

Report to:	COUNCIL
Relevant Officer:	Mark Towers, Director of Governance and Partnerships
Relevant Cabinet Member:	Councillor L Williams, Leader of the Council
Date of Meeting:	24 May 2021

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, with powers and duties as set out in the Council's Constitution.

- Adult Social Care and Health Scrutiny Committee
- Tourism, Economy and Communities Scrutiny Committee (subject to 2.2 below)
- Children and Young People's Scrutiny Committee
- Audit Committee
- Appeals Committee
- Planning Committee
- Standards Committee
- Chief Officers Employment Committee

- 2.2 To appoint a Scrutiny Leadership Board, with the powers set out in the Council's constitution with the addition of responsibility for:

- scrutiny work to be undertaken in relation to council companies following liaison with the proposed Shareholder Committee of the Executive.
- monitoring and commenting on the Council's, medium term financial strategy, financial outturn reports and any other overarching financial strategies deemed appropriate (transfer of functions from Tourism, Economy and Communities Scrutiny Committee)

The Board to continue to have an adjusted political balance membership of three Labour, four Conservative (to be made up of the Chairs, Vice Chairs of the three Scrutiny Committees and the Chair of the Audit Committee) and also to add the non-aligned Independent Member as Chair of the Committee in line with the recommendation of agenda item 7.

- 2.3 To agree the political balance attached at Appendix 8(a) and appointments to the above committees at Appendix 8(b), the latter will be circulated separately.
- 2.4 To reappoint the Licensing Committee with the powers and duties as set out in the Constitution (membership of thirteen and a composition of seven Labour, five Conservative and one Blackpool Independent).
- 2.5 Subject to (2.4) above, to request the Licensing Committee to re-appoint the Public Protection Sub-Committee, with the powers and duties, as set out in the Constitution including the appointment of the Chair and Vice-Chair.
- 2.6 To agree that any membership changes to committees or sub-committees during the course of the Municipal Year be reported to the Director of Governance and Partnerships by the relevant Group Leader for implementation.
- 2.7 Subject to the approval of the above recommendations, to agree to the memberships of the committees of the Council and their Chairs and Vice Chairs as set out in Appendix 8(b) (to be circulated separately) and that delegated authority is given to the committees themselves to determine changes to Chairs and Vice Chairs, in line with the principles set out in this report should the need arise for change during the municipal year.
- 2.8 To confirm the membership of the Health and Wellbeing Board and the appointment of the Chair and Vice-Chair of the Board as set out in Appendix 8(b) (to be circulated separately).
- 2.9 To agree that Shareholder's Advisory Board be disbanded and that the Executive be requested to set up a Shareholder Committee comprising of the Deputy Leader of the Council, the Leader of the Council as substantive members and the Deputy Leader of the Principal Opposition Group as a co-opted member.
- 2.10 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.

As the main financial strategies for the Council are organisation wide, it is considered more appropriate for their monitoring to be undertaken by the Scrutiny Leadership Board.

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.

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 **Proposed committees** – the committees are set out below:

- Scrutiny Leadership Board
- Adult Social Care and Health Scrutiny Committee
- Tourism, Economy and Communities Scrutiny Committee
- Children and Young People's Scrutiny Committee
- Audit Committee
- Appeals Committee
- Planning Committee
- Standards Committee
- Chief Officers Employment Committee

5.2 Taking into account the results of two by-elections on 6 May and in year changes to group make up, the political makeup of the Council is currently 22 Labour, 16 Conservative, one group of two independent members - the Blackpool Independents (comprising of Councillors Gary and Debbie Coleman) and two non-aligned independent members – Councillor Cain and Councillor Mrs Callow. The Annual Meeting is the annual occasion to review the political balance calculations in order to meet the requirements of the Local Government and Housing Act 1989 and the associated regulations and this report seeks to do that.

5.3 Although not subject to political balance rules, it is recommended that the same methodology be applied to the Licensing Committee and for a committee of thirteen then there would be seven Labour councillors, five Conservative councillors and one Blackpool Independent group councillor.

- 5.4 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.
- 5.5 A full schedule of political balance calculations for all the proposed committees and the permanent sub-committee is attached at Appendix 8(a). These have been allocated by 'political group'. A 'political group' is one, which has been constituted in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 and consists of at least two members. The two non-aligned independents as they are not part of a political group are not automatically entitled to a seat on a committee.
- 5.6 **Size of committees** – the Public Protection Sub Committee and the Planning Committee have been reduced down to their previous size of seven members, this is because these two committees are predominantly subject to public representations and a smaller committee in such circumstances is recommended and follows previous practice. The CIPFA Guide for Audit Committees: Practical Guidance for Local Authorities and Police (2018 Edition) does not state a recommended size for an Audit Committee, but indicates that the average is between six and eight members and a committee of that size can focus on its business more effectively. During this last 12 months, two co-opted independent persons have also been appointed to the committee, it is therefore recommended to reduce the size of this committee to seven elected members plus the two independent co-opted persons.
- 5.7 **Shareholder Advisory Board** – following feedback from the North West Employers Scrutiny review and the recent HQN independent review of Blackpool Coastal Housing Limited, it is noted that there is sometimes confusion about the role of the Shareholders Advisory Board, whether it is an Executive function or a scrutiny function by stakeholders reporting to it. It is therefore proposed that a committee of the Executive be appointed to act as the Shareholder Executive function and this committee comprise of the Deputy Leader of the Council, Councillor I Taylor, the Leader of the Council, Councillor L Williams and the Deputy Leader of the Principal Opposition Group, Councillor D Clapham be a co-opted member of this committee. This would also mean that any decisions of that committee would be Executive decisions and there be no need for a further meeting of the Executive for any further approvals. In line with the recommendations of the North West Employers review it is recommended that the Scrutiny Leadership Board takes responsibility for any scrutiny work to be undertaken in relation to council companies, liaising with the proposed Shareholder Committee of the Executive. The formation of this will be subject to separate Executive approval.
- 5.8 **Appointment of Chairs** – these can be undertaken by either the Council or the committees themselves. Appendix 8(b) (to be circulated separately) lists the notified names of committee members and proposed chair and vice-chair positions. The

appointment of the Chair and Vice Chair for the Public Protection Sub-Committee is a matter for the Licensing Committee to deal with. It is also recommended that the committees be given delegated authority to determine any changes to the Chair or Vice Chair positions where changes are necessary during the course of the Municipal Year, in line with the principles set out in this report.

5.9 It is recommended that as has been previous practice, the following principles be applied:

- the Chair of the Audit Committee is from the principal opposition group and the Vice Chair from the majority group
- the Chair positions in all three Scrutiny Committees be filled by majority group councillors and the Vice Chair positions be filled by principal opposition councillors
- the Vice Chair of the Licensing Committee be filled by a principal opposition councillor
- all other proposals for Chairs and Vice Chairs are filled by councillors from the majority group.

List of Appendices:

Appendix 8(a) - Political balance calculations

Appendix 8(b) - Proposed membership of the Council's 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/ukxi/1990/1553/regulation/17/made>

7.0 Equalities considerations:

7.1 There are no equalities considerations.

8.0 Financial considerations:

8.1 Special responsibility allowances for the proposed Chairs and Vice Chairs are met from the Members Allowances' budget.

9.0 Risk management considerations:

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

10.0 Sustainability, climate change and environmental considerations:

- 10.1 None.

11.0 Internal/ External Consultation undertaken:

- 11.1 The Group Leaders put forward nominations for their representatives to serve on the recommended committees.

12.0 Background papers:

- 12.1 There are no additional background papers to this report.