

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	COUNCIL	19 APRIL 2021	12

CONFIRMATION OF COMMITTEES AND ALLOCATION OF MEMBERSHIP

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The council is required annually¹ to confirm the committees that it wishes to appoint and allocate the membership of certain committees in accordance with the principles of political balance under the Local Government and Housing Act 1989.

Members are also asked to re-appoint members to the Member Development Steering Group and to appoint a Mental Health Champion Lead.

RECOMMENDATIONS

1. Appoint the committees and joint committees set out in the appendix for the municipal year 2021-2022, with the same terms of reference as presently agreed.
2. Allocate committee seats in accordance with the principles of political balance as set out in the table in paragraph 7.
3. Appoint members to seats on committees required to be politically balanced in accordance with the nominations made by the political groups; appoint Councillor Hayhurst to the Audit and Standards Committee in place of Councillor Mulholland; appoint Mr Peter Clements, Mr Brian Horrocks and Mrs Helen Broughton as co-opted members of the Chief Officer Employment Committee and appoint Fylde's representative to the Blackpool, Fylde and Wyre Economic Prosperity Board.
4. Re-appoint the existing chairmen and vice-chairmen to the committees, subject to the following changes:
 - Tourism and Leisure Committee: Councillor Sayward to replace Councillor Little as chairman, Councillor Harrison to replace Councillor Sayward as vice-chairman
 - Public Protection and Licensing committees: Councillor Thomas to replace Councillor Harrison as vice-chairman
5. Appoint members to the Licensing Committee, which is not required to be politically balanced.
6. Appoint eight members to the Member Development Steering Group.
7. Appoint Councillor Sally Nash-Walker as the Council's Mental Health Champion Lead.

SUMMARY OF PREVIOUS DECISIONS

The council receives a similar report each year at the meeting preceding its annual meeting. In an election year, the report must be presented to the annual meeting.

Decision Item - Environment, Health & Housing Committee – 9 March 2021

1. To support and sign up to the Mental Health Challenge along the lines identified in the appendix to the report.
2. To support the recommendation of the MDSG in nominating Councillor Sally Nash- Walker as the Council's Mental Health Lead and seek full Council's approval of this.

CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

REPORT

APPOINTMENT OF COMMITTEES

1. Under its constitution, the council is required annually² to decide which committees to establish for the municipal year; decide the size and terms of reference for those committees; and decide the allocation of seats on those committees to political groups in accordance with the political balance rules where applicable.
2. The appendix sets out the proposed committees for the council for 2021-22. The committees are the same as exist at present and their terms of reference would be as set out in part 3 of the council's constitution. For convenience, their present membership is also set out in the appendix. The council is invited to appoint those committees as its committees for the municipal year 2021-22 with the size and terms of reference as set out.

POLITICAL BALANCE

3. The Local Government and Housing Act 1989 requires the council to calculate the membership of committees in accordance with the requirements of political balance set out in the act. The act also requires that the council give effect to those calculations by allocating seats in accordance with the wishes of the political groups³ to whom the seats have been allocated⁴. The four principles of political balance can be summarised like this:
 - All seats on a committee must not be allocated to the same group;
 - The majority group must have the majority of seats on each committee;
 - The total number of committee seats across the council must be allocated proportionately to the number of seats each group has on the full council; and
 - The seats on each committee must be allocated in proportion to the number of seats of each group on the full council.
4. The four principles are in order of priority. This means that the second principle is applied subject to the first. Similarly, the third principle is applied subject to the first and the second, and so on.

The requirement is suspended until May 7 2021 under the Local Authorities and Police and Crime Commissioner (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) Regulations 2020, but the power to do so remains.

A political group must have at least two members to count for the purposes of the 1989 act.

Where a seat is allocated in accordance with the political balance principles to a member who do not belong to a political group, the choice of non-aligned member to fill the seat rests with the council.

5. The council must appoint⁵ at least two co-opted members to its Chief Officer Employment Committee. The co-opted members must be drawn from the independent persons appointed as part of the member standards machinery under the Localism Act 2011. The independent persons only sit as members of the committee for certain business taken under specific legislation⁶.
6. Neither the Licensing Committee⁷ nor the Blackpool, Fylde and Wyre Economic Prosperity Board⁸ is subject to the political balance rules.
7. The table below sets out the present distribution of seats across committees, which fulfils the requirement for political balance. Committees that are not required to be politically balanced are not included.

Committee	Total seats	Con	Ind	Others
Finance and Democracy	12	8	4	0
Environment, Health and Housing	12	7	4	1
Operational Management	12	7	4	1
Tourism and Leisure	12	7	5	0
Planning	12	7	4	1
Public Protection	11	7	4	0
Audit and Standards	9	5	3	1
Chief Officers Employment	6	4	2	0

The table above is not the only possible permutation which would meet the requirements for political balance.

CHANGES TO COMMITTEE MEMBERSHIP

8. The Conservative group has put forward the following changes to the committee seats allocated to it:

Audit and Standards Committee: Councillor Harris to replace Councillor Nash-Walker

Environment, Health and Housing Committee: Councillor Nash-Walker to replace Councillor Morris

Operational Management Committee: Councillor Morris to replace Councillor Harris

The council is required to give effect to these nominations.

9. It has also been put forward that Councillor Hayhurst replaces Councillor Mulholland as a member of the Audit and Standards Committee. Since this is a seat allocated to a non-aligned member, the council may give effect to that nomination but is not obliged to do so.
10. The Independent group has not put forward any changes to any seats allocated to them.
11. Members are also invited to re-appoint the existing chairman and vice-chairman to each committee, subject to the following changes:

Tourism and Leisure Committee: Councillor Sayward to replace Councillor Little as chairman, Councillor Harrison to replace Councillor Sayward as vice-chairman

Public Protection and Licensing committees: Councillor Thomas to replace Councillor Harrison as vice-chairman

See paragraphs 5-6 of schedule 3 to the Local Authorities (Standing Orders) (England) Regulations 2001.

See the Local Authorities (Standing Orders) (England) Regulations 2001. When constituted as required under the regulations, the committee is an advisory committee under Section 102(4) Local Government Act 1972. This means that it cannot take a binding decision, it may only make recommendations. As a result, it would be inappropriate to involve the Independent Persons in any other stages of the process or meetings of the Committee (unless they are solely "in attendance" as invitees, rather than "present").

The Licensing Committee is not subject to the political balance rules because it is appointed under the Licensing Act 2003, not the Local Government Act 1972. The joint committee is not subject to the political balance rules because it is not a body at least three seats on which fall from time to time to be filled by appointments made by the council (see paragraph 1(c) of schedule 1 to the Local Government and Housing Act 1989).

BLACKPOOL, FYLDE AND WYRE ECONOMIC PROSPERITY BOARD

12. The council is part of a joint committee with Blackpool and Wyre councils known as the Blackpool, Fylde and Wyre Economic Prosperity Board. The membership of the joint committee is one councillor from each authority, with the joint committee also having three co-opted members. The joint committee is not required to be politically balanced⁹.

LICENSING COMMITTEE

13. The Licensing Committee is not subject to the political balance rules. It is concerned exclusively with carrying out the council's responsibilities under the Licensing Act 2003 and the Gambling Act 2005. The committee has a membership of 15 and the council is invited to appoint that number of members to the committee, including appointments as chairman and vice-chairman.

MEMBER DEVELOPMENT STEERING GROUP

14. The Member Development Steering Group is not a committee, but it is convenient to deal with appointments to it in this report. The group is an internal working group and its functions are leading, co-ordinating and monitoring the Council's actions in delivering the Member Development Strategy and taking the lead on general member welfare matters. The membership of the group is cross party. Its main purpose is to ensure that elected members are fully engaged in the formulation, monitoring and evaluation of member development programmes. It oversees all councillor training and development on behalf of the council.
15. The group has a membership of 8 and the council is invited to appoint that number of members to the group, including appointments as chairman and vice-chairman.

MENTAL HEALTH CHALLENGE

16. The Council has signed up to " hallenge.org.uk/ " [the Mental Health Challenge](#)", which encourages councils to promote mental health in their communities and take a proactive approach to the issues of mental health by endorsing a member as a mental health champion. In return, the charities backing the challenge offer champions and their council's advice, information, and a network of peers in similar roles.
17. The Environment, Health & Housing Committee at its meeting on [ing/1165/Committee/19/Default.aspx">ing/1165/Committee/19/Default.aspx](#) " [9 March 2021](#) endorsed the proposal of Councillor Sally Nash-Walker as the Council's Mental Health Champion Lead and recommended the appointment to the Council for approval.

IMPLICATIONS	
Finance	None arising from the report.
Legal	Political balance is a legal requirement for most committees of the council.
Community Safety	None arising from the report.
Human Rights and Equalities	None arising from the report.
Sustainability and Environmental Impact	None arising from the report.
Health & Safety and Risk Management	None arising from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Ian Curtis	01253 658506	15 March 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
The Mental Health Challenge		www.mentalhealthchallenge.org.uk/

The joint committee is not subject to the political balance rules because it is not a body at least three seats on which fall from time to time to be filled by appointments made by the council (see paragraph 1(c) of schedule 1 to the Local Government and Housing Act 1989).

	Accessed 6 April 2021	
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Attached documents

Appendix 1 – current committee membership as at 15 March 2021