

## **Constitutional Appointments**

### **Purpose**

- 1.1 Councillor James Testro has informed the Monitoring Officer of his intention to sit as a Liberal Democrat councillor, with effect from 18 January 2022. Councillor Testro has previously sat as an ungrouped councillor.
- 1.2 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, which dictate the political composition of committees.
- 1.3 The changes proposed are detailed at 4.1 of the report.

### **Recommendation**

- 2.1 To amend appointments to the Council's committees as detailed in the report.
- 2.2 To invite ungrouped councillors to submit nominations to the Monitoring Officer to fill outstanding vacancies.

### **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.
- 3.3 The Act does not require seats to be reserved to ungrouped councillors. It is a matter of local choice as to whether committee places are allocated to councillors who are not members of political groups.

## **Supporting information**

- 4.1 In order to comply with the requirements set out at 3.2, the following changes to constitutional appointments are proposed:
- The Liberal Democrat Group inherit an additional position on the Licensing Committee, originally reserved to an ungrouped councillor.
  - The Liberal Democrat Group inherit an additional position on the Corporate Parenting Committee, originally reserved to an ungrouped councillor.
- 4.2 Councillor Testro is currently a member of the Licensing Committee and would retain his position if the recommendation at paragraph 2.1 is agreed.
- The existing place reserved on the Corporate Parenting to ungrouped councillors is currently vacant.
- 4.3 Provided that appointments remain within the allocation to political groups agreed by Council, individual constitutional appointments may be altered under the standing delegation to the Director of Legal, Procurement and Democratic Services, to give effect to the wishes of political groups on appointments to relevant bodies.
- 4.4 Several committee places were allocated to ungrouped councillors at the Annual General Meeting on 26 May 2021, in proportion to their overall representation on the Council. There is an outstanding vacancy on the Standards Committee, reserved for ungrouped councillors.

## **Public/stakeholder engagement**

- 5.1 Group Leaders and individual councillors affected have been consulted on the proposed changes.

## **Other options**

- 6.1 Do nothing. The allocation of committee places would not be in accordance with the legal 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	18 January 2022
Report sponsor	Simon Riley, Strategic Director of Corporate Resources	18 January 2022
Other(s)		

Background papers:	None
List of appendices:	None