

WIRRAL COUNCIL

ANNUAL COUNCIL

19 MAY 2015

SUBJECT:	APPOINTMENT AND CONSTITUTION OF COMMITTEES 2015/2016
WARD/S AFFECTED:	ALL
REPORT OF:	HEAD OF LEGAL AND MEMBER SERVICES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to request the Council, in accordance with the relevant statutory provisions and the terms of the Constitution, to appoint Committees for 2015/2016.

2.0 BACKGROUND AND KEY ISSUES

2.1 Proportionality

2.1.1 Members must have regard to the requirements of section 15 of the Local Government and Housing Act 1989, and the relevant regulations (which deal with political balance on committees and sub-committees), and the terms of the High Court judgment in the case of R v Brent LBC ex-parte Gladbaum and Wood (which requires the relevant parent committee, rather than the Council, to appoint members of sub-committees and panels).

2.1.2 The political composition of the Council following the elections is as follows:

Labour	39 seats	(59.1% of the 66 seats)
Conservative	21 seats	(31.82%)
Liberal Democrat	5 seats	(7.58%)
Green	1 seat	(1.51%)

2.1.3 Based on the numbers of committees, the total number of committee places to be allocated in accordance with the above percentages, excluding the Cabinet and Constituency Committees is **133** (referred to as available seats). The method of calculation of committee places for each political group is set out in Appendix 1.

2.2 Statutory and Other Considerations

2.2.1 Unless appointed as full members, the Leaders and Deputy Leaders of the three largest political parties represented on the Council are entitled to attend meetings of all committees and sub-committees, but with no right to vote and the right to speak only at the Chair's invitation (Standing Order 25(5)).

2.2.2 The Council is reminded that seats must be allocated to political groups in accordance with the following principles:

- (a) not all seats may be allocated to the same group;
- (b) a group with an overall majority is entitled to a majority of the seats on every committee;
- (c) subject to (a) and (b), the total of available seats must be allocated in the same proportion as each group's membership bears to the Council's membership;
- (d) subject to (a) to (c), the number of seats on each committee must be proportional to the group's membership of the Council.

Note: Only principles (a), (b) and (d) apply to the appointment of sub-committees, panels and advisory committees.

2.2.3 The Cabinet has previously expressed the view that non-executive members of the Council (other than the Mayor) should have the opportunity to serve on a scrutiny committee if they so choose and a total of 60 places will be available.

2.2.4 Although the same might be said for all committees, for the Pensions Committee in particular it is considered desirable to maintain a continuity of membership.

2.2.5 A list of the 2014/15 year's membership of committees is attached as Appendix 2 and may prove useful as a guide. The numbers required to be appointed by each group are indicated.

2.2.6 It is suggested that it would be good practice for the Coordinating Committee to include the Chairs and Vice-Chairs (six members) of the three Policy and Performance Committees.

2.3 Co-opted members

2.3.1 The position with co-opted members is that any Policy and Performance Committee is entitled to recommend to the Council the appointment of any non-voting co-optees. The Families and Wellbeing Policy and Performance Committee currently has four co-optees – there is a statutory requirement to have representatives of the Catholic and Church of England dioceses and of parent governors – who are entitled to vote on education matters. These co-optees should also be appointed to the Coordinating Committee for those occasions when it deals with education matters. The Pensions Committee also has voting co-optees who represent the other four districts in Merseyside and the wider membership of the Merseyside Pension Fund.

2.4 Appointment of Chairs and Vice-Chairs

2.4.1 Standing Order 5A (2) (e) provides for the Council to appoint Chairs and Vice-Chairs to individual committees.

2.5 Deputies

2.5.1 Standing Order 25(6) (a) permits the Council to appoint up to a maximum of eight deputies for each political group on Committees. It is not necessary for deputies to be appointed for the Licensing Act 2003 Committee. This is because the vast majority of its work will be done by Sub-Committees comprising any three members of the Committee.

3.0 RELEVANT RISKS

3.1 There is a requirement under the Council's Constitution that the Annual Council meeting shall appoint Members to Committees.

4.0 OTHER OPTIONS CONSIDERED

4.1 No other options were considered beyond those outlined in the report.

5.0 CONSULTATION

5.1 It is for political groups to decide how they wish to allocate their committee places.

6.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

None.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 There are no implications arising directly from this report.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 There are no implications arising directly from this report.

9.0 LEGAL IMPLICATIONS

9.1 There are no implications arising directly from this report.

10.0 EQUALITIES IMPLICATIONS

10.1 There are none arising directly from this report.

11.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

11.1 There are no implications arising directly from this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are no implications arising directly from this report.

13.0 RECOMMENDATION/S

13.1 The Council is requested to:

- (a) agree the constitution and membership of committees in 2015/2016 (including deputies), having regard to the political proportionality requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 and relevant case law;
- (b) agree the appointment of chairs and, if considered appropriate, vice-chairs;
- (c) note the designation of party spokespersons.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 The Annual Meeting of the Council is required to make appointments to Committees.

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APPENDICES

1. Calculation of Committee Places
2. Committee Membership 2014/2015

REFERENCE MATERIAL

Previous reports on the appointment of Committees and amendments made during the year and the Council's Constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	9 June 2014
Council	20 May 2013
Council	30 April 2013
Council	14 May 2012