

Public Document Pack



Town Hall
Trinity Road
Bootle
L20 7AE

To: Members of the Council

Date: 17 May 2016
Our Ref:
Your Ref:

Please contact: Steve Pearce
Contact Number: 0151 934 2046
Fax No: 0151 934 2034
e-mail: steve.pearce@sefton.gov.uk

Dear Councillor

COUNCIL - THURSDAY 19TH MAY, 2016

I refer to the agenda for the above meeting and now enclose the following report(s) which were unavailable when the agenda was printed.

- | Agenda No. | Item |
|-------------------|--|
| 7. | Cabinet and Deputy Leader of the Council (Pages 23 - 24)
Report of the Leader of the Council attached |
| 8. | Appointment of Committees and Working Groups 2016/17 |
| a) | <u>To Determine the Size and Membership of Committees and Working Groups in accordance with the Political Balance Rules</u> (Pages 25 - 40)

Details of the allocation of Committee Places in accordance with the Political Balance Rules and the proposed membership of Committees and Working Groups for 2016/17 attached |
| b) | <u>Terms of Reference for Committees and Working Groups</u>

Subject to the item above, the Council is requested to approve the terms of reference of the Committees and Working Groups, as set out in Chapters 6 and 7 of the Council Constitution. |
| 9. | Appointment of Representatives on Merseyside Joint Authorities 2016/17 (Pages 41 - 42)

Details of the proposed representation on the Merseyside Joint Authority bodies for 2016/17 attached |

10. **Appointment of Representatives on Sefton Partnership Bodies 2016/17**
(Pages 43 - 44)
Details of the proposed representation on the Partnership Bodies for 2016/17 attached

12. **Constitutional Amendments - Statutory Officers** (Pages 45 - 48)
Report of the Head of Regulation and Compliance attached

Yours sincerely,

M. CARNEY

Chief Executive

ADJOURNED ANNUAL COUNCIL – 19 MAY 2016

REPORT OF THE LEADER OF THE COUNCIL

APPOINTMENT OF THE CABINET AND DEPUTY LEADER OF THE COUNCIL

MOTION

RESOLVED

That it be noted that the Cabinet comprising of the Members indicated below was appointed by the Leader of the Council at the Council meeting held on 21 May 2015 for a four year term of office or until such time as their term of office expires, they are removed by the Leader or for any of the reasons set out in Paragraph 4 (a) to (c) of Chapter 5 in the Constitution;

CABINET (9)

Portfolio	Member
Leader of the Council	Councillor Maher
Cabinet Member – Adult Social Care	Councillor Cummins
Cabinet Member – Children, Schools and Safeguarding	Councillor John Joseph Kelly
Cabinet Member – Communities and Housing	Councillor Hardy
Cabinet Member – Health and Wellbeing	Councillor Moncur
Cabinet Member – Locality Services and Deputy Leader of the Council	Councillor Fairclough
Cabinet Member – Planning and Building Control	Councillor Veidman
Cabinet Member – Regeneration and Skills	Councillor Atkinson
Cabinet Member – Regulatory, Compliance and Corporate Services	Councillor Lappin

Councillor Maher
Leader of the Council

This page is intentionally left blank

Agenda Item 8a

Report to:	Adjourned Annual Council Meeting	Date of Meeting:	19 May 2016
Subject:	Appointment of Committees and Working Groups 2016/17	Wards Affected:	All
Report of:	Head of Regulation and Compliance		
Is this a Key Decision?	No	Is it included in the Forward Plan?	No
Exempt/Confidential	No		

Purpose/Summary

The purpose of this report is to allocate seats on the various Committees of the Council in order to comply with Section 15 of the Local Government and Housing Act 1989 and to make appointments to those seats in accordance with Section 16, together with the appointment of Chairs.

Recommendation(s)

- (1) The allocation of Committee Places be noted; and
- (2) The Members, Chairs and Vice Chairs for the Committees and Working Groups set out in the appendix to this report be appointed for a period of twelve months until the Adjourned Annual Council Meeting to be held in May 2017.

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		✓	
3	Environmental Sustainability		✓	
4	Health and Well-Being		✓	
5	Children and Young People		✓	
6	Creating Safe Communities		✓	
7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy	✓		

Agenda Item 8a

Reasons for the Recommendation:

The comply with the requirements of the Council's Constitution and

Alternative Options Considered and Rejected:

None

What will it cost and how will it be financed?

(A) Revenue Costs n/a

None

(B) Capital Costs

None

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Financial	
Legal	
Human Resources	
Equality	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact of the Proposals on Service Delivery:

None

What consultations have taken place on the proposals and when?

The Chief Finance Officer (FD.4155/16) and Head of Regulation and Compliance (LD3438/16) have been consulted and have no comments on the report.

Implementation Date for the Decision

Immediately following the Council/meeting.

Agenda Item 8a

Contact Officer: Jill Coule
Tel: 0151 934 2031
Email: jill.coule@sefton.gov.uk

Background Papers:

There are no background papers available for inspection

Agenda Item 8a

1. Summary

- 1.1 In accordance with Section 15 of the Local Government and Housing Act 1989, it is the duty of the Council, at its Annual meeting, where it is divided into different political groups, to review the representation of different political groups on Committees and Sub-Committees.

2. Political Composition of the Council

- 2.1 Following the Council Elections on 5 May 2016, the political composition of the Council is:

Political Group / Member	Seats on Council
Labour	38
Liberal Democrat	17
Conservative	6
Independents Group	4
Conservative Independent Member	1
Total	66

3. Allocation of Committee Places

- 3.1 In accordance with Section 15 of the Local Government and Housing Act 1989 (LG&HA 1989) and Local Government (Committees and Political Groups) Regulations 1990, where a Council is divided into different political groups, seats on Ordinary Committees have to be allocated to give effect to the following principles:
- (a) all the seats on Committee are not to be allocated to the same political group;
 - (b) the majority of seats on a Committee should be allocated to the group which has the majority of the Authority's membership;
 - (c) subject to (a) and (b) above, the total number of seats on Committees must be allocated in proportion to the political strength on the Council; and
 - (d) subject to (a), (b) and (c) above the number of seats on each Committee must be allocated in proportion to the political strength on the Council.
- 3.2 A political group must comprise of two or more members and consequently the Conservative Independent Member, Councillor David Barton is not entitled to any Committee places on the Ordinary Committees.
- 3.3 The term "Ordinary Committees" have a special statutory meaning. They only include Committees that have delegated powers to discharge the Council's statutory functions.
- 3.4 The political proportionality rules do not apply to the appointment of the Cabinet under the Council's Constitution.

Agenda Item 8a

3.5 The Local Government (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 made under the Health and Care Act 2012 provide that the Health and Wellbeing Board shall be a committee of the Council. The requirement for political balance does not apply to the Board and the Act requires that the Council membership is nominated by the Executive Leader (Leader of the Council).

3.6 A careful statistical analysis is considered prior to the allocation of the seats, to achieve the best fit both mathematically and to give effect to the principles cited above. In considering the statistical outcome of the elections and the allocation of seats, it is vital to appreciate that not all statistical outcomes can be rounded up and that there needs to be compromise in the system to achieve the overall apportionment of seats. In other words some statistics that would ordinarily be rounded up might need to be rounded down in order to give effect to the statistical apportionment of seats to each party.

The first step is to ensure that the allocation of seats reflects the outcome of the election. The second step is to ensure that the party with the most members is allocated the most seats. Following which the primary principle is that each party achieves their overall allocation of seats across all of the Ordinary Committees (Section 15 (5) (c) of the LG&HA 1989 refers). Where possible and subject to that primary principle, only then can the principles be applied to each and every committee. It is not possible to give effect to this last principle even though the statistics for each individual ordinary committee might suggest otherwise.

3.7 It is therefore recommended that the seats on the Ordinary Committees be allocated as shown below:

Committee	Places	Labour	Liberal Democrat	Conservative	Independents
Audit & Governance	10	6	2	1	1
Licensing & Regulatory	15	8	5	1	1
Planning	15	9	4	1	1
O&S Adult Social Care	10	6	3	1	0
O&S Children's Services & Safeguarding	10	6	2	1	1
O&S Regeneration & Skills	10	6	3	1	0
O&S Regulatory, Compliance & Corporate Services	10	6	2	1	1
Total	80	47	21	7	5

Agenda Item 8a

3.7 The allocation of seats on ad-hoc Committees is as follows:

Committee	Places	Labour	Liberal Democrat	Conservative	Independents
Licensing Urgent Referral Sub	3	2	1	0	0
Pay and Grading Committee	6	3	2	1	0
Planning Urgent Referral Sub	3	2	1	0	0
JCC Teachers	9	5	2	1	1
Local Joint Consultative	12	7	3	1	1
Public Engagement and Consultation Panel	4	2	1	1	0

4. Appointment of Members to Committees

- 4.1 Section 16 of the Local Government and Housing Act 1989 provides that after the Authority has determined the allocation of seats, it is the duty of the Authority to exercise its power to make appointments to Committees to give effect to the wishes of the various political groups, as to who is to be appointed to the seats of that body which have been allocated to that particular group. The seats are the property of the various political groups for appointment and dismissal.
- 4.2 The appointment of members in line with the wishes of the groups are shown in the appendix to this report.

Agenda Item 8a

ADJOURNED ANNUAL COUNCIL – 19 MAY 2016

APPOINTMENT OF COMMITTEES AND WORKING GROUPS FOR 2016/17

MOTION

RESOLVED: That

- (1) the allocation of Committee places in accordance with the Political Balance Rules, as set out below, be noted; and
- (2) the Members, Chairs and Vice-Chairs for the Committees and Working Groups set out below be appointed for a period of twelve months until the Adjourned Annual Council Meeting to be held in May 2017.

(A) OVERVIEW AND SCRUTINY COMMITTEES

OVERVIEW AND SCRUTINY COMMITTEE (ADULT SOCIAL CARE) (10)

(Plus 2 Associate Members)

(Lab 6 /Lib Dem 3 /Con 1 /Ind 0)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Page	Cllr. Michael O'Brien
2.	Vice-Chair: Cllr. Dams	Cllr. Webster
3.	Cllr. Burns	Cllr. Kevin Cluskey
4.	Cllr. Carr	Cllr. Dan T. Lewis
5.	Cllr. Linda Cluskey	Cllr. Carragher
6.	Cllr. Dawson	Cllr. Keith
7.	Cllr. Dutton	Cllr. Jones
8.	Cllr. McGuire	Cllr. Marianne Welsh
9.	Cllr. Owens	Cllr. Friel
10.	Cllr. Lynne Thompson	Cllr. Pullin

Associate Members:-

(Non-voting Co-opted Members) – Mr. Brian Clark and Mr. Roger Hutchings
(Nominated by Healthwatch, Sefton)

Agenda Item 8a

OVERVIEW AND SCRUTINY COMMITTEE (CHILDREN'S SERVICES AND SAFEGUARDING) (10)

(Plus 4 Education Added Members and 2 Associate Members)

(Lab 6 /Lib Dem 2 /Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Murphy	Cllr. Michael O'Brien
2.	Vice-Chair: Cllr. Webster	Cllr. Brennan
3.	Cllr. Bennett	Cllr. Gannon
4.	Cllr. Bradshaw	Cllr. Page
5.	Cllr. Carragher	Cllr. Thomas
6.	Cllr. Hands	Cllr. Dodd
7.	Cllr. Keith	Cllr. Booth
8.	Cllr. Brenda O'Brien	Cllr. Carr
9.	Cllr. Pitt	Cllr. Ball
10.	Cllr. Spencer	Cllr. John Kelly

**Education Added Members:-
(Voting Co-opted Members)**

Church Diocesan Representatives:
Father D. Seddon and one other person to be nominated.
Parent Governor Representatives appointed until 31 May 2018:
Awaiting nominations

**Associate Members:-
(Non-voting Co-opted Members)**

Ms. Libby Kitt (Nominated by Healthwatch, Sefton) and Mrs. S. Cain

OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) (10)

(Lab 6 /Lib Dem 3 /Con 1 / Ind 0)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Sayers	Cllr. Grace
2.	Vice-Chair: Cllr. Michael O'Brien	Cllr. Murphy
3.	Cllr. Bliss	Cllr. Jamieson
4.	Cllr. Carragher	Cllr. Anne Thompson
5.	Cllr. Dan T. Lewis	Cllr. Kevin Cluskey
6.	Cllr. Pullin	Cllr. Jo Barton
7.	Cllr. Roche	Cllr. McGinnity
8.	Cllr. Weavers	Cllr. Dawson
9.	Cllr. Webster	Cllr. Bradshaw
10.	Cllr. Bill Welsh	Cllr. Shaw

OVERVIEW AND SCRUTINY COMMITTEE (REGULATORY, COMPLIANCE AND CORPORATE SERVICES) (10)

(Lab 6 /Lib Dem 2 /Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Robinson	Cllr. Thomas
2.	Vice-Chair: Cllr. Byrom	Cllr. Murphy
3.	Cllr. Booth	Cllr. Weavers
4.	Cllr. Linda Cluskey	Cllr. Dams
5.	Cllr. Grace	Cllr. Roche
6.	Cllr. Jamieson	Cllr. Dutton
7.	Cllr. Daniel Lewis	Cllr. McGuire
8.	Cllr. McCann	Cllr. Bennett
9.	Cllr. McKinley	Cllr. Sayers
10.	Cllr. Owens	Cllr. Roscoe

(B) REGULATORY AND OTHER COMMITTEES

APPEALS COMMITTEE

Members of the Council (other than Cabinet Members) to form a Panel from which 3 Members are selected to form a politically balanced Committee. (Lab 2 / Lib Dem 1 / Con 0)

AUDIT AND GOVERNANCE COMMITTEE (10)

(Lab 6 / Lib Dem 2 / Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Brennan	Cllr. McKinley
2.	Vice-Chair: Cllr. Roche	Cllr. Roscoe
3.	Cllr. Ashton	Cllr. Daniel Lewis
4.	Cllr. Bennett	Cllr. McCann
5.	Cllr. Bliss	Cllr. Dutton
6.	Cllr. Kevin Cluskey	Cllr. Bradshaw
7.	Cllr. McGinnity	Cllr. Robinson
8.	Cllr. Moncur	Cllr. Linda Cluskey
9.	Cllr. Sayers	Cllr. Dams
10.	Cllr. Shaw	Cllr. Hands

Membership is the Leader of the Council and the other 2 Party Group Leaders (or their nominees) and 7 Non-Executive Members of the Council.

HEARINGS SUB-COMMITTEE OF AUDIT & GOVERNANCE COMMITTEE

All Members of the Audit and Governance Committee will form a Panel from which 3 Members will be selected to form a Sub-Committee.

Agenda Item 8a

INITIAL ASSESSMENT SUB-COMMITTEE OF AUDIT & GOVERNANCE COMMITTEE

All Members of the Audit and Governance Committee will form a Panel from which 3 Members will be selected to form a Sub-Committee.

REVIEW SUB-COMMITTEE OF AUDIT & GOVERNANCE COMMITTEE

All Members of the Audit and Governance Committee to form a Panel from which 3 Members will be selected to form a Sub-Committee.

Co-opted Voting Members of Audit and Governance Standards Sub-Committees

Parish Councillors J. Colbert (Aintree Village Parish Council), G. Lee (Melling Parish Council) and D. Warren (Hightown Parish Council) have been nominated by the Sefton Area Partnership of Local Councils – If any complaints are submitted in respect of the conduct of any Parish Councillor in the Borough, one of the Parish Councillors will be selected to form part of the 3 Member Panel on the Sub-Committees set out above.

INDEPENDENT PERSONS (STANDARDS ISSUES)

Mr. E. Davies
Mr. J. Fraser

EMPLOYMENT PROCEDURE COMMITTEE

Members of the Council to form a panel from which a minimum of 3 Members are selected to form a politically balanced Committee (Lab 2 /Lib Dem 1 /Con 0). At least one member of the Cabinet to be included on the Committee.

HEALTH AND WELLBEING BOARD

Members appointed by the Leader of the Council	Councillor Moncur – Cabinet Member – Health and Wellbeing (Chair)
	Councillor Cummins – Cabinet Member – Adult Social Care
	Councillor John Joseph Kelly – Cabinet Member – Children, Schools and Safeguarding
Director of Social Care and Health	Dwayne Johnson
Head of Health and Wellbeing	Matthew Ashton
Representative of NHS South Sefton Clinical Commissioning Group	Dr Rob Candwell
Representative of NHS Southport and Formby Clinical Commissioning Group	Dr Andrew Mimmagh
Chief Officer of NHS South Sefton and NHS Southport and Formby Clinical Commissioning Groups	Fiona Taylor
Representative of NHS England	Phil Wadeson
Representative of Healthwatch, Sefton	Maureen Kelly
Representative of the NHS Acute Provider Sector	Steve Warburton

Agenda Item 8a

Representative from the Every Child Matters Forum	Lorraine Webb
Representative from the Health and Social Care Forum	Andrew Booth
Representative from the Voluntary Community Faith Sector (representative to be agreed through Sefton CVS as the umbrella organisation for the voluntary community and faith sector)	Angela White

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 made under the Health and Social Care Act 2012 provide that the Board shall be a committee of the Council. The requirement for political balance does not apply to the Board and the Act requires that the Councillor Membership is nominated by the Executive Leader (Leader of the Council).

LICENSING AND REGULATORY COMMITTEE (15)

(Lab 8 /Lib Dem 5 /Con 1 /Ind 1)

	<u>Member</u>
1.	Chair: Cllr. John Kelly
2.	Vice-Chair: Cllr. Bradshaw
3.	Cllr. Jo Barton
4.	Cllr. Bliss
5.	Cllr. Burns
6.	Cllr. Kevin Cluskey
7.	Cllr. Dodd
8.	Cllr. Friel
9.	Cllr. Gannon
10.	Cllr. Keith
11.	Cllr. McGinnity
12.	Cllr. Preece
13.	Cllr. Robinson
14.	Cllr. Anne Thompson
15.	Cllr. Marianne Welsh

LICENSING AND REGULATORY (URGENT REFERRALS) COMMITTEE (3)

(Lab 2 /Lib Dem 1 /Con 0 / Ind 0)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. John Kelly	Cllr. Friel
2.	Cllr. Bradshaw	Cllr. Burns
3.	Cllr. Preece	Cllr. Marianne Welsh

Agenda Item 8a

LICENSING SUB-COMMITTEE

Members of the Licensing and Regulatory Committee to form a Panel from which 3 Members are selected to form a politically balanced Sub-Committee.
(Lab 2/Lib Dem 1/Con 0/ Ind 0))

LICENSING (SEXUAL ENTERTAINMENT VENUES) SUB-COMMITTEE

Members of the Licensing and Regulatory Committee to form a Panel from which 3 Members are selected to form a politically balanced Sub-Committee.
(Lab 2 /Lib Dem 1 /Con 0 / Ind 0))

PAY AND GRADING COMMITTEE (6)

(Lab 3 /Lib Dem 2 /Con 1 /Ind 0) – Including Cabinet Member – Regulatory, Compliance and Corporate Services

	<u>Member</u>
1.	Chair: Cllr. Lappin
2.	Vice-Chair: Cllr. Murphy
3.	Cllr. Ashton
4.	Cllr. Bliss
5.	Cllr. Dams
6.	Cllr. Shaw

PLANNING COMMITTEE (15)

(Lab 9 /Lib Dem 4 /Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Viedman	Cllr. Burns
2.	Vice-Chair: Cllr. Michael O'Brien	Cllr. Byrom
3.	Cllr. Dodd	Cllr. Ashton
4.	Cllr. Dutton	Cllr. Jamieson
5.	Cllr. Hands	Cllr. McGuire
6.	Cllr. John Kelly	Cllr. Kevin Cluskey
7.	Cllr. Dan T. Lewis	Cllr. Sayers
8.	Cllr. Brenda O'Brien	Cllr. Robinson
9.	Cllr. O'Hanlon	Cllr. Bennett
10.	Cllr. Preece	Cllr. Lynne Thompson
11.	Cllr. Roscoe	Cllr. McGinnity
12.	Cllr. Spencer	Cllr. Anne Thompson
13.	Cllr. Thomas	Cllr. Friel
14.	Cllr. Tweed	Cllr. Page
15.	Cllr. Marianne Welsh	Cllr. Booth

PLANNING (URGENT REFERRALS) COMMITTEE (3)

(Lab 2 /Lib Dem 1 /Con 0 / Ind 0)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Veidman	Cllr. Friel
2.	Cllr. Michael O'Brien	Cllr. Byrom
3.	Cllr. Hands	Cllr. Preece

PLANNING VISITING PANEL (15)

The Panel comprises of the Members of the Planning Committee.

(C) LOCAL AREA COMMITTEES

The Members of the Wards included below in the area of each Committee.

The Chair, Vice-Chair, Parish Council Representatives (where applicable) and Local Advisory Members to be appointed by the respective Area Committee.

CENTRAL SEFTON AREA COMMITTEE (27)

Ward	Member
Blundellsands	Cllr. Dams
	Cllr. Daniel Terence Lewis
	Cllr. Roscoe
Church	Cllr. Cummins
	Cllr. Veidman
	Cllr. Webster
Harington	Cllr. Dutton
	Cllr. Jamieson
	Cllr. Pitt
Manor	Cllr. Carragher
	Cllr. John Joseph Kelly
	Cllr. McGinnity
Molyneux	Cllr. Atkinson
	Cllr. Carr
	Cllr. Murphy
Park	Cllr. Burns
	Cllr. O'Hanlon
	Cllr. Sayers
Ravenmeols	Cllr. Bennett
	Cllr. McCann
	Cllr. Page
Sudell	Cllr. Gannon
	Cllr. McKinley
	Cllr. Owens
Victoria	Cllr. Byrom
	Cllr. Grace
	Cllr. Roche

Agenda Item 8a

SOUTH SEFTON AREA COMMITTEE (18)

Ward	Member
Derby	Cllr. O'Brien
	Cllr. Robinson
	Cllr. Anne Thompson
Ford	Cllr. Kevin Cluskey
	Cllr. Lappin
	Cllr. Moncur
Linacre	Cllr. Brenda O'Brien
	Cllr. Fairclough
	Cllr. Friel
Litherland	Cllr. Hardy
	Cllr. John Kelly
	Cllr. Tweed
Netherton and Orrell	Cllr. Bradshaw
	Cllr. Brennan
	Cllr. Maher
St. Oswald	Cllr. Linda Cluskey
	Cllr. Spencer
	Cllr. Thomas

SOUTHPORT AREA COMMITTEE (21)

Ward	Member
Ainsdale	Cllr. Jones
	Cllr. Preece
	Cllr. Lynne Thompson
Birkdale	*
	Cllr. Hands
	Cllr. Shaw
Cambridge	Cllr. Bliss
	Cllr. Keith
	Cllr. McGuire
Dukes	Cllr. Ball
	Cllr. David Barton
	Cllr. Dawson
Kew	Cllr. Booth
	Cllr. Pullin
	Cllr. Weavers
Meols	Cllr. Ashton
	Cllr. Jo Barton
	Cllr. Dodd
Norwood	Cllr. Daniel Lewis
	Cllr. Bill Welsh
	Cllr. Marianne Welsh

* The Mayor, Councillor Brodie-Browne will not be a member of the Area Committee during his year of office.

(D) CONSULTATIVE BODIES

INDEPENDENT REMUNERATION PANEL (5 members)

Mr. E. Davies	}	4 year term until May 2020
Mr. J. Fraser	}	
Mrs. S. Lowe	}	

(To advise and make recommendations to the Authority about the allowances to be paid to Elected Members).

JOINT CONSULTATIVE COMMITTEE FOR TEACHING STAFFS

(9 Council Members plus 9 Teacher representatives)

(Lab 5 /Lib Dem 2 /Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Cllr. Jo Barton	Cllr. Hands
2.	Cllr. Bradshaw	Cllr. Tweed
3.	Cllr. Brennan	Cllr. Sayers
4.	Cllr. Dutton	Cllr. Jones
5.	Cllr. Friel	Cllr. Brenda O'Brien
6.	Cllr. Keith	Cllr. Booth
7.	Cllr. John Joseph Kelly	Cllr. Burns
8	Cllr. McCann	Cllr. Bennett
9	Cllr. Page	Cllr. Michael O'Brien

LOCAL JOINT CONSULTATIVE COMMITTEE

(12 Council Members plus 12 Trade Union Representatives)

(Lab 7 /Lib Dem 3 /Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Cllr. Jo Barton	Cllr. Daniel Lewis
2.	Cllr. Bliss	Cllr. Ball
3.	Cllr. Bradshaw	Cllr. Spencer
4.	Cllr. Brennan	Cllr. Grace
5.	Cllr. Dawson	Cllr. Keith
6.	Cllr. Dodd	Cllr. Bill Welsh
7.	Cllr. Gannon	Cllr. Bennett
8.	Cllr. Lappin	Cllr. Burns
9.	Cllr. Murphy	Cllr. McKinley
10.	Cllr. Michael O'Brien	Cllr. Carragher
11.	Cllr. Sayers	Cllr. Tweed
12.	Cllr. Webster	Cllr. Carr

Agenda Item 8a

PUBLIC ENGAGEMENT AND CONSULTATION PANEL (4)

(Lab 2 /Lib Dem 1 /Con 1 /Ind 0)

	<u>Member</u>	<u>Substitute</u>
1.	Cabinet Member – Regulatory, Compliance and Corporate Services – Cllr. Lappin	Cllr. Byrom
2.	Cllr. Robinson	Cllr. Owens
3.	Cllr. McGuire	Cllr. Ashton
4.	Cllr. Jamieson	Cllr. Dutton

(E) MAJOR SERVICE GOVERNANCE BODY

FINANCE AND INFORMATION SERVICES OPERATIONAL BOARD (1)

Cabinet Member – Regulatory, Compliance and Corporate Services (Councillor Lappin).

ADJOURNED ANNUAL COUNCIL – 19 MAY 2016

APPOINTMENT OF REPRESENTATIVES ON THE MERSEYSIDE JOINT AUTHORITY BODIES 2016/17

MOTION

RESOLVED:

That the following Members be appointed to serve on the following Joint Authority Bodies in 2016/17:

Joint Authority

Representatives

Liverpool City Region
(LCR) Combined Authority

Leader of the Council (Councillor Maher)
Substitute Member – Deputy Leader of the
Council (Councillor Fairclough)

Merseytravel Committee
(LCR Combined Authority
Transport Committee)

Councillors Carr (Lab), Dodd (LD), Friel
(Lab) and McKinley (Lab)

Liverpool City Region Combined
Authority Scrutiny Panel

Councillors Murphy (Lab) (Scrutiny Link)
and Dan T. Lewis (Lab)

Merseyside Fire and Rescue Authority

Councillors Byrom (Lab), Grace (Lab),
Tweed (Lab) and Marianne Welsh (LD)

Merseyside Waste Disposal Authority

Councillors Kevin Cluskey (Lab) and
Michael O'Brien (Lab)

Merseyside Police and Crime Panel
(Nominations only – The appointments
are agreed on a Pan-Merseyside
basis)

Councillors Burns (Lab) and Shaw (LD)

This page is intentionally left blank

Agenda Item 10

ADJOURNED ANNUAL COUNCIL – 19 MAY 2016

APPOINTMENT OF REPRESENTATIVES ON SEFTON PARTNERSHIP BODIES 2016/17

MOTION

RESOLVED:

That the following Members set out below, be appointed to serve on the Thematic Partnerships of the Sefton Borough Partnership and the Area Partnerships in 2016/17:

<u>Thematic Partnerships</u>	<u>Number of Representatives</u>	<u>Member</u>
Sefton Safer Communities Partnership	3	Cabinet Member - Communities and Housing (Councillor Hardy) and the two Council representatives on the Merseyside Police and Crime Panel (Councillors Burns and Shaw)
Sefton Partnership for Older Citizens	1	Cabinet Member – Adult Social Care (Councillor Cummins)
<u>Area Partnerships</u>		
Crosby Area Partnership	2	1 Member of the Crosby locality to be appointed by the Central Sefton Area Committee plus 1 Cabinet Member to be appointed by the Leader of the Council (Councillor Cummins)
Formby Area Partnership	2	1 Member of the Formby locality to be appointed by the Central Sefton Area Committee plus 1 Cabinet Member to be appointed by the Leader of the Council (Councillor John Joseph Kelly)
Sefton East Area Partnership	2	1 Member of the Sefton East locality to be appointed by the Central Sefton Area Committee plus 1 Cabinet Member to be appointed by the Leader of the Council (Councillor Moncur)

Agenda Item 10

South Sefton Area Partnership	2	Chair of South Sefton Area Committee plus 1 Cabinet Member to be appointed by the Leader of the Council (Councillor Hardy)
Southport Area Partnership	2	Chair of Southport Area Committee plus 1 Cabinet Member to be appointed by the Leader of the Council (Councillor Fairclough)

Report to: Council **Date of Meeting:** 19 May 2016

Subject: Constitutional Amendments – Statutory Officers **Wards Affected:** All

Report of: Head of Regulation and Compliance

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Purpose/Summary

To introduce an amendment to the Terms of Reference of the Employment Procedure Committee and the Appeals Committee to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI 2015/881).

Recommendation

That that the Terms of Reference of both the Employment Procedure Committee and the Appeals Committee contained in the Constitution be amended by the addition of the following:-

"That for the purposes of dealing with a matter affecting one of the following officers, the Chief Executive, the Council's Section 151 Officer and/or the Monitoring Officer, either the Employment Procedure Committee and/or the Appeals Committee (as necessary) can consist solely of independent members if that is so resolved by ordinary Council Members of the relevant Committee"

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		✓	
3	Environmental Sustainability		✓	
4	Health and Well-Being		✓	
5	Children and Young People		✓	
6	Creating Safe Communities		✓	
7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy		✓	

Agenda Item 12

Reasons for the Recommendation:

To comply with the regulations cited above.

Alternative Options Considered and Rejected:

To not comply with the regulations

What will it cost and how will it be financed?

(A) Revenue Costs

Nil

(B) Capital Costs

Nil

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Financial: Nil
Legal: These are contained within the contents of the report.
Human Resources: Appropriate notification will be provided to affected individuals which will be reflected in changes to Personnel policy.
Equality 1. No Equality Implication <input checked="" type="checkbox"/> 2. Equality Implications identified and mitigated <input type="checkbox"/> 3. Equality Implication identified and risk remains <input type="checkbox"/>

Impact of the Proposals on Service Delivery:

Nil

What consultations have taken place on the proposals and when?

The Chief Finance Officer has been consulted (FD4156/16) and notes the report indicates no direct financial implications for the Council.

Head of Regulation and Compliance (LD3439 /16) have been consulted and any comments have been incorporated into the report.

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer: Paul Fraser, Senior Democratic Services Officer

Tel: 0151 934 2068

Email: paul.fraser@sefton.gov.uk

Background Papers:

There are no background papers

1. Introduction/Background

- 1.1 Correspondence has been received from the Joint Negotiating Committee for Chief Executives of Local Authorities (JNC) regarding the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (the Regulations) that replaced the statutory Designated Independent Person (DIP) provisions with an Independent Panel process. The Council is obliged by virtue of these new regulations to review its constitution, to accommodate changes to the procedure for disciplining and dismissing statutory officers. Statutory officers for these purposes are the Head of Paid Service (Chief Executive), the Section 151 Officer (Head of Corporate Resources) and the Monitoring Officer (Head of Regulation and Compliance).
- 1.2 The JNC has been working over recent months to update the Chief Executives' Handbook so that it reflects the new statutory process. The Regulations provide that where there is a proposal to dismiss a statutory officer the authority must appoint a Panel, and take into account any advice, views or recommendations of that Panel. The Panel should be a Committee of the Council, appointed under section 102(4) of the Local Government Act 1972 and should contain at least two independent persons appointed under s.28(7) of the Localism Act 2011.
- 1.3 There has been some uncertainty as to whether this requirement incorporated the need to maintain political balance in this Committee, i.e. that the requisite number of Councillors should also be appointed. The Department for Communities and Local Government has accepted that it is possible that the Panel can comprise only independent persons provided that is what the authority resolves and therefore in the JNC national model process the Independent Panel shall comprise only independent persons (at least two) appointed under S28(7) of the Localism Act 2011. In other words, no elected members should sit on the Panel.
- 1.4 Notwithstanding the view of the JNC, and in order to maintain flexibility in the Council's decision making processes, it is recommended that when considering

Agenda Item 12

such issues both the Employment Procedure Committee and the Appeals Committee can comprise both elected Members and Independent Persons.

- 1.5 The amendment recommended is that each case be considered on its merits and Councillors can resolve to participate in the committee or can resolve that the matter be dealt with exclusively by Independent Members. This approach can occur either at the Employment Procedure Committee stage and/or the Appeals Committee stage,.
- 1.6 Accordingly, it is recommended that the Terms of Reference of both the Employment Procedure Committee and the Appeals Committee contained in the Constitution be amended by the addition of the following:-

"That for the purposes of dealing with a matter affecting one of the following officers, the Chief Executive, the Council's Section 151 Officer and/or the Monitoring Officer, either the Employment Procedure Committee and/or the Appeals Committee (as necessary) can consist solely of independent members if that is so resolved by ordinary Council Members of the relevant Committee"