

Report to:	COUNCIL
Relevant Officer:	Mark Towers, Director of Governance and Partnerships
Relevant Cabinet Member:	Councillor Blackburn, Leader of the Council
Date of Meeting:	15 May 2017

APPOINTMENT OF COMMITTEES

1.0 Purpose of the report:

1.1 The Council will be asked to consider the appointment of its committees, in accordance with the Council's Constitution and the Local Government Act 1972.

2.0 Recommendation(s):

2.1 To appoint the following Council committees, in line with the political balance calculations and adjustments at Appendix 11(a) and to agree that the powers and duties remain as set out in the Council's Constitution:

- Audit Committee (membership of nine and with a composition of six Labour, three Conservative plus one co-opted member)
- Appeals Committee (membership of seven and with a composition of five Labour and two Conservative).
- Planning Committee (membership of seven and with a composition of five Labour and two Conservative).
- Standards Committee (membership of seven and with a composition of five Labour and two Conservative).
- Chief Officers Employment Committee (membership of seven and with a composition of five Labour and two Conservative).

2.2 That the Independent Remuneration Panel be asked to consider a suitable allowance for an Independent member of the Audit Committee and report back to Council accordingly.

2.3 That in relation to scrutiny:

- (i) To appoint the following committees, in line with the political balance calculations and adjustments at Appendix 11(a) and the revised responsibilities for functions set out in Appendix 11(b):
- Tourism, Economy and Resources Scrutiny Committee (membership of nine and with a composition of six Labour and three Conservative)
 - Children's Scrutiny Committee (membership of nine and with a composition of six Labour and three Conservative).
 - Adults and Health Scrutiny Committee (membership of nine with a

composition of six Labour and three Conservative)

- (ii) To appoint two diocesan co-opted representatives and the two governor co-opted representatives to the Children's Scrutiny Committee
 - (iii) To agree that all three scrutiny committees are assigned the power to deal with any 'call-in' requests initiated in line with Part 4 of the Council's Constitution
 - (iv) To agree that the Chairman position in all three scrutiny committees is filled by a majority group councillor and the Vice Chairman position is filled by an opposition councillor representative.
- 2.4 That the Licensing Committee also be re-appointed with the powers and duties as set out in the Constitution (membership of fifteen and a composition of ten Labour and five Conservative).
- 2.5 Subject to (2.4) above, the Licensing Committee be requested to re-appoint the Public Protection Sub-Committee, with the powers and duties, as set out in the Constitution (membership of seven and with a composition of five Labour and two Conservative).
- 2.6 Subject to the approval of the above recommendations, to note the appointment of members to committees as set out in Appendix 11(c) (to be circulated separately) and thereafter any nominations or changes to nominations reported to the Director of Governance and Partnerships by the relevant Group Leader.
- 2.7 Subject to the approval of the above recommendations, to agree to the appointment of the Chairmen and Vice Chairmen for those committees and the Health and Wellbeing Board as identified at Appendix 11(c) based on the above recommendations.
- 2.8 To confirm the membership of the Health and Wellbeing Board as set out in Appendix 11(c) (to be circulated separately).
- 2.9 Subject to the approval of the above recommendations, to agree that the Director of Governance and Partnerships be authorised to amend the Constitution accordingly.
- 3.0 Reasons for recommendation(s):**
- 3.1 To enable Council business to be transacted by various committees and for the size of the committees to reflect the current political balance of the political groups on the Council. This will also meet statutory requirements.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

There are no other options other than a different or varied set of committees; however, the current committees have been appointed by Council in recent years and help transact the business of Council efficiently. The reconfiguration of scrutiny committees is in line with the health and social care transformation agenda.

4.0 Council Priority:

4.1 The appointment of Council committees will help the Council achieve all its priorities.

5.0 Background Information

5.1 **Overview and Scrutiny** - The Council currently has three scrutiny committees, two of which are based around the Council's priorities with the third focussing on health. In line with the Government's health and social care integration agenda, it is proposed that scrutiny of the portfolio areas in relation to adult services is combined with health scrutiny. In effect this would mean the following three scrutiny committees:

- Children's Scrutiny Committee
- Adults and Health Scrutiny Committee
- Tourism, Economy and Resources Scrutiny Committee

5.2 It is suggested that the three scrutiny committees meet approximately every eight weeks. Updated terms of reference for all scrutiny committees are attached at Appendix 11(b).

5.3 It is recommended that the Chairman for the three scrutiny committees be a majority party councillor and the Vice Chairman of the committees be an opposition councillor (as per current practice).

5.4 It is also recommended that the 'call in' of Executive decisions function, be dealt with by the relevant scrutiny committee, as per the proposed responsibilities.

5.5 **Audit Committee** – it is proposed that the Audit Committee appoints an appropriately qualified independent co-opted member, who would serve on the committee with non-voting rights. This is in line with the recommendation of the Audit Committee as part of the consideration of the action plan from the current Annual Governance Statement, to help strengthen the assurance and challenge role for that committee.

- 5.6 **Proposed committees** – the committees and their number of members are set out below:
- Tourism, Economy and Resources Scrutiny (nine members)
 - Children’s Communities Scrutiny (nine members plus four co-opted members)
 - Adults and Health Scrutiny (nine members)
 - Audit (nine members plus one co-opted independent member)
 - Appeals (seven members)
 - Planning (seven members)
 - Standards (seven members)
 - Chief Officers Employment (seven members)
 - Licensing (fifteen members)
- 5.7 Although not subject to political balance rules, it is recommended that the same methodology be applied to Licensing and for a committee of fifteen there would be ten Labour councillors and five Conservative councillors.
- 5.8 The Licensing Committee would also need to appoint one permanent sub-committee - Public Protection - which is subject to the political balance rules and therefore has to be included in the aggregated proportionality calculations.
- 5.9 In 2013, the Council appointed a Health and Wellbeing Board. The membership of the Board is also listed at Appendix 11(c)
- 5.10 A full schedule of political balance calculations for all the proposed committees and the permanent sub-committee is attached at Appendix 11(a).
- 5.11 **Appointment of Chairmen** - the appointment of Chairmen of committees can be undertaken by either the Council or the committees themselves. At previous Annual Council meetings, the Council has appointed the Chairmen and Vice Chairmen and it is recommended that this practice continues. Appendix 11(c) lists the notified names of committee members and proposed chairmanship and vice-chairmanship positions. (The appointment of the Chairmen and Vice Chairmen for the Public Protection Sub-Committee is a matter for the Licensing Committee to deal with).
- 5.12 In addition to the scrutiny chairmanship proposals, it is recommended that the Chairman of the Audit Committee be from the opposition group and the Vice Chairman be from the majority group. All the other proposals for Chairmen and Vice Chairmen are proposed from the majority group as has been previous practice.
- 5.13 The recent Planning peer review recommended the Labour group appointing one of its Cabinet Members to the Planning Committee (within its existing allocation of seats for that committee) to strengthen the link between that committee and the

Executive. This is common practice in a number of councils.

No

List of Appendices:

Appendix 11(a) - sets out the political balance calculations

Appendix 11(b) - sets out the revised responsibilities of the scrutiny committees

Appendix 11(c) - sets out the proposed members to be appointed to Council committees and the Health and Wellbeing Board (to be circulated separately).

6.0 Legal considerations:

6.1 The Local Government and Housing Act 1989 requires the Council to review periodically the political composition of the Authority and how this is applied to appointments to Council bodies. The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations, 1990. See:

<http://www.legislation.gov.uk/uksi/1990/1553/regulation/17/made>

7.0 Human Resources considerations:

7.1 There are no Human Resources considerations.

8.0 Equalities considerations:

8.1 There are no equalities considerations.

9.0 Financial considerations:

9.1 Special responsibility allowances for the proposed Chairman and Vice Chairman are met from the Members Allowances budget. It is envisaged that any additional allowance for an independent member could be met from that budget.

10.0 Risk management considerations:

10.1 Failure to appoint certain committees will hinder the Council in maintaining its statutory duties i.e. consideration of planning applications, hearing of appeals etc.

11.0 Ethical considerations:

11.1 There are no ethical considerations.

12.0 Internal/ External Consultation undertaken:

12.1 The Leader of the Council and the Leader of the Conservative Group will put forward nominations for their representatives to serve on the recommended committees.

13.0 Background papers:

13.1 There are no additional background papers to this report.