

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF GOVERNANCE	COUNCIL	24 MAY 2023	8

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 annually 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.

RECOMMENDATIONS

1. Appoint the committees and joint committees set out in appendix 1 for the municipal year 2023-2024, 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, as set out in appendix 2.
4. 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.
5. Appoint members to the Licensing Committee, which is not required to be politically balanced.
6. Formally discontinue the Member Development Steering Group.

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.

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 annually 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. Appendix 1 sets out the proposed committees for the council for 2023-24. The proposed committees reflect the new constitution agreed at the council meeting on 6 February, and which took effect on 9 May. The council is invited to appoint those committees as its committees for the municipal year 2023-24 with the size as set out and the terms of reference as set out in the constitution.

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 groups¹ to whom the seats have been allocated². 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.
5. The council must appoint³ 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 legislation⁴.
6. Neither the Licensing Committee⁵ nor the Blackpool, Fylde and Wyre Economic Prosperity Board⁶ is subject to the political balance rules.
7. The table below sets out a distribution of seats across committees, which fulfils the requirement for political balance. Committees that are not required to be politically balanced are not included.

¹ A political group must have at least two members to count for the purposes of the 1989 act.

² 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.

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

⁴ 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").

⁵ 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.

⁶ The joint committee is not subject to the political balance rules because it is a 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).

Committee	Total seats	Con	Ind	Lab	Non-aligned
Executive	12	7	5	0	0
Internal Affairs Scrutiny	12	7	4	1	0
Community Focus Scrutiny	12	7	5	0	0
Planning	12	7	4	1	0
Public Protection	12	7	5	0	0
Audit and Governance	9	5	3	0	1
Standards	5	3	2	0	0
Chief Officers Employment	6	4	2	0	0

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

8. The political groups have nominated the individual members they wish to fulfil their allocations on each committee, and the council is invited to make those individual appointments at today's meeting. It is obliged to follow the nominations of each group to seats allocated to that group. The nominations are set out in appendix 2.
9. Members are also invited to appoint a chairman and vice-chairman to each committee. Appendix 1 also contains recommendations as to chairmanships and vice-chairmanships.

BLACKPOOL, FYLDE AND WYRE ECONOMIC PROSPERITY BOARD

10. 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 balanced⁷.

LICENSING COMMITTEE

11. 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 12 and the council is invited to appoint that number of members to the committee, including appointments as chairman and vice-chairman. By convention, all Public Protection Committee members also sit as members of the Licensing Committee.

MEMBER DEVELOPMENT STEERING GROUP

12. It is proposed that the Member Development Steering Group is formally discontinued. The group was an internal working group, and its functions were leading, co-ordinating and monitoring the Council's actions in delivering the Member Development Strategy and taking the lead on general member welfare matters. It is understood that these matters in the new committee structure will be championed and progressed under the auspices of one of the new lead members.

⁷ 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).

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
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
N/A		

New Committee System with 2 Scrutiny Committees



