

Report to COUNCIL

Appointment of Committees and Composition of Political Groups

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Reason for Decision

Subsequent to the result of the Local Elections on the 5th May 2016 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 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 1.2 be noted;
- b) The several Committees detailed at paragraph 1.3 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 2016/17 Municipal Year be as detailed in paragraph 1.7 be approved;
- 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.

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- e) That Council agrees to the split of Oldham District Executive to Oldham West District Executive and Oldham East District Executive; this change will require Council to appoint a District Executive Chair to both Oldham East and Oldham West District Executive.
 - f) Council appoints a Chair and Vice-Chair of each of the various Committees for the 2016/17 Municipal Year, as detailed in Appendix 1, with the exception of the Selection and Appeals Committees;
 - g) The Co-opted Members detailed at paragraph 1.10 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;
 - h) Council appoints District Executive Chairs to each of the District Partnerships for the 2016/17 Municipal Year as listed in Appendix 1;
 - i) Council to confirm that the Traffic Regulation Order Panel remains outside political balance
 - j) That Council agrees as in previous years to waive the political balance rules in relation to the Standards Committee to ensure appropriate representation.
 - k) Any outstanding appointments to be delegated to the Chief Executive in consultation with the Leader of the Council and Leader of the main opposition group;

Appointment of Committees and Composition of Political Groups

1 Background

1.1 Local Election Result

Subsequent to the results of the Local Election on the 5th May 2016, 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.

1.2 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	44	Members
(ii)	The Liberal Democrat Group	9	Members
(iii)	The Conservative Group	2	Members
(iv)	UKIP	1	Members
(v)	Independent	4	Members

1.3 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. In 2015 Council agreed to waive political balance for this Committee. The current Membership is 4 elected Members. The Council is asked to agree Membership of 2 Labour, 2 Lib Dem with 4 substitutes.
- (ii) The Overview and Scrutiny Bodies:-
Overview and Scrutiny Board
Performance and Value for Money Select Committee
- (iii) The Audit Committee
- (iv) The Standards Committee
Council agreed in 2015 to waive political balance for the Standards Committee. The current membership is 5 elected members, 2 Parish Councillors and 4 independent persons. The Quorum for the Committee is three Members, including

one independent person. The Council is asked to agree to Membership of 3 Labour and 2 Liberal Democrats.

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. Council is asked to appoint the District Executive Chairs to each of the District Executives for the 2016/17 Municipal Year.

1.4 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	$44/60 \times 100 = 73.33\%$	$76 \text{ seats} \times 73.33\% = 55.73$	56 seats
Liberal Democrat Group	$9/60 \times 100 = 15\%$	$76 \text{ seats} \times 15\% = 11.40$	12 seats
Conservative Group	$2/60 \times 100 = 3.33\%$	$75 \text{ seats} \times 3.33\% = 2.53$	3 seats
UKIP	$1/60 \times 100 = 1.66\%$	$76 \text{ seats} \times 1.66\% = 1.26$	1 seats
Independent	$1/60 \times 100 = 1.66\%$	$76 \text{ seats} \times 1.66\% = 1.26$	1 Seat
Independent	$1/60 \times 100 = 1.66\%$	$76 \text{ seats} \times 1.66\% = 1.26$	1 seat
Independent	$1/60 \times 100 = 1.66\%$	$76 \text{ seats} \times 1.66\% = 1.26$	1 seat
Independent	$1/60 \times 100 = 1.66\%$	$76 \text{ seats} \times 1.66\% = 1.26$	1 seat

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

1.5 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)	Cons (C)	UKIP (U)	IND (I)	IND (I)	IND (I)	IND (I)
15	11.00	2.25	0.50	0.25	0.25	0.25	0.25	0.25
14	10.27	2.10	0.47	0.233333	0.233333	0.233333	0.233333	0.2333
13	9.53	1.95	0.43	0.216667	0.216667	0.216667	0.216667	0.2166
12	8.80	1.80	0.40	0.2	0.2	0.2	0.2	0.2
11	8.07	1.65	0.37	0.183333	0.183333	0.183333	0.183333	0.1833
10	7.33	1.50	0.33	0.166667	0.166667	0.166667	0.166667	0.1666
9	6.60	1.35	0.30	0.15	0.15	0.15	0.15	0.15
8	5.87	1.20	0.27	0.133333	0.133333	0.133333	0.133333	0.1333
7	5.13	1.05	0.23	0.116667	0.116667	0.116667	0.116667	0.1166
6	4.40	0.90	0.20	0.1	0.1	0.1	0.1	0.1
5	3.67	0.75	0.17	0.083333	0.083333	0.083333	0.083333	0.0833
4	2.93	0.60	0.13	0.066667	0.066667	0.066667	0.066667	0.0666
3	2.20	0.45	0.10	0.05	0.05	0.05	0.05	0.05
2	1.47	0.30	0.07	0.033333	0.033333	0.033333	0.033333	0.0333

1.6 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	U	I	I	I	I
Licensing	15	11*	2	1	0	0	0	0	0
Planning	15	11*	2	1	0	0	0	0	0
O&S Performance & Value for Money Select Committee	9*	7	1	0	0	0	0	0	0
O&S Board	8*	6	1	0	0	0	0	0	0
Audit Committee	9*	7	1	0	0	0	0	0	0
Local NJC	7	5	1	0	0	0	0	0	0
Selection Committee	5	4	1	0	0	0	0	0	0
Commons Registration	5	4	1	0	0	0	0	0	0
Appeals Committee	3	2	1	0	0	0	0	0	0
Total	76	57*	11*	2*	0*	0*	0*	0*	0*

* The above calculation leaves 2 committee place to be reallocated and 6 places to be allocated.

1.7 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 2016/17 Municipal Year be fixed as follows:-

Committee	Seats	L	LD	C	U	I	I	I	I
Licensing	15	10	2	1	0	1	1	0	0
Planning	15	10	2	1	1	0	0	1	0
O&S Performance & Value for Money Select Committee	9	7	1	1	0	0	0	0	0
O&S Board	8	6	2	0	0	0	0	0	0
Audit Committee	9	7	1	0	0	0	0	0	1
Local NJC	7	6	1	0	0	0	0	0	0
Commons Registration	5	4	1	0	0	0	0	0	0
Selection Committee	5	4	1	0	0	0	0	0	0
Appeals Committee	3	2	1	0	0	0	0	0	0
Total	76	56	12	3	1	1	1	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.

1.8 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 15 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.

1.9 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.

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

Statutory Co-opted Members (with voting rights)

Mr A Armitage	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.

1.11 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.

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- 1.12 **Appendices**
Appendix 1 – Membership of Committees.