

Report to:	COUNCIL
Relevant Officer:	Lorraine Hurst, Assistant Chief Executive (Governance) / Monitoring Officer
Relevant Cabinet Member:	Leader of the Council
Date of Meeting:	15 May 2024

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
 - Appeals Committee
 - Chief Officers' Employment Committee
 - Children and Young People's Scrutiny Committee
 - Adult Social Care and Health Scrutiny Committee
- 2.2 To appoint the following scrutiny committees with the powers and duties as set out at Appendix 10a
- Levelling Up Scrutiny Committee
 - Climate Change and the Environment Scrutiny Committee
- and delegate authority to the Monitoring Officer to amend the responsibility areas of scrutiny committee areas to correspond with the appropriate Cabinet Member responsibilities (if these are changed).
- 2.3 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 and Vice Chairs of the four scrutiny committees, the Chair of the Audit Committee and the Principal Opposition Group Leader).

- 2.4 To agree the political balance attached at Appendix 10b and appointments to committees at Appendix 10c (to 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.
- 2.5 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).
- 2.6 Subject to 2.5 above, to request the Licensing Committee to re-appoint the Public Protection Sub-Committee in accordance with the political balance as set out at Appendix 10b, with the powers and duties, as set out in the Constitution and to appoint the Chair and Vice-Chair.
- 2.7 Subject to 2.1 above, to request the Chief Officer's Employment Committee to re-appoint the following standing sub-committees in accordance with the political balance as set out at Appendix 10b:
- Chief Officers' Appointments Sub-Committee
 - Chief Officers' Disciplinary Sub-Committee
 - Chief Officers' Appeals Sub-Committee
- with the powers and duties as set out in the Constitution and to appoint the Chairs and Vice-Chairs.
- 2.8 To re-appoint the Independent Panel (Statutory Officers) with the powers and duties as set out in the Constitution comprising the three Independent Persons who have been appointed under the Members' Code of Conduct framework (Section 28 (7) of the Localism Act 2011).
- 2.9 To agree that any membership changes to committees or sub-committees during the course of the Municipal Year be reported to the Monitoring Officer 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 10c (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 10c (to be circulated separately).
- 2.12 Subject to the approval of the above recommendations, to agree that the Monitoring

Officer 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.

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 Leaders of the Council and are those previously appointed.

6.0 Proposals

Powers and duties

6.1 It is proposed that the powers and duties for all committees remain unchanged, with the exception of the two scrutiny committees set out at paragraph 6.2 below.

6.2 In respect of scrutiny of housing functions, this currently falls across two scrutiny

committees - the Climate Change and Environment Scrutiny Committee (for Cabinet Member responsibilities relating to private sector housing licensing / selective licensing) and the Levelling Up Scrutiny Committee (for Cabinet Member responsibilities relating to strategic housing). It is proposed that the Levelling Up Scrutiny Committee undertakes scrutiny of the full housing function (thereby incorporating these two Cabinet Member responsibility areas). Proposals for revised powers and duties for these two scrutiny committees are included at Appendix 10a.

Political balance calculations

- 6.3 A full schedule of political balance calculations for all the proposed committees and the permanent sub-committee is attached at Appendix 10b. 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.
- 6.4 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.
- 6.5 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.

Appointment of Chairs

- 6.6 Appointment of Chairs can be undertaken by either the Council or the committees themselves. Appendix 10c (to be circulated separately) lists the notified names of committee members and proposed chair and vice-chair positions and are based on those previously appointed. 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.
- 6.7 Following consultation held with the Leader of the Council and in line with the decision of council last year, 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

- Scrutiny Leadership Board – Leader of the Principal Opposition Group
- 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 10a – Proposed revisions to the terms of reference for the Levelling Up Scrutiny Committee and the Climate Change and Environment Scrutiny Committee
- Appendix 10b- Political balance calculations
- Appendix 10c - 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 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 Equalities considerations and the impact of this decision for our children and young people:

10.1 A dedicated scrutiny committee with a remit in terms of Children and Young People is included as part of the proposed structure.

11.0 Sustainability, climate change and environmental considerations:

11.1 A dedicated scrutiny committee - Climate Change and the Environment Scrutiny Committee - is included as part of the proposed structure.

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 None.