

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|-----------------------|---------|-------------|---------|
| RESOURCES DIRECTORATE | COUNCIL | 22 MAY 2019 | 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 to confirm the committees that it wishes to appoint at its Annual Meeting in a year when there are council elections. It must also allocate the membership of those certain committees in accordance with the principles of political balance under the Local Government and Housing Act 1989.

Members are also asked to appoint members of the Member Development Steering Group.

RECOMMENDATIONS

1. Appoint the committees and joint committees set out in the appendix for the municipal year 2019-2020, 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. Invite the political groups (if they have not already done so) to submit their nominations to the seats allocated to them in accordance with the Local Government and Housing Act 1989 and regulations made under it.
4. (If nominations have been received from the political groups) Appoint members to seats on committees required to be politically balanced in accordance with the nominations made by the political groups.
5. Appoint Mr Anthony Mozley, Mr Brian Horrocks and Mrs Helen Broughton as co-opted members of the Chief Officer Employment Committee.
6. Appoint Fylde's representative to the Blackpool, Fylde and Wyre Economic Prosperity Board.
7. Appoint members to the Licensing Committee, which is not required to be politically balanced.
8. Appoint ten members to 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 | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | √ |
| Delivering the services that customers expect of an excellent council (Clean and Green) | √ |
| Working with all partners (Vibrant Economy) | √ |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | √ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | √ |

REPORT

APPOINTMENT OF COMMITTEES

- 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.
- 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. The council is invited to appoint those committees as its committees for the municipal year 2019-20 with the size and terms of reference as set out.

POLITICAL BALANCE

- 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.
- 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 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.

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.

| 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.

6. If all of the political groups are able to nominate the individual members they wish to fulfil their allocations on each committee, the council can make those individual appointments at today's meeting. It is obliged to follow the nominations of each group to seats allocated to that group³.
7. If appointments to committees are made at today's meeting, members are also invited to appoint a chairman and vice-chairman to each committee.

BLACKPOOL, FYLDE AND WYRE ECONOMIC PROSPERITY BOARD

8. 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 balanced⁴.

LICENSING COMMITTEE

9. The Licensing Committee is not subject to the political balance rules⁵. 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.

CHIEF OFFICER EMPLOYEMENT COMMITTEE

10. The council must appoint⁶ 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 legislation⁷.

³ If not all of the political groups are yet able to nominate individual members to the seats allocated to the group, the council would need to resolve to allocate the seats to the political groups and to invite the groups to nominate individual members to the seats allocated to each group. The committees could not meet until the appointments were confirmed at a council meeting.

⁴ 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).

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

⁷ 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").

MEMBER DEVELOPMENT STEERING GROUP

11. 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.

The group has a membership of 10 and the council is invited to appoint that number of members to the group, including appointments as chairman and vice-chairman.

| 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 | 7 May 2019 |

| BACKGROUND PAPERS | | |
|------------------------------|------|--------------------------------|
| Name of document | Date | Where available for inspection |
| Committee Terms of Reference | 2019 | Constitution |

Appendix 1 – Independent Group committee membership 2019-2020