councillor members of committees.

Voting Rights

8. Most non-councillor members of committees and sub-committees do not have voting rights (by virtue of s. 13 of the Local Government and Housing Act 1989). However, by virtue of Article 3 of The Parish and Community Councils (Committees) Regulations 1990 (SI 1990/2476), non-councillor members of committees do have voting rights in respect of:

- the management of land owned or occupied by the council;
- the functions of the council as a harbour authority (as defined in s. 57(1) of the Harbours Act 1964);
- any function under s. 144 of the 1972 Act relating to the promotion of tourism; and
- any function under s. 145 of the 1972 Act relating to the management of a festival.

Code of Conduct

9. Part III of the Local Government Act 2000 as amended deals with the conduct expected of members of local councils. S. 49 (7) of the 2000 Act defines a ‘co-opted member’ as a person who is not a member of the council but who is a member of one its committees or sub committees (including joint committees) and who is entitled to vote on any question which needs to be decided at any such meeting. Article 1(4) of the Local Authorities (Model Code of Conduct) Order 2007 (No. 1159) confirms the Code of
Conduct applies to co-opted members of parish councils. Part 1 of the schedule to the Local Authorities (Model Code of Conduct) (Wales) Order 2008 (No. 788) confirms the Code of Conduct applies to co-opted members of community councils.

10. Article 2(5)(a) of the Local Authorities (Model Code of Conduct) Order 2007 provides that where a person acts as a representative of a parish council on another relevant authority (such as another local authority or a fire and rescue authority) that person must comply with the other relevant authority’s Code of Conduct.

Paragraph 3(a) of the Schedule to the Local Authorities (Model Code of Conduct) (Wales) Order 2008 provides that where a person is elected, appointed or nominated by a community council to serve on another relevant authority (such as another local authority or a fire and rescue authority) that person, must comply with the other relevant authority’s Code of Conduct.

The principle applies both where:

- the non-councillor is a member of a committee or sub committee (including joint) pursuant to s. 102(3) of the 1972 Act; and
- the non-councillor is a member of an advisory committee or sub committee (including joint) pursuant to s. 102(4) of the 1972 Act.

Other Provisions

11. Non-councillor members of committees will be required to comply with the council’s standing orders and will have the same rights as members of the public to attend meetings of the council or other committees of which they are not members. This applies to all non-councillor members of committees – even where they are councillors of other authorities.