

Report to COUNCIL

Appointment of Committees and Composition of Political Groups

Officer Contact: Paul Entwistle, Director of Legal Services

Report Author: Liz Drogan, Head of Democratic Services
Ext. 4705

25th May 2022

Reason for Decision

The Council is asked to review the political composition of committees and to note the composition of the political groups as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990 and under Section 15 and 16 of the Local Government and Housing Act 1989. The Council is asked to constitute and appoint members to serve on the several Committees detailed in the constitution and listed in Appendix 1 to this report.

Recommendations

- (a) The composition of the political groups as shown in paragraph 1.1 be noted;
- (b) The several Committees detailed at paragraph 1.5 be constituted with the Terms of Reference and delegated powers as detailed in the Constitution.
- (c) The number of seats on the various Committees for the 2022/23 Municipal Year be as detailed in paragraph 1.6 be approved and the terms of office referred to therein;
- (d) Council confirms the allocation of seats to the political groups and makes appointments to fill the seats in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989, as detailed in Appendix 1;

-
- (e) Council appoints a Chair and Vice-Chair of each of the various Committees for the 2022/23 Municipal Year, as detailed in Appendix 1, with the exception of the Selection and Appeals Committees and appoints a District Lead for each of the District Areas.
 - (f) The Co-opted Members detailed at paragraph 1.9 of the report be appointed to the Overview and Scrutiny Board and the Statutory Co-optees be given full voting rights in respect of education matters only;
 - (g) Any outstanding appointments to be delegated to the Chief Executive in consultation with the Leader of the Council and Leaders of the main opposition groups;

Appointment of Committees and Composition of Political Groups

1 Background

The Council is asked to review the political composition of committees and to note the composition of the political groups as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990.

1.1 Political Groups

Council is asked to note that the composition of the political groups, as previously notified under Regulation 8 (1) of the Local Government (Committees and Political Groups) Regulations 1990, is:-

(i)	The Labour Group	35 Members
(ii)	The Liberal Democrat Group	9 Members
(iii)	The Conservative Group	9 Members
(iv)	Failsworth Independent Party	5 Members
(v)	Independent	1 Member
(vi)	Independent	1 Member

1.2 Terms of Reference and Delegated Powers

Council is asked to constitute and appoint members to serve on the several Committees detailed in the Constitution and listed in Appendix 1 to this report, namely:-

- (i) The Regulatory Committees:-
Licensing
Planning
Appeals
Commons Registration
Traffic Regulation Order/Petitioners Committee.
- (ii) The Overview and Scrutiny Bodies:-
Policy Overview and Scrutiny Committee;
Performance Overview and Scrutiny Committee
Health Scrutiny
- (iii) The Audit Committee
- (iv) The Standards Committee
- (v) The Employment Committee

The terms of reference, and delegated powers where applicable, be as detailed in the Council's Constitution.

Council is also asked to ratify the Leader's nominations to the Health and Well-being Board. The Board is not a politically balanced Committee of the Council and is listed in Appendix 1 to this report.

1.3 Political Balance

There are four statutory principles of political balance which have to be applied in filling appointments to Committees. These are contained in S15(5) of the Local Government and Housing Act 1989.

The principles have to be applied in priority order as follows:-

- (a) that not all seats on the body are allocated to the same political group;
- (b) that the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group are a majority of the Authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant Authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that Authority as is borne by the number of members of that group to the membership of the Authority; and
- (d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the same number of all seats on that body as is borne by the number of members of that group to the membership of the Authority.

The political group sizes as a percentage of the total membership of the Council are:-

Labour Group	$35/60 \times 100 = 58.33\%$	99 seats x 58.33%=57.74	58 seats
Liberal Democrat Group	$9/60 \times 100 = 15\%$	99 seats x 15% =14.85	15 seats
Conservative Group	$9/60 \times 100 = 15\%$	99 seats x 15%=14.85	15 seats
Failsworth Independent Party	$5/60 \times 100 = 8.33\%$	99 seats x 8.33% = 8.24	8 seats
Independent	$1/60 \times 100 = 1.66\%$	99 seats x 1.66% = 1.64	1 seat
Independent	$1/60 \times 100 = 1.66\%$	99 seats x 1.66% = 1.64	1 seat

* Each of the Calculations have been adjusted to ensure the total number of seats are apportioned

- 1.4 The application of these percentages to the number of seats on individual Committees gives the following allocation of seats:-

COMMITTEE SIZE	LABOUR (L)	LIBERAL DEMOCRATS (LD)	CONSERVATIVE (C)	FIP (I)	I	I
15	8.75	2.25	2.25	1.25	0.25	0.25
14	8.17	2.10	2.10	1.17	0.23	0.23
13	7.58	1.95	1.95	1.08	0.21	0.21
12	7.00	1.80	1.80	1.00	0.2	0.2
11	6.42	1.65	1.65	0.92	0.18	0.18
10	5.83	1.50	1.50	0.83	0.16	0.16
9	5.25	1.35	1.35	0.75	0.15	0.15
8	4.67	1.20	1.20	0.67	0.13	0.13333

7	4.08	1.05	1.05	0.58	0.1	0.1
6	3.50	0.90	0.90	0.50	0.1	0.1
5	2.92	0.75	0.75	0.42	0.08	0.08
4	2.33	0.60	0.60	0.33	0.06	0.06
3	1.75	0.45	0.45	0.25	0.05	0.05
2	1.17	0.30	0.30	0.17	0.03	0.03

1.5

Under the political balance rules after these percentages have been applied to the total number of seats on Committees of the Council any remaining seats must be allocated to members who are not Members of any political group.

Applying political balance as detailed above, the allocation of seats, to the current committee structure, would be as follows:-

Committee	Seats	L	LD	C	FIP	I	I
Licensing	14	8	2	2	1	0	0
Planning	14	8	2	2	1	0	0
Audit Committee	9	5*	1	1	0	0	0
Policy Overview and Scrutiny Committee	8	5*	1	1	0*	0	0
Performance Overview and Scrutiny Committee	8	5*	1	1	0*	0	0
Health Scrutiny	8	5*	1	1	0*	0	0
Employment Committee/Local NJC	7	4	1	1	0	0	0
Appointments Committee	5	3	1	1	0	0	0
Commons Registration	5	3	1	1	0	0	0
Charitable Trust Committee	5	3	1	1	0	0	0
Standards Committee	5	3	1	1			0
Traffic Regulation Order Panel	5	3	1	1	0	0	0
Investigation and Disciplinary Committee	3	2	0	0	0	0	0
Appeals Committee	3*	2	0	0	0	0	0
Total	99 *	59*	14*	14*	2*	0	0

* The above calculation leaves 10 committee places to be allocated

1.6 Adjustment of Seats

In accordance with the rules of political balance the number of seats must be allocated to accord with the rules above. It is therefore proposed that the number of seats on the various Committees for the 2022/23 Municipal Year be fixed as follows:-

Committee	Seats	L	LD	C	FIP	I	I
Licensing	14	8	2	2	1	1	0
Planning	14	8	2	2	1	0	1
Policy Overview and Scrutiny Committee	8	5	1	1	1	0	0

Audit Committee	9	6	1	1	1	0	0
Performance Overview and Scrutiny Committee	8	5	1	1	1	0	0
Health Scrutiny	8	5	1	1	1	0	0
Employment Committee/Local NJC	7	4	1	1	1	0	0
Commons Registration	5	3	1	1	0	0	0
Appointments Committee	5	3	1	1	0	0	0
Charitable Trustee Committee	5	3	1	1	0	0	0
Standards Committee	5	3	1	1	0	0	0
Traffic Regulation Order Panel	5	3	1	1	0	0	0
Investigation and Disciplinary Committee	3	1	1	1	0	0	0
Appeals Committee	3	1	1	1	0	0	0
Total	99	58	16	16	7	1	1

The Health and Well Being Board is not included in the calculation above. Although the Committee is appointed by Council, the Local Authority (Public Health and Well Being Boards and Health Scrutiny) Regulations 2013 provide for the disapplication of Section 15 and 16 of the Local Government and Housing Act 1989

Council are also asked to appoint a District Lead or each District Area and Deputies for the North and East District.

It is recommended that the standards sub-committee dealing with assessments or hearings consist of 3 members and be non politically balanced with 1 Member from each Group on the Standards Sub- Committee.

- 1.7 Substitutes are to be appointed by the political groups in accordance with the Substitute Scheme contained in the Constitution. Substitutes for Overview and Scrutiny Boards may be nominated up to a maximum of the number of Members of that Group serving on the Board. Substitutes are not permitted for Licensing. For the Planning Committee, up to 14 substitutes are to be nominated in accordance with the political balance of each Committee.

Council is also asked to appoint substitutes to the Traffic Regulation Order Panel.

- 1.8 Council is asked to review the political composition of the Committees; to determine the allocation of seats to political groups; and to make the appointments to fill the seats in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations.

- 1.9 The Overview and Scrutiny Board has Co-opted Members serving as follows:

Statutory Co-opted Members (with voting rights)

Cannon Jean Hurlston	Manchester Church of England Diocese
Mr V Hall	Salford Roman Catholic Diocese
Mr C Maude	Parent/Governor Primary School
Vacant	Parent/Governor Secondary Schools

Council is asked to approve that the Co-opted Members listed above be re-appointed. Statutory Co-opted members may attend for the whole of the meeting and may speak on all matters if they so wish.

2 **Options/Alternatives**

- 2.1 To approve the report
Not to approve the report

3 **Preferred Option**

- 3.1 To approve the report and the committees make up and membership at Appendix 1.

4 **Consultation**

- 4.1 Consultation has taken place with relevant officers and councillors.

5 **Financial Implications**

- 5.1 n/a

6 **Legal Services Comments**

- 6.1 There are no legal comments (Paul Entwistle).

7 **Human Resources Comments**

- 7.1 There are no human resources issues.

8 **Risk Assessments**

- 8.1 A risk assessment is not required.

9 **IT Implications**

- 9.1 There are no IT implications.

10 **Property Implications**

- 10.1 There are no property implications.

11 **Procurement Implications**

- 11.1 There are no procurement implications.

12 **Environmental and Health & Safety Implications**

- 12.1 There are no environmental or health and safety implications.

13 **Equality, community cohesion and crime implications**

- 13.1 There are no community cohesion implications.

14 **Equality Impact Assessment Completed?**

14.1 No

17 **Key Decision**

17.1 No

18 **Key Decision Reference**

18.1 n/a

19 **Background Papers**

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does include documents which would disclose exempt or confidential information as defined by the Act:

Local Government (Committees and Political Groups) Regulations 1990.

Local Government and Housing Act 1989.

Contact Liz Drogan [tel:0161 770 4705](tel:01617704705), Level 4 Civic Centre

Oldham

OL1 1 IL

20. **Appendices**

Appendix 1 – Membership of Committees.