



Report of:	Meeting	Date
The prospective Leader of the Council (Cllr Henderson) and the Chief Executive (Garry Payne)	Annual Council	16 May 2019

Establishment of and appointments to Committees, Panels and Groups

1. Purpose of report

- 1.1 To enable Members to be appointed to the Council's non-executive Committees and other panels and groups for the 2019/20 Council Year.

2. Outcomes

- 2.1 Effective arrangements to carry out the Council's non-executive decision making and advisory functions.

3. Recommendations

- 3.1 That Committees be established and that Members be appointed to them in accordance with the statutory political balance rules described in paragraphs 5.1 to 5.3 of this report and set out in Appendix 1.
- 3.2 That other Panels and Groups also be established and that Members be appointed to them, as set out in paragraphs 5.4 to 5.6 of this report.
- 3.3 That the Lancashire Police and Crime Panel be reappointed as a Joint Committee of all 15 Councils in the Lancashire Police Force area and that Cllr Berry be nominated as Wyre's representative on it.

4. Background

- 4.1 The Council Procedure Rules in Part 4 of the Constitution requires that:

"At the Annual Meeting, the Council will appoint at least one Overview and Scrutiny Committee, a Standards Committee and such other Committees as the Council considers appropriate to deal with matters, which are neither reserved to the Council, nor are Executive functions."

4.2 Section 15 of the Local Government and Housing Act requires that the allocation of places on non-executive Committees of the Council be allocated on the following criteria:

4.3 Section 15 of the Local Government and Housing Act requires that the allocation of places on non-executive Committees of the Council be allocated on the following criteria:

- (a) that not all seats on a body are allocated to the same Political Group;
- (b) that the majority of seats on a body is allocated to a particular Political Group, if the number of persons belonging to that Group is the 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;
- (d) subject to paragraphs (a) - (c) above, that the number of seats on a body which are allocated to each Political Group bears the same proportion to the number of all seats on that body as is borne by the number of members of that Group in membership of the Authority.

4.4 Following the elections on 2 May 2019, the political composition of the Council is:

Conservative	37 members
Labour	9 members
UK Independence Party (UKIP)	4 members

4.5 There are a total of 80 seats available on the Committees appointed by the Council. The application of the calculations in paragraph 4.1 leads to an overall allocation of 59 seats to the Conservative Group, 15 seats to the Labour Group and 6 seats to the UKIP Group.

4.6 In order to meet, as closely as possible, the political balance requirements on **each committee** (as set out in Section 5(d) of the 1989 Act), as well as the proportion of the total seats on all committees (set out in Section 15c of the 1989 Act), it is proposed that places be allocated on committees as show in the table in paragraph 5.2 below.

4.7 The calculations are set out in Appendix 3.

5. Key issues and proposals

(a) Committees

5.1 It is proposed that all the Committees listed in Appendix 1 be reappointed and that no changes are made to their roles or terms of reference, which are set out in Articles 6, 7, 8, 10 and 11 in Part 2 of the Constitution. The Terms of Reference of the Senior Officer Appointments Committee not currently set out in the Articles, but its sole purpose is to make recommendations to the Council, should any vacancies occur, on the appointment of a Chief Executive, Monitoring Officer or Section 151 Officer for which a formal resolution of the full Council is required. Similarly the role of the Senior Officer's Disciplinary Committee is to be involved at the appropriate stage in the process of any disciplinary action against any of the three statutory officers referred to above.

5.2 The application of the political balance rules to these committees provides for the allocation of seats as follows:

	<u>Con</u>	<u>Lab</u>	<u>UKIP</u>
Overview and Scrutiny Committee (14)	11	2	1
Audit Committee (14)	10	3	1
Employment and Appeals Committee (10)	7	2	1
Planning Committee (14)	11	2	1
Licensing Committee (14)	10	3	1
Standards Committee (6)	4	1	1
Senior Officers Appointments Committee (4)	3	1	0
Senior Officers Disciplinary Committee (4)	3	1	0
	<u>59</u>	<u>15</u>	<u>6</u>

5.3 An updated version of Appendix 1, listing the full list of nominations submitted by each of the political groups, in accordance with the political balance rules, will be published on the website and circulated to councillors prior to the meeting.

(b) Other Panels and Groups

5.4 The statutory political balance rules relating to the allocation of places on committees do not have to be applied to panels and groups, although, the proposed allocations in this report do comply with those rules. It is proposed that the Councillor Development Group, and the Planning Policy Group be reappointed with the roles described below and with the membership set out in Appendix 2.

5.5 Councillor Development Group

The Councillor Development Group comprises a Cabinet Member and up to 12 other Councillors. Its role is to liaise with all Councillors and to work closely with the relevant officers to promote the aims and facilitate the efficient delivery of a comprehensive and effective Councillor development programme. The proposed composition of the Group is set

out in Appendix 2. An updated version listing the nominations for membership of the Group submitted by each of the political groups will be published on the Council's website and circulated to all Councillors prior to the meeting.

5.6 Planning Policy Group

The Planning Policy Group is a Member group that has worked closely with the Council's officers over a lengthy period of time to develop the various components included in the Local Plan, 2011 – 2031 which was approved by the Council on 28 February 2019. Although the Plan has now been approved, there is a need for the Group to continue, to receive information and comment on options and proposals submitted by officers, particularly on a review of parts of the Plan which is due to commence soon and the preparation of masterplans for various locations. The Group has no delegated decision making powers but can contribute to the formulation of proposals included in documents submitted to either the Cabinet or Full Council, as appropriate for decision. The Group has previously comprised the Planning and Economic Development Portfolio Holder, the Chairman and Vice-Chairman of the Planning Committee and two representatives from each geographic area of the Borough i.e. Fleetwood, Thornton, Cleveleys, Poulton-le-Fylde, Rural East and Rural West (including at least 2 opposition Members). The most recent Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) has indicated that he does not think the Portfolio Holder should be a member of the Group, but should only attend when invited for a particular item.

(c) Lancashire Police and Crime Panel

5.7 The Police and Crime Panel for Lancashire is a formal Joint Committee of the 15 local authorities for the Lancashire Police Force area, established under the Police Reform and Social Responsibility Act 2011. Its composition, terms of reference and procedure rules are set out in Part 3.04 of the Council's constitution. Each Council in Lancashire is entitled to appoint one member to the Panel. Since 2015, the Neighbourhood Services and Community Safety Portfolio Holder has been appointed as Wyre's representative. The Secretary to the Panel, currently an officer at Blackburn with Darwen Council, will have to make arrangements, in consultation with the Leaders and Chief Executives of all the member authorities to ensure that the political balance requirements are met, which could possibly mean Wyre being invited to nominate a second representative.

(d) Chairmen and Vice Chairmen

5.8 As usual, a Chairman and Vice Chairman will be formally appointed at the first meeting in 2019/20 of each Committee Panel and Group. However, the nominations of the majority group are indicated in Appendix 1.

Financial and legal implications	
Finance	None arising directly from this report.
Legal	The proposals in this report are in accordance with legal requirements, as set out in paragraph 4.2 of the report.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
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List of background papers:		
name of document	date	where available for inspection
None	-	-

List of appendices

Appendix 1: Nominations for membership Committees for 2019/20.

Appendix 2: Nominations for membership of Panels and Groups for 2019/20

Appendix 3: Political Balance Calculations 2019/20

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NOMINATIONS FOR MEMBERSHIP OF COMMITTEES 2019/20

(Membership of these Committees has to be politically balanced in accordance with the requirements of Section 15 of the Local Government and Housing Act 1989).

OVERVIEW AND SCRUTINY COMMITTEE (14)

Conservative Councillors (11)	I Amos, R Amos, Ballard, C Birch, Collinson, Cropper, E Ellison, Ibison (Ch)*, Minto, Leech, Matthew Vincent (VCh)*
Labour Councillors (2)	To be notified.
UKIP Councillors (1)	To be notified.

AUDIT COMMITTEE (14)

Conservative Councillors (10)	R Amos, Cartridge, E Ellison, Holden, Ingham (VCh)*, McKay (Ch)*, Minto, Moon, L Walmsley, Webster
Labour Councillors (3)	To be notified.
UKIP Councillors (1)	To be notified.

EMPLOYMENT AND APPEALS COMMITTEE (10)

Conservative Councillors (7)	R Amos (Ch)*, Lady D Atkins, Baxter, Collinson (VCh)*, P Ellison, Holden, Le Marinel
Labour Councillors (2)	To be notified.
UKIP Councillors (1)	To be notified.

PLANNING COMMITTEE (14)

Conservative Councillors (11)	I Amos, R Amos, Lady D Atkins, Ballard (VCh)*, Catterall, Holden, Ingham, Le Marinel, Moon (Ch)*, Orme, D Walmsley
Labour Councillors (2)*	To be notified.
UKIP Councillors (1)	To be notified.

LICENSING COMMITTEE (14)

Conservative Councillors (10)	Sir R Atkins, Baxter, C Birch, Cartridge (VCh)*, Kay, Leech, Robinson (Ch)*, S Turner, Matthew Vincent, Webster
Labour Councillors (3)	To be notified.

UKIP Councillors (1) To be notified.

STANDARDS COMMITTEE (6)

Conservative Councillors (4) Sir R Atkins, B Birch (VCh)*, Catterall (Ch)*, Orme

Labour Councillors (1)* To be notified.

UKIP Councillors (1) To be notified.

SENIOR OFFICERS APPOINTMENTS COMMITTEE (4)

Conservative Councillors (3) Bowen, Henderson, A Vincent

Labour Councillors (1) To be notified.

UKIP Councillors (0)

SENIOR OFFICERS DISCIPLINARY COMMITTEE (4)

Conservative Councillors (3) Bowen, Henderson, A Vincent

Labour Councillor (1) To be notified.

UKIP Councillors (0)

* Nominations, subject to appointment at the first meeting of the Committee.

NOMINATIONS FOR MEMBERSHIP OF PANELS AND GROUPS 2019/20

(Section 15 of the Local Government and Housing Act 1989, relating to political balance arrangements, does not have to be applied to these Panels and Groups).

COUNCILLOR DEVELOPMENT GROUP (12) + 1 Cabinet Member

A Cabinet Member	Henderson
Conservative Councillors (9)	I Amos, C Birch, Collinson, Cropper, P Ellison, Holden, Kay, S Turner, L Walmsley
Labour Councillors (2)	To be notified.
UKIP Councillors (1)	To be notified.

PLANNING POLICY GROUP (12) + Vice-Chairman of Planning Committee

The Chairman of the Planning Committee	Moon *
Vice-Chairman of the Planning Committee	Ballard (Ch)*

Plus 12 Councillors (2 Councillors from each of the areas identified in the Local Pan, i.e. Fleetwood, Thornton, Cleveleys, Poulton, Rural East and Rural West) and including at least 2 opposition Councillors.

Conservative Councillors (9)	I Amos, Lady D Atkins, B Birch, Collinson, E Ellison, Ingham (VCh)*, S Turner, Le Marinel, D Walmsley
Labour Councillors (2)	To be notified.
UKIP Councillors (1)	To be notified.

The Planning and Economic Development Portfolio Holder to attend when invited for a particular issue.

* Nominations, subject to appointment at the first meeting of the Group/Panel.

Political Balance Calculations 2019/20

Appendix 3

Political Composition

Conservatives	37	74.00%
Labour	9	18.00%
UKIP	4	8.00%
Total Members	50	100.00%

Committee/Panel	No. of Seats	Conservative	Labour	UKIP	Total	Adjustment Required to.....		Final Allocations.....					
						Conservative	Labour	UKIP	Conservative	Labour	UKIP	Total	
Council	50												
Cabinet	6												
Places to which Political Balance Rules statutorily apply:													
Planning	14	10.36	2.52	1.12	14	1	-1		11	2	1	14	
Licensing	14	10.36	2.52	1.12	14				10	3	1	14	
O&S	14	10.36	2.52	1.12	14	1	-1		11	2	1	14	
Audit	14	10.36	2.52	1.12	14				10	3	1	14	
Employment and Appeals	10	7.4	1.8	0.8	10				7	2	1	10	
Senior Officer Disciplinary	4	2.96	0.72	0.32	4				3	1	0	4	
Senior Officer Appointments	4	2.96	0.72	0.32	4				3	1	0	4	
Standards	6	4.44	1.08	0.48	6			1	4	1	1	6	
Total Places to which Political Balance Rules Statutorily Apply-Rounded		57.0	17.0	5.0	79				59	15	6	80	
Total Places to which Political Balance Rules Statutorily Apply-Unrounded	80	59.2	14.4	6.4	80								
									73.75%	18.75%	7.50%		
Places to which Political Balance Rules do not statutorily apply:													
Councillor Development	12	8.88	2.16	0.96	12								
Planning Policy	12	8.88	2.16	0.96	12								