

Constitutional Appointments

Purpose

- 1.1 Following Councillor Froggatt's resignation from the Labour Group on Tuesday 3 September, changes are required to the constitutional appointments usually made at the Council's AGM, to ensure compliance with requirements in the Local Government and Housing Act 1989 that dictate the political composition of committees.
- 1.2 The changes proposed are detailed at 4.1 to 4.5 of the report.

Recommendation

- 2.1 To amend appointments to the Council's committees and joint bodies as detailed at 4.1 and 4.2 of the report.
- 2.2 Subject to the approval of recommendation 2.1, to receive nominations for the vacant position of Vice-Chair of the Licensing Committee

Reasons

- 3.1 The Local Government and Housing Act 1989 stipulates requirements as to the composition of committees, arising from recommendations contained in the Widdicombe Report on the conduct of local authority business (1986).
- 3.2 Those rules state that the composition of committees shall reflect that of the Council, as far as reasonable. The principles applied to achieve this are:
 - a) Not all seats are allocated to the same group;
 - b) A political group with an overall majority gets a majority of seats allocated;
 - c) Subject to (a) and (b), the total number of seats each political group has on all ordinary meetings is in proportion to that group's share of the total Council elected membership; and
 - d) Subject to (a) and (c), each political group has the same proportion of seats as it holds on the Council as a whole.

Supporting information

- 4.1 In order to comply with the requirements set out at 3.2, the following changes to constitutional appointments are proposed:

- Councillor Froggatt retains her position on the Personnel Committee as an independent representative, with no alternative Labour nomination sought.
- Subject to a vote of Council, Councillor Ingall or Councillor Marshall are appointed as an independent representative on the Licensing Committee, in the place of Councillor P Pegg
- Councillor Froggatt retains her position on the Corporate Services Scrutiny Board, assuming the current independent vacancy, and Councillor Dhindsa is appointed as a Labour representative
- The creation of an additional seat on the Audit and Accounts Committee reserved to an independent representative. No nominations have been received for this position.
- Councillor Paul Pegg is appointed as the Labour representative to the Fire Authority, in the place of Councillor Froggatt.

4.2 In addition to the above, the following appointments to non-Widdicombed committees are proposed:

- Councillor Shiraz Khan is appointed as the Labour representative to the Standards Committee, in the place of Councillor Froggatt.

4.4 Councillor Froggatt is currently appointed to the Health and Wellbeing Board. This appointment is not subject to political proportionality rules and is made at the discretion of the statutory member (Leader of the Council) under the Health and Social Care Act 2012, so will remain unaffected.

4.5 Councillor P Pegg is a Vice-Chair of the Licensing Committee. Subject to the agreement of the changes proposed at 4.1, nominations will be required for the position of Vice-Chair of the Licensing Committee.

Public/stakeholder engagement

5.1 Group Leaders and Independent councillors affected have been consulted on the proposed changes and have made nominations to available positions.

Other options

6.1 Do nothing. The allocation of committee places would not be in accordance with the requirements set out at 3.2.

Financial and value for money issues

7.1 None.

Legal implications

8.1 As detailed at 3.1 to 3.2.

Other significant implications

9.1 None.

This report has been approved by the following people:

| Role | Name | Date of sign-off |
|----------------------------|--|------------------|
| Legal | | |
| Finance | | |
| Service Director(s) | Emily Feenan, Director of Legal, Procurement and Democratic Services | 23/09/2019 |
| Report sponsor | Paul Simpson, Strategic Director of Corporate Resources | 24/09/2019 |
| Other(s) | | |

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| Background papers: | None |
| List of appendices: | None |