

<b>Report to:</b>	Council	<b>Date of Meeting:</b>	Thursday 16 May 2024
<b>Subject:</b>	Appointment of Committees and Sub-Committee 2024/25		
<b>Report of:</b>	Chief Legal and Democratic Officer	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

### Summary:

The purpose of this report is to allocate seats on the various Committees of the Council 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 of the Act, 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 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 2025, subject to any changes, the political groups may make to the membership of Committees at meetings of the Council.

### 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:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> None.								
<b>Legal Implications:</b> The proposals will ensure that the Council complies with appropriate legislation.								
<b>Equality Implications:</b>  There are no equality implications.								
<b>Impact on Children and Young People:</b> Not specifically  The role of the Overview and Scrutiny Committee (Children's Services and Safeguarding) is to fulfil all the functions of an Overview and Scrutiny Committee as they relate to Children's Services and Safeguarding, and to review and make recommendations for improvement in relation to those functions.								
<b>Climate Emergency Implications:</b>  The recommendations within this report will <table border="1"><tr><td>Have a positive impact</td><td>No</td></tr><tr><td>Have a neutral impact</td><td>Yes</td></tr><tr><td>Have a negative impact</td><td>No</td></tr><tr><td>The Author has undertaken the Climate Emergency training for report authors</td><td>Yes</td></tr></table> The proposals have no direct climate emergency implications.	Have a positive impact	No	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
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Have a neutral impact	Yes							
Have a negative impact	No							
The Author has undertaken the Climate Emergency training for report authors	Yes							

## 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 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 of the Act.
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 Executive Director of Corporate Resources and Customer Services (FD.7649/24) and the Chief Legal and Democratic Officer (LD.5749/24) have been consulted and any comments have been incorporated into the report.

The political groups on the Council have been consulted and their nominations are set out in the appendix to this report.

**(B) External Consultations**

None.

**Implementation Date for the Decision**

Immediately following the Council meeting.

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**Appendices:**

The following appendix is attached to this report:

- Appointment of Committees and Sub-Committees 2024/25

**Background Papers:**

There are no background papers available for inspection.

**1. Introduction**

- 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 The Council Elections were held on 2 May 2024. The political composition of the Council is now:

Political Group / Member	Seats on Council
Labour	49
Liberal Democrats	9
Conservative	4
Green Party	1
Independents	2
Vacancy	1
<b>Total</b>	<b>66</b>

## 3. Allocation of Committee Places

3.1 In accordance with Section 15 of the Local Government and Housing Act 1989 (LG&HA 1989) and the Local Government (Committees and Political Groups) Regulations 1990, 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 Democrats	Conservative	Green Party	Independents
Audit and Governance	10	8	2	0	0	0
Licensing and Regulatory	15	12	2	1	0	0
Planning	15	12	2	1	0	0
O&S Adult Social Care and Health	10	8	2	0	0	0
O&S Children's Services and Safeguarding	10	8	1	1	0	0
O&S Regeneration and Skills	10	8	1	1	0	0
O&S Regulatory, Compliance & Corporate Services	10	7	2	1	0	0
Total	80	63	12	5	0	0

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

Committee	Places	Labour	Liberal Democrats	Conservative	Green Party	Independents
Licensing Urgent Referral Sub	3	2	1	0	0	0
Pay and Grading Committee	7	6	1	0	0	0
Planning Urgent Referral Sub	3	2	1	0	0	0
JCC Teachers	9	7	1	1	0	0
Local Joint Consultative	12	9	2	1	0	0
Public Engagement and Consultation Panel	4	3	1	0	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 political groups is 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:

<https://modgov.sefton.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13370&path=0>