

<b>Report to:</b>	<b>COUNCIL</b>
<b>Relevant Officer:</b>	<b>Mark Towers, Director of Governance and Regulatory Services</b>
<b>Relevant Cabinet Member:</b>	<b>Councillor Blackburn, Leader of the Council</b>
<b>Date of Meeting:</b>	<b>22 May 2015</b>

## **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 two scrutiny committees namely:

- Tourism, Economy and Resources Scrutiny Committee
- Resilient Communities Scrutiny Committee

in line with the political balance calculations at Appendix 12(a), (membership of nine and with a composition of six Labour and three Conservative), with the powers and duties as set out at Appendix 12(b).

2.2 That the Resilient Communities Scrutiny Committee also appoints the two diocesan co-opted representatives and the two governor co-opted representatives.

2.3 Subject to (2.1) and (2.2) above, that both scrutiny committees be assigned the power to deal with any 'call-in' requests initiated in line with Part 4 of the Council's Constitution.

2.4 Subject to (2.1) above, that the Chairman position in both Committees be filled by a majority group councillor and the Vice Chairman/ Shadow Cabinet Member position be filled by an opposition councillor representative.

2.5 To also appoint the following committees, in line with the political balance calculations and adjustments at Appendix 12(a). These are:

- Audit Committee (membership of nine and with a composition of six Labour and three Conservative), the revised purpose, powers and duties of this committee to be as set out in Appendix 12(c).
  - 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).
- 2.6 Subject to the appointment of the committees as set out in 2.5 above, to agree that the powers and duties of the Appeals, Planning, Standards and Chief Officers Employment Committees remain as set out in the Council's Constitution.
- 2.7 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).
- 2.8 Subject to (2.7) 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).
- 2.9 Subject to the approval of the above recommendations, to note the appointment of members to committees as set out in Appendix 12(d) (to be circulated separately) and thereafter any nominations or changes to nominations reported to the Director of Governance and Regulatory Services by the relevant Group Leader.
- 2.10 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 Well Being Board as identified at Appendix 12(d) based on the above recommendations.
- 2.11 To confirm the membership of the Health and Wellbeing Board as set out in Appendix 12(d).
- 2.12 Subject to the appointment of the Leader of the Council and subsequent Cabinet Member appointments, to note that in line with the provisions within the Constitution (set out at paragraph 6.1 of Article 7), that the Leader of the Council intends to appoint two non-Executive councillors to Cabinet Assistant posts and will inform the Director of Governance and Regulatory Services of those names in due course and any future changes to those appointments.

2.13 Subject to the approval of the above recommendations, to agree that the Director of Governance and Regulatory Services 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.

**4.0 Council Priority:**

4.1 The appointment of Council Committees will help the Council achieve all its priorities. The proposed two Scrutiny Committees will focus on the proposed priorities of the Council and performance management in those areas.

**5.0 Background Information**

5.1 **Overview and Scrutiny** - The Council currently has two scrutiny committees: one main Scrutiny Committee and one Health Scrutiny Committee. Scrutiny reviews have been undertaken on a 'commissioning basis' whereby short life panels have been established for review purposes.

5.2 Proposals have been put forward for a review of this structure to create two main scrutiny committees, which would reflect the Council's proposed priorities for 2015 onwards and mirror the proposed roles of the (to be appointed) Deputy Leader and the Cabinet Secretary. One committee would be based around tourism, the economy and jobs with the second to focus on resilient communities (including children's, adults and health). Both committees would have an enhanced performance management focus around these priorities. This will help focus the Council resource on specific areas and for the scrutiny committees to ensure that targets are met in order to improve outcomes in these areas.

- 5.3 At the last meeting of the Finance and Audit Committee on 5 March 2015, consideration was given to a revised set of terms of reference more aligned to the model terms of reference as recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) which focuses on the 'core' audit function.
- 5.4 In Blackpool, the Finance and Audit Committee has traditionally undertaken both the audit function as well as monitoring (scrutiny of) financial reports and budget consultation whereas elsewhere, the latter areas are usually undertaken as part of the scrutiny function. In line with this practice, it is appropriate now to move the financial scrutiny element to the Tourism, Economy and Resources Scrutiny Committee in order to allow the Audit Committee to revert to its core role. Appendix 12(c) sets out a revised Article to outline the purpose of the committee and the revised responsibilities of that committee are also included.
- 5.5 It is also recommended that the Tourism, Economy and Resources Scrutiny Committee, which is proposed to mirror the Deputy Leader, also scrutinises the responsibilities of the Leader of the Council.
- 5.6 It is recommended that the Chairman for the two scrutiny committees be a majority party councillor and the Vice Chairman/ Shadow Cabinet Member of both committees be an opposition councillor.
- 5.7 Instead of having a separate Call-In Sub Committee to deal with the 'call in' of Executive decisions function, it is recommended that any 'call-ins' be dealt with by the appropriate scrutiny committee.
- 5.8 **The proposed committees** and their number of members are set out below:
- Tourism, Economy and Resources Scrutiny (nine members)
  - Resilient Communities Scrutiny (nine members)
  - Audit (nine members)
  - Appeals (seven members)
  - Planning (seven members)
  - Standards (seven members)
  - Chief Officers Employment (seven members)
  - Licensing (fifteen members)
- 5.9 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.

- 5.10 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.
- 5.11 In 2013, the Council appointed a Health and Well Being Board. There are no proposals to make any changes to this other than the representatives on the Board to reflect the proposed Cabinet Member responsibilities. The membership of the Board is also listed at Appendix 12(d).
- 5.12 A full schedule of political balance calculations for all the proposed committees and the permanent sub-committee is attached at Appendix 12(a).
- 5.13 **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. It is recommended that this practice continues. Appendix 12(d) 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).
- 5.14 In addition to the scrutiny chairmanship proposals at para 5.5, 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.

Does the information submitted include any exempt information?

No

**List of Appendices:**

Appendix 12(a) sets out the political balance calculations

Appendix 12(b) sets out the revised responsibilities of the scrutiny committees

Appendix 12(c) sets out the revised purpose and responsibilities of the Audit Committee

Appendix 12(d) sets out the proposed members to be appointed to Council committees and the Health and Well Being 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 There are no additional financial considerations.

**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 Consultation has been undertaken with the Leader of the Council and the Leader of the Conservative Group regarding their representatives to serve on the recommended committees.

**13.0 Background papers:**

13.1 There are no additional background papers to this report.