



ANNUAL COUNCIL: 17 MAY 2023

Report of: Chief Operating Officer

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SUBJECT: APPOINTMENT OF COMMITTEES etc 2023/24

Borough wide interest

1.0 PURPOSE OF REPORT

1.1 To consider the appointment of Committees etc and their terms of reference and the allocation of seats thereon to the political groups for the Municipal Year 2023/24.

2.0 RECOMMENDATIONS

- 2.1 That, for the period ending with the next Annual Meeting of the Council, or such lesser period should the political balance or allocation to political groups change during the year requiring a review under the provisions of the Local Government and Housing Act 1989, the Committees, Sub-Committees etc be appointed as detailed in the attached Appendix and that the allocation of seats to the political groups be as indicated.
- 2.2 That the representatives of the political groups on the Committees etc now appointed shall be as indicated on the attached Appendix 1 (Constitution 4.1A) and the appointment of the Independent Persons & the 2 Parish Council Representatives on the Standards Committee, be as detailed in the appendix.
- 2.3 That the terms of reference for the Committees etc now appointed be agreed as set out in Constitution 4.1: Responsibility for Functions.
- 2.4 That it be noted that the Leader has appointed Cabinet Working Groups as indicated on Appendix 1 to the report, with the terms of reference included in Constitution 4.1: Responsibility for Functions.
- 2.5 That it be noted that the Chief Operating Officer, in consultation with the Leader and Deputy Leader, will appoint representatives to the Outside Bodies listed in Constitution 4.1C Cabinet and Council Appointments to Outside Bodies

3.0 APPOINTMENT OF COMMITTEES, SUB-COMMITTEES etc

- 3.1 At its Annual Meeting, the Council is under an obligation, under Section 15(1) of the Local Government and Housing Act 1989, to review the representation of the Political Groups on Committees and Sub-Committees. Under the Act, the numbers of seats on ordinary Committees have to be aggregated and allocated to the proportion that each political group bears to the total members of the Council, in so far as reasonably practicable. The current elected membership of the Council is 45. The Labour Group has 26 members – 58% of the total membership, the Conservative Group has 15 members – 33% of the total membership, ‘Our West Lancashire’ has 1 member (2%) of the total membership (which does not constitute a Political Group) and there are 3 vacancies (7%) of the total membership,.
- 3.2 Of the seats available in Committees, these will be allocated to the Labour Group and the Conservative Group, in line with the above. The allocation of remaining seats not allocated to any Political Group will fall to be made by the Council in its discretion. The regulations provide that the Council must only appoint from Members who belong to no Political Group. The remaining seats must therefore be allocated to a Member that does not belong to a Political Group.
- 3.3 There is no legal requirement under the 1989 Act to aggregate the number of seats on ordinary sub-committees. The Act simply requires the seats on such sub-committees to be allocated to the political groups in the same proportion as each group bears to the whole Council. Political balance rules do not apply to Working Groups or Commissions.
- 3.4 The entitlement to seats under the Council's Political Management Structure is set out in the attached Appendix 1.
- 3.5 The Terms of Reference for each of the Committees etc are set out in the Council's Constitution 4.1: Responsibility for Functions.

4.0 APPOINTMENT OF CABINET COMMITTEES, WORKING GROUPS etc

- 4.1 It is for the Leader to appoint Cabinet Committees, Working Groups and Cabinet appointments to Outside Bodies, to assist it in its work and details of the same are included on Appendix 1 and Appendix 2 for noting.

5.0 APPOINTMENT TO OUTSIDE BODIES

- 5.1 Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 “appointments to outside bodies” are local choice functions. Constitution 4.1 at paragraph 1 reads “apart from appointments to outside bodies which relate to Cabinet functions and are the responsibility of the Cabinet, the Council has decided that all these matters are to remain the responsibility of the Council.”
- 5.2 The Council in May 2005 resolved that the Chief Executive be given delegated authority, in consultation with the Leader and Deputy Leader, to make appointments to the outside bodies related to Council functions. Cabinet in May 2005 also resolved that the Chief Executive be given delegated authority, in consultation with the Leader and Deputy Leader, to make appointments to outside bodies related to Cabinet functions. These delegations are now included in the Scheme of Delegation to the Chief Operating Officer.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 There are no significant financial or resource implications arising from this report.

8.0 RISK ASSESSMENT

8.1 Reviewing the political balance on committees ensures that the Council is complying with its obligation, under Section 15(1) of the Local Government and Housing Act 1989.

9.0 HEALTH AND WELLBEING IMPLICATIONS

9.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

1. Constitution 4.1A 'Membership of Committees, Sub-Committees, etc. (See item 7) – To follow
2. Constitution 4.1: Responsibility for Functions [Constitution - West Lancashire Borough Council \(westlancs.gov.uk\)](http://www.westlancs.gov.uk)
3. Constitution 4.1C Cabinet and Council Appointments to Outside Bodies [Constitution - West Lancashire Borough Council \(westlancs.gov.uk\)](http://www.westlancs.gov.uk)