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Town Hall Trinity Road Bootle L20 7AE

To: Members of the Council

Date: 16 May 2-019

Our Ref: Your Ref:

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 Steve Pearce

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Dear Councillor

ADJOURNED ANNUAL COUNCIL - THURSDAY 16TH MAY, 2019

I refer to the agenda for the above meeting and now enclose the following documents which were unavailable when the agenda was published.

Agenda No. Item

7. Cabinet and Deputy Leader of the Council (Pages 27 - 28)

Report of the Leader of the Council attached.

8. Appointment of Committees and Sub-Committees 2019/20 (Pages 29 - 42)

Report of the Head of Corporate Resources attached.

9. Appointment of Representatives on Merseyside Joint Authorities

2019/20 (Pages 43 - 44)

Details attached.

Yours faithfully,

M. CARNEY

Chief Executive



ADJOURNED ANNUAL COUNCIL - 16 MAY 2019

REPORT OF THE LEADER OF THE COUNCIL

APPOINTMENT OF THE CABINET AND DEPUTY LEADER OF THE COUNCIL

MOTION

RESOLVED: That

- (1) it be noted that Councillor Fairclough has been appointed as the Deputy Leader of the Council for a four-year term of office until the Adjourned Annual Council meeting in May 2023 or until such as his term of office expires; and
- it be noted that the Cabinet comprising of the Members indicated below have been appointed for a four-year term of office until the Adjourned Annual Council meeting in May 2023 or until such time as their term of office expires, they are removed by the Leader or for any 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



Report to:	Adjourned Annual Council	Date of Meeting:	16 May 2019
Subject:	Appointment of Com	mittees and Sub-Con	nmittees 2019/20
Report of:	Head of Corporate Resources	Wards Affected:	(All Wards);
Portfolio:	Regulation, Complia	nce and Corporate Se	ervices
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

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): That:

- (1) the allocation of Committee Places be noted;
- (2) the Members, Chairs and Vice Chairs for the Committees and Sub-Committees set out in the appendix to this report be appointed for a maximum period of twelve months until the Adjourned Annual Council Meeting to be held in May 2020, subject to any changes political groups may make to memberships of Committees at meetings of the Council; and
- (3) the Terms of Reference of Committee's and Sub-Committees, as set out in Chapters 6 and 7 of the Councils Constitution be approved.

Reasons for the Recommendation(s):

To comply with the requirements of the Council's Constitution.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

None

Legal Implications:

This paper will ensure that the Council complies with appropriate legislation

Equality Implications:

There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: N/A

Facilitate confident and resilient communities: N/A

Commission, broker and provide core services: N/A

Place – leadership and influencer:

The proposals will ensure that appointments are made to 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.

Drivers of change and reform: N/A

Facilitate sustainable economic prosperity: N/A

Greater income for social investment: N/A

Cleaner Greener N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD:5634/19.) and Chief Legal and Democratic Officer (LD:4758/19) have been consulted and any comments have been incorporated into the report.

Implementation Date for the Decision

Immediately following the Council meeting.

Contact Officer:	Ruth Harrison
Telephone Number:	Tel: 0151 934 2046
Email Address:	ruth.harrison@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

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 2 May 2019, the political composition of the Council is:

Political Group / Member	Seats on Council
Labour	43
Liberal Democrat	12
Conservative	6
Independents Group	5
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) Regulations1990, where a Council is divided into different political groups, seats on Ordinary Committees must 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 The term "Ordinary Committees" have a special statutory meaning. They only include Committees that have delegated powers to discharge the Council's statutory functions.
- 3.3 The political proportionality rules do not apply to the appointment of the Cabinet under Section 9 of the Local Government Act 2000.
- 3.4 The political proportionality rules do not need to apply to the appointment of Licensing Sub-Committees as Section 9 of the Licensing Act 2003 states that "A Licensing Committee may establish one or more Sub-Committees consisting of 3 Members of the Committee". Furthermore, they are not "ordinary Committees" under the Local Government and Housing Act 1989.

- 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 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	10	3	1	1
Planning	15	10	3	1	1
O&S Adult Social Care	10	7	1	1	1
O&S Children's Services & Safeguarding	10	6	2	1	1
O&S Regeneration & Skills	10	7	2	1	0
O&S Regulatory, Compliance & Corporate Services	10	6	2	1	1
Total	80	52	15	7	6

3.8 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	7	5	1	1	0
Planning Urgent Referral Sub	3	2	1	0	0
JCC Teachers	9	6	1	1	1
Local Joint Consultative	12	8	2	1	1
Public Engagement and Consultation Panel	4	3	1	0	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.

5. Terms of Reference of Committees and Working Groups

5.1 The Terms of Reference of Committees and Working Groups are detailed in Chapters 6 and 7 of the Councils Constitution and can be accessed by following the link below:

http://modgov.sefton.gov.uk/moderngov/ecSDDisplay.aspx?NAME=SD2128&ID=2 128&RPID=18921526

APPENDIX

ADJOURNED ANNUAL COUNCIL - 16 MAY 2019

APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES FOR 2019/20

(A) OVERVIEW AND SCRUTINY COMMITTEES

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

(Plus 2 Associate Members)

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

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Doyle	Cllr. Carragher
2.	Vice-Chair: Cllr. Roscoe	Cllr. Halsall
3.	Cllr. Carr	Cllr. Killen
4.	Cllr. Cluskey	Cllr. Michael O'Brien
5.	Cllr. Howard	Cllr. Roche
6.	Cllr. Irving	Cllr. O'Hanlon
7.	Cllr. Jones	Cllr. Brough
8.	Cllr. Myers	Cllr. Tweed
9.	Cllr. Pugh	Cllr. Brodie-Browne
10.	Cllr. Waterfield	Cllr. Webster

Associate Members:

(Non-voting Co-opted Members)

Mr. Brian Clark and Mr. Roger Hutchings (Nominated by Healthwatch, Sefton)

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

(Plus 4 Education Added Members and 3 Associate Members)

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

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Murphy	Cllr. Blackburne
2.	Vice-Chair: Cllr. Carragher	Cllr. Brennan
3.	Cllr. Bennett	Cllr. Irving
4.	Cllr. Evans	Cllr. Brodie-Browne
5.	Cllr. Keith	Cllr. Lewis
6	Cllr. Pitt	Cllr. Dutton
7.	Cllr. Yvonne Sayers	Cllr. Dowd
8.	Cllr. Spencer	Cllr. Howard
9.	Cllr. Thomas	Cllr. John Kelly
10.	Cllr. Webster	Cllr. Michael O'Brien

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Education Added Members: Church Diocesan Representatives: (Voting Co-opted Members) Father Des Seddon (Archdiocesan

Representative) and

Mr. Stuart Harrison (Diocesan Representative)

Parent Governor Representatives:

Ms. Victoria Ellis-Jones and Ms. Machalla McDermott – 2-year appointment until January

2021

Associate Members: Mrs. Sandra Cain

(Non-voting Co-opted Members) Ms. Karen Christie and one vacancy (Nominated

by Healthwatch, Sefton)

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

(Lab 7 /Lib Dem 2 /Con 1 /Ind 0)

	<u>Member</u>	Substitute
1.	Chair: Cllr. John Sayers	Cllr. Doyle
2.	Vice-Chair: Cllr. Blackburne	Cllr. Howard
3.	Cllr. Brough	Cllr. Jones
4.	Cllr. Dowd	Cllr. Brenda O'Brien
5.	Cllr. Halsall	Cllr. Yvonne Sayers
6.	Cllr. Lewis	Cllr. Evans
7.	Cllr. Marshall	Cllr. Thomas
8.	Cllr. Myers	Cllr. Anne Thompson
9.	Cllr. Robinson	Cllr. Waterfield
10.	Cllr. Sathiy	Cllr. Pullin

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

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

	Member	<u>Substitute</u>
1.	Chair: Cllr. Bradshaw	Cllr. McGinnity
2.	Vice-Chair: Byrom	Cllr. Murphy
3.	Cllr. Brodie-Browne	Cllr. Sathiy
4.	Cllr. Doyle	Cllr. Myers
5.	Cllr. Grace	Cllr. Roche
6.	Cllr. Killen	Cllr. Roscoe
7.	Cllr. Lewis	Cllr. Shaw
8.	Cllr. McCann	Cllr. Bennett
9.	Cllr. McKinley	Cllr. Thomas
10.	Cllr. Morris	Cllr. Jones

(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 /Ind 0)

AUDIT AND GOVERNANCE COMMITTEE (10)

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

	Member Substitute	
1.	Chair: Cllr. Robinson	Cllr. Bradshaw
2.	Vice-Chair: Cllr. Roche	Cllr. Carrr
3.	Cllr. Brennan	Cllr. Dowd
4.	Cllr. Cluskey	Cllr. Marshall
5.	Cllr. McGinnity	Cllr. Yvonne Sayers
6.	Cllr. O'Hanlon	Cllr. Irving
7.	Cllr. Pugh	Cllr. Evans
8.	Cllr. John Sayers	Cllr. Spencer
9.	Cllr. Shaw	Cllr. Lewis
10.	Cllr. Sir Ron Watson	Cllr. Brough

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.

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 If any complaints are submitted in respect of the conduct of any Parish Councillor in the Borough, one of the Parish Councillors from the nominated panel 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 /Ind 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 Andrew Mimnagh
Representative of NHS Southport and Formby Clinical Commissioning Group	Dr Rob Caudwell
Chief Officer of NHS South Sefton and NHS Southport and Formby Clinical Commissioning Groups	Fiona Taylor
Representative of NHS England	Richard Freeman
Representative of Healthwatch, Sefton	Maureen Kelly
Representative of the NHS Acute Provider Sector	Steve Warburton
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 10 /Lib Dem 3 /Con 1 /Ind 1)

	<u>Member</u>
1.	Chair: Cllr. John Kelly
2.	Vice-Chair: Cllr. Brenda O'Brien
3.	Cllr. Bradshaw
4.	Cllr. Carragher
5.	Cllr. Dodd
6.	Cllr. Friel
7.	Cllr. Gannon
8.	Cllr. Halsall
9.	Cllr. Keith
10.	Cllr. McGinnity
11.	Cllr. Morris
12.	Cllr. Michael O'Brien
13.	Cllr. Anne Thompson
14.	Cllr Lynne Thompson
15.	Cllr. Tweed

LICENSING AND REGULATORY (URGENT REFERRALS) COMMITTEE (3)

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

	Member	Substitute
1.	Chair: Cllr. John Kelly	Cllr. Carragher
2.	Cllr. Keith	Cllr. Dodd
3.	Cllr. Brenda O'Brien	Cllr. Friel

LICENSING SUB-COMMITTEE

Members of the Licensing and Regulatory Committee to form a Panel from which 3 Members are selected to form a Sub-Committee.

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 Sub-Committee.

PAY AND GRADING COMMITTEE (7)

(Lab 5 /Lib Dem 1 /Con 1 /Ind 0) – Including Cabinet Member – Regulatory, Compliance and Corporate Services

	Member
1.	Chair: Cllr. Lappin
2.	Vice-Chair: Dowd
3.	Cllr. Howard
4.	Cllr. Marshall
5.	Cllr. Yvonne Sayers
6.	Cllr. Shaw
7.	Cllr. Sir Ron Watson

PLANNING COMMITTEE (15)

(Lab 10 /Lib Dem 3 /Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Chair: Cllr. Veidman	Cllr. Byrom
2.	Vice-Chair: Michael O'Brien	Cllr. Carr
3.	Cllr. Blackburne	Cllr. Cluskey
4.	Cllr. Dodd	Cllr. Keith
5.	Cllr. Dutton	Cllr. Brough
6.	Cllr. Hands	Cllr. Pullin
7.	Cllr. John Kelly	Cllr. Doyle
8.	Cllr. McCann	Cllr. O'Hanlon
9.	Cllr. Murphy	Cllr. Friel
10.	Cllr. Brenda O'Brien	Cllr. Grace
11.	Cllr. Roche	Cllr. McGinnity
12.	Cllr. Anne Thompson	Cllr. McKinely
13.	Cllr. Lynne Thompson	Cllr. Saithy
14.	Cllr. Tweed	Cllr. Robinson
15.	Cllr. Waterfield	Cllr. John Sayers

PLANNING (URGENT REFERRALS) COMMITTEE (3)

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

	Member	Substitute
1.	Chair: Cllr. Veidman	Cllr. Murphy
2.	Cllr. Michael O'Brien	Cllr. John Kelly
3.	Cllr. Lynne Thompson	Cllr. Dodd

PLANNING VISITING PANEL (15)

The Panel comprises of the Members of the Planning Committee.

(C) CONSULTATIVE BODIES

INDEPENDENT REMUNERATION PANEL (5 members)

Mr. E. Davies }	
Mr. J. Fraser }	4-year term until May 2020
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 6 /Lib Dem 1 /Con 1 /Ind 1)

	<u>Member</u>	<u>Substitute</u>
1.	Cllr. Blackburne	Cllr. Myers
2.	Cllr. Bennett	Cllr. McCann
3.	Cllr. Bradshaw	Cllr. Brenda O'Brien
4.	Cllr. Brennan	Cllr. Michael O'Brien
5.	Cllr. Brough	Cllr. Dutton
6.	Cllr. Friel	Cllr. John Sayers
7.	Cllr. Keith	Cllr. Lynne Thompson
8.	Cllr. John Joseph Kelly	Cllr. Yvonne Sayers
9	Cllr. Howard	Cllr. Tweed

LOCAL JOINT CONSULTATIVE COMMITTEE

(12 Council Members plus 12 Trade Union Representatives)

(Lab 8 /Lib Dem 2 /Con 1 /Ind 1)

	<u>Member</u>	Substitute
1.	Cllr. Bradshaw	Cllr. Carr
2.	Cllr. Brennan	Cllr. Carragher
3.	Cllr. Brodie-Browne	Cllr. Shaw
4.	Cllr. Halsall	Cllr. Grace
5.	Cllr. Jones	Cllr. Morris
6.	Cllr. Lappin	Cllr. McKinley
7.	Cllr. Lewis	Cllr. Evans
8.	Cllr. McCann	Cllr. Gannon
9.	Cllr. Murphy	Cllr. Marshall
10.	Cllr. Michael O'Brien	Cllr. Spencer
11.	Cllr. John Sayers	Cllr. Tweed
12.	Cllr. Webster	Cllr. Waterfield

PUBLIC ENGAGEMENT AND CONSULTATION PANEL (4)

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

	Member	Substitute
1.	Cabinet Member – Regulatory, Compliance and Corporate Services – Cllr. Lappin	Cllr. Blackburne
2.	Cllr. Byrom	Cllr. John Kelly
3.	Cllr. Doyle	Cllr. Roscoe
4.	Cllr. Lynne Thompson	Cllr. Shaw

ADJOURNED ANNUAL COUNCIL - 16 MAY 2019

<u>APPOINTMENT OF REPRESENTATIVES ON THE MERSEYSIDE JOINT AUTHORITY BODIES 2019/20</u>

MOTION

RESOLVED:

That the following Members be appointed to serve on the following Joint Authority Bodies in 2019/20:

Joint Authority	Representatives
Liverpool City Region Combined Authority	Leader of the Council (Councillor Maher) Substitute Member – Deputy Leader of the Council (Councillor Fairclough)
Liverpool City Region Combined Authority Overview and Scrutiny Committee	Councillors Murphy (Lab) (Scrutiny Link) Howard (Lab) and Marshall (Lab)
Liverpool City Region Combined Authority Transport Committee	Councillors Dodd (LD), Friel (Lab), Killen (Lab) and McKinley (Lab)
Merseyside Fire and Rescue Authority	Councillors Byrom (Lab), Grace (Lab), Lynne Thompson (LD) and Tweed (Lab)
Merseyside Waste Disposal Authority	Councillors Roscoe (Lab) and Yvonne Sayers (Lab)
Merseyside Police and Crime Panel (Nominations only – The appointments are agreed on a Pan-Merseyside basis)	Councillors John Sayers (Lab) and Shaw (LD)

