

ITEM 12

Title: Appointment of Committees; Allocation of Seats on Committees to Political Groups; and Appointment of Chairs and Deputy Chairs of Committees

North Tyneside Council Report to Council Date: 16 May 2013

Report from Directorate: Chief Executive's Office

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Wards affected: ALL

PART 1

1.1 Purpose:

The Council is requested to approve the appointment of committees/sub committees, the appointment of chairs and deputy chairs of those committees/sub committees and the allocation of seats to the political groups on those committees/sub committees for the 2013/14 Municipal Year.

1.2 Recommendation(s):

It is recommended that Council:

1. approves the appointment of committees/sub committees for the 2013/14 municipal year and determines the number of seats for each committee as set out in paragraph 1.5.1.1 of the report;
2. approves the allocation of seats on committees/sub committees to political groups represented on the Council, and agrees that the leaders of the political groups inform the Head of Law and Governance of their respective groups' nominations of members to each committee/sub committee by 12 noon on Friday 17 May 2013;
3. recommends to the Elected Mayor that five councillors be appointed to the Health and Wellbeing Board, of which three be from the group with the majority of seats on the Council and one each from the minority groups; such nominations to be made by the Elected Mayor;
4. approves the appointment of chairs and deputy chairs of committees/sub committees for the 2013/14 municipal year, as set out in paragraph 1.5.3.1 of the report; and

5. notes the appointment of Reverend Michael Vine as the Church of England Diocesan representative and the vacancy for a Roman Catholic Diocesan representative on the Overview and Scrutiny Committee and considers and determines whether or not it is appropriate to appoint any representative of other faiths/denominations to serve on the Committee.

1.3 Forward plan:

This report was listed on the Forward Plan that was published on 3 April 2013.

1.4 Council plan and policy framework:

This report has no direct relevance to the Council Strategic Plan priorities.

1.5 Information

1.5.1 Appointment of Committees/Sub Committees 2013/14

- 1.5.1.1 The Council is requested to appoint committees/sub committees for the 2013/14 municipal year as set out below.

Committee/Sub-Committee	No of Seats
Overview and Scrutiny Committee	15
Adult Social Care, Health and Wellbeing Sub-Committee	12
Children, Education and Skills Sub-Committee	12
Economic Prosperity and Housing Sub-Committee	12
Environment and Culture Sub-Committee	12
Finance Sub-Committee	7
Appeals and Complaints Committee	20
Appointments and Disciplinary Committee	7
Audit Committee	9 (7 elected/2 independent)
Governance Committee	9
Licensing Committee	15
Outside Bodies Committee	7
Planning Committee	21
Regulation and Review Committee	20
Tenancies Committee	7

- 1.5.1.2 The Council must also establish a Health and Wellbeing Board, which is the subject of a separate report on the agenda for this meeting.

During consultation on the setting up of the Board, it was suggested that in addition to the Elected Mayor, five councillors should be appointed to the Board, of which three should be from the group with the majority of seats on the Council and one each from the minority groups.

It is therefore recommended that the membership of the Board includes five councillors in addition to the Elected Mayor. It is then a matter for the Elected Mayor to nominate councillors to these five seats on the Board, taking into account the comments made during the consultation. The rules relating to the allocation of committee seats according to the political balance of the Council do not apply to the membership of the Board.

1.5.2 Allocation of Seats To Political Groups

1.5.2.1 The rules and requirements for securing political balance on Committees and Sub-Committees appointed by Local Authorities are contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

1.5.2.2 The general effects of the balance rules on the Council are that it is under a duty to:

- (i) ensure that the membership of those bodies covered by the rules reflects the political composition of the Council as far as practicable;
- (ii) allocate seats on these bodies to the political groups in proportion to their numerical strength on the Council as far as practicable;
- (iii) accept a nomination made by the groups for the filling of seats allocated to them;
- (iv) review the allocation of seats to political groups at or as soon as practical after the Annual Council Meeting and at certain other specified times.

1.5.2.3 Section 15 of the Local Government and Housing Act 1989 requires the following principles to be applied in determining the allocation of committee seats to political groups:

- a) that not all the seats on the committee are allocated to the same political group;
- b) that the majority of the seats on the committee are allocated to a particular political group if that group has a majority of the authority's membership;

Having first satisfied a) and b) above then:

- c) the total of all seats on ordinary Committees shall be allocated to the groups in proportion to their respective political strengths on the Council.

Once a), b) and c) above have been satisfied then:

- d) the number of seats on other affected bodies (Sub-Committees/other bodies) shall also be allocated to the political groups in proportion of their respective political strengths on the Council.

1.5.2.4 The Council composition is 43 Labour members (including the Elected Mayor), 12 Conservative members, and 5 Liberal Democrat members.

1.5.2.5 Details of the allocation of seats to political groups on committees will follow.

1.5.2.6 Nomination of Committee Members

The leaders of the political groups are requested to inform the Head of Law and Governance of their respective groups' nominations of members to each of the above committees and sub committees, and also the Constitution Task Group and the Members Support Group, by 12 noon on Friday 17 May 2013.

1.5.3 Appointment of Chairs and Deputy Chairs of Committees/Sub Committees

1.5.3.1 The Council is requested to appoint Chairs and Deputy Chairs to its various Committees/Sub Committees for the 2013/14 municipal year as set out below.

	Committee/Sub Committee	Chair	Deputy Chair
1.	Overview and Scrutiny Committee		
2.	Adult Social Care, Health and Wellbeing Sub-Committee		Co Deputy Chair: Co Deputy Chair:
3.	Children, Education and Skills Sub-Committee		Co Deputy Chair: Co Deputy Chair:
4.	Economic Prosperity and Housing Sub-Committee		Co Deputy Chair: Co Deputy Chair:
5.	Environment and Culture Sub-Committee		Co Deputy Chair: Co Deputy Chair:
6.	Finance Sub-Committee		
7.	Appeals and Complaints Committee		
8.	Governance Committee		
9.	Licensing Committee		
10.	Outside Bodies Committee		
11.	Planning Committee		
12.	Regulation and Review Committee		
13.	Tenancies Committee		
14.	Health and Wellbeing Board		

1.5.3.2 In accordance with the Council's practice, the Elected Mayor is Chair of the Appointments and Disciplinary Committee.

1.5.3.3 The Council's Constitution requires that the two co-opted members of the Audit Committee will fulfil the roles of Chair and Deputy Chair of the Committee. A separate report on this matter appears on the agenda for this meeting.

1.5.4 Church representatives on Overview and Scrutiny Committee

The Council is requested to note the appointment of Reverend Michael Vine as the Church of England Diocesan representative and the vacancy that currently exists for a

Roman Catholic Diocesan representative on the Overview and Scrutiny Committee; and to consider and determine whether or not it is appropriate to appoint any representative of other faiths/denominations to serve on the Committee.

1.6 Decision options:

The recommendations contained in this report are based on constitutional or legislative requirements. If more than one nomination is received for any chair or deputy chair position, a vote will be held with the nominee receiving the highest number of votes being appointed to the position.

1.7 Reasons for recommended option:

To ensure that the Council's makes the various appointments set out in the report in accordance with the Council's Constitution and the relevant legislation.

1.8 Appendices:

None

1.9 Contact officers:

Viv Geary – Head of Law and Governance	Tel: 643 5339
Dave Brown – Law and Governance	Tel: 643 5358
Alison Campbell – Finance and Resources	Tel. 643 7038

1.10 Background information:

The following background papers and research reports have been used in the compilation of this report and are available for inspection at the offices of the author.

Local Government and Housing Act 1989
Local Government (Committees and Political Groups) Regulations 1990 and amendment Regulations
The Local Government and Public Involvement in Health Act 2007
North Tyneside Council Constitution

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Allowances for the Committee Chairs and Deputy Chairs are included in the 2013/14 budget.

2.2 Legal

This report fulfils the requirement of the Council's Constitution to appoint committees at its Annual Meeting. Section 15 of the Local Government and Housing Act 1989 specifies the principles to be applied in determining the allocation of committee seats to political groups.

2.3 Consultation/community engagement

The group leaders have been consulted on the revised allocation of seats on each committee for the 2013-14 Municipal Year.

2.4 Human rights

The contents of the report are consistent with the requirements of the Human Rights Act 1998.

2.5 Equalities and diversity

There are no equalities and diversity implications arising directly from this report.

2.6 Risk management

As the recommendations are procedural and a recognised part of the business of the Annual Council meeting, no further risk assessment has been undertaken.

2.7 Crime and disorder

There are no direct crime and disorder implications arising from this report.

2.8 Environment and sustainability

There are no direct environment and sustainability implications arising from this report.

PART 3 - SIGN OFF

- Chief Executive

- Chief Finance Officer

- Monitoring Officer

- Strategic Manager Policy, Partnerships Performance and Communications.