

ANNUAL COUNCIL

28 SEPTEMBER 2020

SUBJECT:	APPOINTMENT OF COMMITTEES 2020/2021
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is for Council to determine such committees as it considers appropriate for the municipal year and, having done so, determine the number of members to form the committees, the allocation of political balance to those committees that are not exempted from the requirements and to appoint Members to those committees.

RECOMMENDATIONS

It is recommended that Council:

- (1) Agrees to the formation of those committees set out in Part 3(B) of the Constitution (that may be agreed at item 6A above) and
 - (a) Exempt from political balance requirements the:
 - (i) Constitution and Standards Committee at section 14.1 of Part 3(B); and
 - (ii) Senior Officer Appointments and Staffing Sub-Committee and associated sub-committee at section 1.3 and 1.4 of Part 3(B) and appoints membership in accordance with those provisions [requiring a unanimous vote of Council]
 - (b) Allocates seats on those remaining committees subject to political balance arrangements as set out in Appendix 1
- (2) Authorises the monitoring officer as proper officer to carry out the wishes of the Leaders of Political Groups in allocating Members to membership and substitute membership of the committees or other authorities, and to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 The Annual Meeting of the Council is required to make appointments to Committees of the Council, Statutory / Advisory Committees and Panels, and outside organisations.

2.0 OTHER OPTIONS CONSIDERED

2.1 Options for appointments and the numbers of committee places have been discussed within the Group Leaders' Meeting (Committee System), operating as a working group.

3.0 BACKGROUND INFORMATION

3.1 Committees

3.1.1 The Draft Constitution submitted to the Council contains a number of ordinary and statutory committees. These are identified in the Summary (Part 1), Articles Part 2) and set out in detail with Terms of Reference at Part 3B.

3.1.2 The Constitution establishes most of these committees with a membership of eleven (11) Members of the Council, but which may be altered to accommodate the overall political balance calculation.

3.2 Proportionality

3.2.1 The Council must comply with the requirements of sections 15 to 17 of the Local Government and Housing Act 1989 (LGHA), and the relevant regulations concerning political balance on committees and sub-committees.

3.2.2 The current political composition of the Council is as follows:

Labour	31 seats	(46.97% of the 66 seats)
Conservative	21 seats	(31.81%)
Liberal Democrat	6 seats	(9.09%)
Independent	3 seats	(4.55%)
Green	2 seats	(3.03%)
Vacancies	3 seats	(4.55%)

3.2.3 The determination of political balance must, so far as reasonably practicable, give effect to the principles:

- (a) that not all the seats on the body to which appointments are made are allocated to the same political group;
- (b) that the majority of seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;

- (c) subject to (a) and (b), that the total number of seats on all the ordinary committees of a relevant authority allocated to a particular political group reflects that group's proportion of the membership of the authority; and
- (d) subject to (a) and (c), that the number of seats on each body allocated to a particular political group reflects that group's proportion of the membership of the authority.

3.2.4 In amending the numbers on committees to best meet these legal requirements, the Group Leaders' Meeting (Committee System) recommended as desirable additional design principles:-

- (i) that no group should have a majority number on a committee where they do not hold a majority of the Council seats as a whole, for which purposes the chair's second or casting vote should be taken into consideration;
- (ii) the numbers should be reduced rather than increased to accommodate the calculations, so as to ease the pressure on smaller groups to maintain attendance; and
- (iii) the committee numbers should be dealt with as consistently as reasonably possible, and any flex required should fall to the non policy and services committees and to also to maximise the number on regulatory (non-whipped) committees for their business requirement to attend panels and sub-committees.

3.2.5 Based on the proposed numbers of committees, the total number of committee places may be best allocated in accordance with the above percentages at 170 committee places, as set out in [Appendix 1](#).

3.3 Exemption

3.3.1 Discussion within the Governance Member Working Group and the Group Leaders' Meeting (Committee system) has led to a committee and sub-committee being identified as better performing their role outside of the political balance calculations

3.3.2 The first such is the Constitution and Standards Committee which, as previously as the Standards and Constitutional Oversight Committee, is considered must have a voice of all political groups on the council which would not otherwise be achievable without enlarging the Committee. This way, the Committee remains at its target 11.

3.3.3 The Senior Officer Appointments and Staffing Sub-Committee primary function is to make appointments or recommendations to Council on appointments regarding chief officers of the Council. In its alternative form the sub-committee exists to deal with disciplinary matters and appeals. There was considered to be an optimum size for such sub-committees and, again, it was felt by all group leaders that it was important that all political groups on the Council had a vote on these matters.

3.3.4 Section 17 of the LGHA permits an ordinary committee or sub-committee to not comply with political balance rules but only where approved by the Authority in such manner as may be prescribed by regulations made by the Secretary of State and without any Member of the Authority voting against them.

4.0 FINANCIAL IMPLICATIONS

4.1 There are none arising directly from this report.

5.0 LEGAL IMPLICATIONS AND DELEGATED AUTHORITY

5.1 Once a determination has been made that complies with s.15 of the LGHA, under s.16 it becomes the duty of the Authority or committee to exercise the power to make appointments as soon as practicable thereafter, and to give effect to such wishes about who is to be appointed to the seats allocated to a particular political group as are expressed by that group. For this reason, nominations have been requested for noting for this Council but authority is recommended to the proper officer to make the appointments in fulfilment of the statutory duty.

6.0 RESOURCE IMPLICATIONS: ICT; STAFFING AND ASSETS

6.1 There are none arising directly from this report.

7.0 RELEVANT RISKS

7.1 There is a requirement under the Council's Constitution that the Annual Council meeting shall appoint Members to Committees, and to panels, advisory committees and to outside organisations.

8.0 ENGAGEMENT / CONSULTATION

8.1 It is for political groups to decide how they wish to allocate their committee places and appointments.

9.0 EQUALITIES IMPLICATIONS

9.1 There are none arising directly from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are none arising directly from this report.

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APPENDICES

1. Calculation of Committee Places
2. Proposed Committee Membership 2020/2021 FOR NOTING – to follow

BACKGROUND PAPERS

Agenda and outcome notes from the Governance Member Working Group and Group Leaders' Meeting (Committee System)