

ANNUAL COUNCIL

14 MAY 2019

SUBJECT:	APPOINTMENT, CONSTITUTION AND CHAIRS OF COMMITTEES 2019 / 2020
REPORT OF:	DIRECTOR OF GOVERNANCE AND ASSURANCE

REPORT SUMMARY

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 2019 / 2020.

RECOMMENDATION/S

The Annual Meeting of the Council is requested to:

- (1) agree the constitution and membership of committees in 2019/20 (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;
- (2) appoint chairs and, if considered appropriate, vice-chairs of those committees;
- (3) note the designation of party spokespersons.

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 Council.

2.0 OTHER OPTIONS CONSIDERED

2.1 Options for appointments in pursuance of the legislation are attached as options at Appendix A. Council is invited to adopt an option, or an amended version, in accordance with Council's duties of proportionality.

3.0 BACKGROUND AND KEY ISSUES

3.1 Proportionality

3.1.1 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).

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

Labour	32 seats	(48.48% of the 66 seats)
Conservative	22 seats	(33.33%)
Liberal Democrat	6 seats	(9.09%)
Green	3 seats	(4.55%)
Independent	3 seats	(4.55%)

3.1.3 Based on the proposed numbers of committees, the total number of committee places to be allocated in accordance with the above percentages, excluding the Cabinet is 130 (referred to as available seats). The method of calculation of committee places for each political group is set out in Appendix 1, for which 2 options for committee places are attached.

3.2 Statutory and Other Considerations

3.2.1 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)).

3.2.2 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 statutory committees.

3.2.3 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.

3.2.4 A list of the 2018/19 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.

3.3 Co-opted members

3.3.1 The position with co-opted members is that any Overview and Scrutiny Committee is entitled to recommend to the Council the appointment of any non-voting co-optees. The Children and Families Overview and Scrutiny Committee in 2018/19 had four co-optees – there is a statutory requirement to have representatives of the Roman Catholic and Church of England dioceses and of parent governors – who are entitled to vote on 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.

3.4 Appointment of Chairs and Vice-Chairs

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

3.5 Deputies

3.5.1 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.

4.0 FINANCIAL IMPLICATIONS

4.1 There are none arising directly from this report.

5.0 LEGAL IMPLICATIONS

5.1 There are none arising directly from this report.

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.

8.0 ENGAGEMENT / CONSULTATION

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

9.0 EQUALITIES IMPLICATIONS

9.1 There are none arising directly from this report.

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APPENDICES

1. Calculation of Committee Places – options 1 and 2
2. Committee Membership 2018/2019

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	25 February 2019
Council	10 December 2018
Council	15 October 2018
Council	15 May 2018
Council	15 May 2017
Council	17 May 2016