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| **REPORT TO** | **ON** | |
| **Council** | **17 May 2018** | |
|  | | |
| **TITLE** | | **REPORT OF** | |
| **Appointment of Committees 2018/19** | | **Assistant Director of Scrutiny and Democratic Services** | |

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| --- | --- |
| Is this report confidential? | **No** |

1. **PURPOSE OF THE REPORT**

The purpose of this report is to allocate places on the various committees of the Council in accordance with Section 15 of the Local Government and Housing Act 1989 and to make appointments to those committees in accordance with Section 16 of the Act, together with the appointment of the Chairs and Vice Chairs of the appropriate Committees.

1. **RECOMMENDATIONS**

(1) The allocation of committee places in accordance with the Political Balance Rules as set out in the report be noted;

(2) The Members, Chairs and Vice Chairs for the committees set out in the appendix to this report be appointed for the period of twelve months until the First Business Meeting of the Council in May 2019; and

(3) The Interim Monitoring Officer be authorised to amend the Constitution to take into account the changes to the number of members on the Committees referred to in Paragraph 7.5 of the report.

**3. CORPORATE PRIORITIES**

3.1 The report relates to the following corporate priorities:

|  |  |
| --- | --- |
| Excellence and Financial Sustainability | x |
| Health and Wellbeing |  |
| Place |  |

Projects relating to People in the Corporate Plan:

|  |  |
| --- | --- |
| People |  |

**4. INTRODUCTION**

4.1 In accordance with Section 15 of the Local Government and Housing Act 1989, it is the duty of the Council, at its first business meeting in each Council year, where it is divided into different political groups, to review the representation of different political groups on the various committees.

**5. CRITERIA**

5.1 Under the terms of Section 15 (5) of the Local Government and Housing Act 1989, where a Council is divided into different political groups in accordance with the Local Government (Committees and Political Groups) Regulations 1990 as this Council is, seats on ordinary committees have to be allocated to give effect to the following

principles:

1. all the seats on committees are not to be allocated to the same political group;
2. the majority of seats on a committee should be allocated to the group which has the majority of the Authority's membership;
3. subject to (a) and (b) above, the total number of seats on committees must be

allocated in proportion to the political strength on the Council; and

1. subject to (a), (b) and (c) above, the number of seats on each committee must

be allocated in proportion to the political strength on the Council.

**6. POLITICAL COMPOSITION OF THE COUNCIL**

6.1 The current political composition of the Council is:

|  |  |
| --- | --- |
|  | Number of Members |
| Conservative | 27 |
| Labour | 18 |
| Liberal Democrat | 3 |
| South Ribble Independents | 1 |
| Penwortham Independent | 1 |
| Total | 50 |

**7. ALLOCATION OF SEATS**

7.1 The term “ordinary committees” has a special statutory meaning. They only include committees that have delegated powers to discharge the Council's statutory functions.

7.2 The political proportionality rules do not apply to the appointment of the Cabinet under the Section 24 of the Local Government Act 2000 and theCouncil's Constitution.

7.3 In response to comments made by Members of the Council with regard to the methodology used for the calculation of seats on committees, external legal advice has been sought from Eric Owen, Counsel from Kings Chambers, Manchester and he has confirmed that the overall effect of the principles set out in paragraph 5.1 above is that **the party with the overall majority should have the majority of seats on each committee and this should be over and above the number of seats allocated to the other parties when those are allocated as a whole.**

7.4 Counsel has also commented that in the light of the above matter, it would be appropriate for the Council to take this opportunity to change the number of members sitting on each committee and to ensure that there is always an **odd number of members on each committee.**

7.5 Consequently, the current and proposed number of members on each committee is set out in the following table:

|  |  |  |
| --- | --- | --- |
| Committee | Current Number of Members | Proposed Number of Members |
| Planning | 15 | 15 |
| Scrutiny | 12 | 13 **(+1)** |
| General Licensing | 11 | 11 |
| Licensing Act | 11 | 11 |
| Standards | 7 | 7 |
| Governance | 6 | 7 **(+1)** |
| Appeals | 6 | 5 **(-1)** |
| Appointments Panel – Chief Officers | 6 | 7 **(+1)** |
| Shared Services Joint | 5 | 5 |
| **Total** | **79** | **81 (+2)** |

7.6 It should be noted that it has previously been agreed that the total membership of the Shared Services Joint Committee is 10 with both South Ribble Council and Chorley Council having 5 members each on the committee. Any change in the total membership of the committee would require approval from each Council.

7.7 In order to comply with Section 15 (5) of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, the allocation of seats on committees is set out below:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Committee | Committee Places Total | Places Allocated | | | | |
| Conservative | Labour | Liberal  Democrat | South Ribble Independents | Penwortham Independent |
| Planning | 15 | 8 | 6 | 1 | 0 | 0 |
| Scrutiny | 13 | 7 | 5 | 1 | 0 | 0 |
| General Licensing | 11 | 6 | 4 | 1 | 0 | 0 |
| Licensing Act | 11 | 6 | 4 | 1 | 0 | 0 |
| Standards | 7 | 4 | 3 | 0 | 0 | 0 |
| Governance | 7 | 4 | 3 | 0 | 0 | 0 |
| Appeals | 5 | 3 | 2 | 0 | 0 | 0 |
| Appointments Panel – Chief Officers | 7 | 4 | 3 | 0 | 0 | 0 |
| Shared Services | 5 | 3 | 2 | 0 | 0 | 0 |
| **Total** | **81** | **45** | **32** | **4** | **0** | **0** |

**8. APPOINTMENT OF MEMBERS TO COMMITTEES**

8.1 Section 16 of the Local Government and Housing Act 1989 provides that after the Authority has determined the allocation of committee places, it is the duty of the Authority to exercise its power to make appointments to committees to give effect to the wishes of the various political groups, as to who is to be appointed to the places on that Committee which have been allocated to that particular group. The places are the property of the various political groups for appointment and dismissal.

8.2 The appointment of members in line with the wishes of the political groups are shown in the appendix to this report

**9. FINANCIAL IMPLICATIONS**

9.1 There are no financial implications arising from the proposals in this report.

**10. LEGAL IMPLICATIONS**

10.1 The proposals set out in this report will ensure that appointments are made to the various Committees in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations1990. The method of calculation of the places on each committee has been approved by external advice from Counsel.

**11. COMMENTS OF THE STATUTORY FINANCE OFFICER**

11.1There are no financial implications arising from the proposals in this report.

**12.**  **COMMENTS OF THE MONITORING OFFICER**

12.1 The principal legislation that governs political proportionality is set out in the Local Government and Housing Act 1989 and accompanying regulations. We have reviewed the way we apply this legislation in the light of external advice from Counsel. On a practical level it assists if wherever possible we could have an uneven number of councillors on each committee – hence the reason why it is proposed to slightly alter the numbers on certain committees.

|  |  |
| --- | --- |
| **Other implications:**   * **HR & Organisational Development** * **ICT / Technology** * **Property & Asset Management** * **Risk** * **Equality & Diversity** | There are no HR & Organisational Development implications arising from this report.  There are no ICT / Technology implications arising from this report.  There are no Property & Asset Managementimplications arising from this report.  The proposals set out in this report will ensure that appointments are made to the various Committees in accordance with the Local Government and Housing Act 1989. Failure to meet the legislative requirements would leave the Council’s decisions open to challenge.  There are no equality implications arising from this report. |

**13. BACKGROUND DOCUMENTS**

There are no background papers to this report.

**14. APPENDICES**

Appointments to the Committees submitted by each Political Group

Darren Cranshaw

Assistant Director of Scrutiny and Democratic Services

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| Report Author: | Telephone: | Date: |
| Dianne Scambler | 01772 625309 | 8 May 2018 |