

Report to:	COUNCIL
Relevant Officer:	Mark Towers, Director of Governance and Partnerships
Relevant Cabinet Member:	Leader of the Council
Date of Meeting:	24 May 2023

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 relevant legislation.

2.0 Recommendation(s):

2.1 To appoint the following Council committees, with powers and duties as set out in the Council's Constitution:

- Audit Committee
- Planning Committee
- Standards Committee

2.2 To appoint the following committees with the powers and duties as set out at Appendix 12a:

- Appeals Committee
- Chief Officers' Employment Committee

2.3 To appoint the following scrutiny committees with the powers and duties as set out at Appendix 12b:

- Children and Young People's Scrutiny Committee
- Adult Social Care and Health Scrutiny Committee
- Levelling Up Scrutiny Committee
- Climate Change and the Environment Scrutiny Committee

and delegate authority to the Director of Governance and Partnerships to amend the responsibility areas if Cabinet Member responsibilities are changed.

2.4 To appoint a Scrutiny Leadership Board, with the powers set out in the Council's constitution and for the Board to have an adjusted political balance membership of four Labour, six Conservative (to be made up of the Chairs, Vice Chairs of the four scrutiny committees, the Chair of the Audit Committee and also to add the Principal Opposition Group Leader as Chair of the Committee in line with the recommendation of agenda item 11).

- 2.5 To agree the political balance attached at Appendix 12c and appointments to the above committees at Appendix 12d (the latter will be circulated separately) and to delegate authority to the Children and Young People’s Scrutiny Committee to confirm appointments to co-opted positions throughout the year.
- 2.6 To reappoint the Licensing Committee with the powers and duties as set out in the Constitution (equating to a membership of 12 and a composition of eight Labour and four Conservative).
- 2.7 Subject to (2.6) 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.
- 2.8 Subject to (2.2) above, to request the Chief Officers’ Employment Committee to appoint the following standing sub-committees:
- Chief Officers’ Appointments Sub-Committee
 - Chief Officers’ Disciplinary Sub-Committee
 - Chief Officers’ Appeals Sub-Committee
- with the powers and duties, as set out in Appendix 12a including the appointments of the Chairs and Vice-Chairs and to add in the powers and duties of the Independent Panel (Statutory Officers) as referred to in para 6.2 below and also set out in Appendix 12a.
- 2.9 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.
- 2.10 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 12d (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.
- 2.11 To confirm the membership of the Health and Wellbeing Board with the powers and duties as set out in the Constitution and the appointment of the Chair and Vice-Chair of the Board as set out in Appendix 12d (to be circulated separately).
- 2.12 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 and those set out in the revised Joint Negotiating Committee (JNC) Handbook for Local Authority Chief Executives - National Salary Framework and Conditions of service which was republished in late 2022.

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 options available including a different or varied set of committees. However, the proposed committees take account of legislative needs with regard to regulatory committees and the Council's priorities in respect of scrutiny committees. It is considered that these proposals will 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 The Annual Meeting is the yearly 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. It is also the time to review the political management arrangements and make any changes that may be required by legislation, updated guidance and, in an election year, as a result of the local elections. Specific recommendations regarding Chairs and Vice Chairs have been informed by discussions with the Leader of the Council.

6.0 Proposals

Powers and duties

6.1 Currently the Council has two committees that deal with employment matters: the Chief Officers' Employment Committee and the Appeals Committee. As a result of revisions in late 2022 to the national Joint Negotiating Committee (JNC) for Local Authority Chief Executives - National Salary Framework and Conditions of Service Handbook, a revised structure for dealing with employment matters for Chief Officers is now recommended and three sub-committees are proposed in line with

this, along with revised terms of reference for the current committees. This is as follows:

- Appeals Committee – with revised powers and duties as set out in Appendix 12a.
- Chief Officers' Employment Committee – revised powers and duties and with three new sub-committees to be established ie:
 - Chief Officers' Appointments Sub-Committee
 - Chief Officers' Disciplinary Sub-Committee
 - Chief Officers' Appeals Sub-Committeeas set out in Appendix 12a.

Membership of the sub-committees would be drawn in the first instance from the Chief Officers' Employment Committee as the 'parent' committee but may include other members as appropriate.

6.2 On 8th July 2015, the Council in accordance with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 appointed the three Independent Persons who have been appointed under the Members' Code of Conduct framework (Section 28 (7) of the Localism Act 2011) to advise the Council on recommendations for dismissal relating to the Head of Paid Service, the Chief Finance Officer and Monitoring Officer. For completeness these powers will now be added to the Responsibility for Functions area of the Constitution and are referenced on Appendix 12a.

6.3 In terms of scrutiny, four scrutiny committees are being proposed that closely align with the Council's key priorities with powers and duties set out at Appendix 12b:

- Children and Young People's Scrutiny Committee
- Adult Social Care and Health Scrutiny Committee
- Levelling Up Scrutiny Committee
- Climate Change and the Environment Scrutiny Committee

The Scrutiny Leadership Board would continue to have overall responsibility for scrutiny and it is recommended that its powers and duties remain unchanged.

6.4 In terms of the remaining committees set out below, it is also recommended that their powers and duties remain unchanged:

- Audit Committee
- Planning Committee
- Standards Committee
- Licensing Committee
- Public Protection Sub-Committee
- Health and Wellbeing Board.

- 6.5 In June 2021, the Executive appointed a Shareholder Committee comprising of the Deputy Leader of the Council, the Leader of the Council as substantive members and a member of the principal Opposition Group as a co-opted member (this role was previously held by the Deputy Opposition Leader). As a committee of the Executive, the Executive will be asked to reappoint at its first meeting in June 2023.

Political balance calculations

- 6.6 A full schedule of political balance calculations for all the proposed committees and the permanent sub-committee is attached at Appendix 12c. 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 and the due notice has been given to the Proper Officer as to the members of that group.
- 6.7 Although not subject to political balance rules, it is recommended that the same methodology be applied to the Licensing Committee and for that committee to equate to a membership of 12, then there would be eight Labour councillors and four Conservative councillors.
- 6.8 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.
- 6.9 Following the election on 4 May, the results for Blackpool were 28 Labour councillors and 14 Conservative. Using the structure of committees previously agreed by Council then under the political balance calculations overall the allocation of seats by Group is as follows:
- Labour Group – 69 seats
 - Conservative Group – 34 seats

These are the calculations identified at stage 3 of the attached schedule at Appendix 12c. When the formulae is applied to each committee then to align back to the stage 3 group numbers there has to be some adjustments made to give each group their allocated number of seats. This has been done on the schedule at Appendix 12c, following normal practice which has been to consult the Group Leaders.

Appointment of Chairs

- 6.10 Appointment of Chairs can be undertaken by either the Council or the committees themselves. Appendix 12d (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 and the sub-committees of the Chief Officers' Employment Committee is a matter for those

parent committees 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.

6.11 Following consultation held with the Leader of the Council, it is recommended that the principles listed below 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 four 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 12a - Proposed terms of reference for committees dealing with employment matters
- Appendix 12b – Proposed terms of reference for scrutiny committees
- Appendix 12c - Political balance calculations
- Appendix 12d - Proposed membership of the Council’s committees and the Health and Wellbeing Board (to be circulated separately)

7.0 Legal considerations:

7.1 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:

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

8.0 Equalities considerations:

8.1 There are no equalities considerations.

9.0 Financial considerations:

9.1 Special responsibility allowances for the proposed Chairs and Vice Chairs are met from the Members Allowances' 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 Sustainability, climate change and environmental considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 The Group Leaders 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.