

<u>REPORT TITLE</u>	Change to size of the Audit and Risk Committee Changes to Committee Membership
<u>Submitted by:</u>	Audit Manager & Monitoring Officer Head of Business Improvement, Central Services & Partnerships
<u>Portfolio:</u>	Communications, Policy and Partnerships
<u>Ward(s) affected:</u>	N/A

Purpose of the Report

To request that Council increases the number of members of the Audit and Risk Committee from five members (plus an independent member) to seven members (plus an independent member).

To request that Council agrees to the requested changes to the Membership of the Health and Wellbeing Scrutiny Committee; the Cleaner, Greener and Safer Communities Scrutiny Committee; and the Finance, Resources and Partnerships Scrutiny Committee.

Recommendations

- 1. That the size of the Audit and Risk Committee is increased to seven elected members (plus one independent member – Mr Phil Butters).**
- 2. That, in line with the Council’s rules relating to political balance, a nomination is sought from the Labour Group for one of the additional places on the Audit and Risk Committee**
- 3. That, in line with the Council’s rules relating to political balance, a nomination is sought from the Conservative Group for one of the additional places on the Audit and Risk Committee**
- 4. That the following changes in membership of committees are agreed as follows:**
 - I. That Cllr Kyle Robinson replaces Cllr David Allport on the Cleaner, Greener and Safer Communities Scrutiny Committee**
 - II. That Cllr David Allport replaces Cllr Kyle Robinson on the Health and Wellbeing Scrutiny Committee.**
 - III. That Cllr Amelia Rout is appointed to the Finance, Resources and Partnerships Scrutiny Committee.**

Background

The Council’s Constitution states (Part 2, Section 4.4 (v)) under Functions of the Full Council that:

‘Agreeing and/or amending the responsibilities of committees, deciding on their composition and making the initial appointment in each Council year to them in accordance with the statutory rules requiring political proportionality and compliance with the wishes of the political groups’

And at Appendix a 2(d);

‘Agreeing and/or amending the terms of reference of committees, deciding on their composition and making appointments to them subject to the Local Government (Committees and Political Groups) Regulations 1990. In the event of changes to political balance, the Chief Executive shall have the

authority to amend the appointments to comply with the rules of political balance in accordance with the wishes of the group leaders’

These sections of the Constitution relate, therefore, to the recommendations set out in this report.

Issues

The following proposals are outlined in this report for Council approval and relate to membership of the Council’s committees:

Committee Membership Changes: Health and Wellbeing Scrutiny and Cleaner, Greener and Safer Communities Scrutiny

The following changes to Committee membership have been requested by the Leader of the Labour Group and, as these changes do not relate to matters of political balance, then the decision is one for Council to take:

- That Cllr Kyle Robinson replaces Cllr David Allport on the Cleaner, Greener and Safer Communities Scrutiny Committee
- That Cllr David Allport replaces Cllr Kyle Robinson on the Health and Wellbeing Scrutiny Committee.

Finance, Resources and Partnerships Scrutiny Committee

At the Annual Meeting, Cllr Trevor Hambleton was nominated to sit on the Finance, Resources and Partnerships Scrutiny Committee. As Cllr Hambleton has now been appointed to the Cabinet, Cllr Amelia Rout is nominated to replace him.

Audit and Risk Committee

At the Annual Meeting, it was agreed that there would be five members of the Audit & Risk Committee (plus one independent member). CIPFA guidance states that Audit & Risk Committees should consist of between five and seven members (plus an independent member).

In order to facilitate the effective and efficient running of this Council’s Audit & Risk Committee, therefore, it is recommended that the size of the Audit & Risk Committee is increased to seven elected members (and one independent member).

This change in size, if approved, will require an additional Labour Group nomination and an additional Conservative Group nomination to the Committee. As these nominations are required to maintain the political balance on the Audit & Risk Committee, they can be confirmed by the Chief Executive in consultation with the appropriate Group Leaders.

Legal and Statutory Implications

The Local Government and Housing Act 1989 (“the 1989 Act”) imposes political proportionality requirements in respect of the appointment of committees (other than the Cabinet).

Specifically, section 15 of the Act requires that four principles be followed in allocating committee seats:-

- (a) All seats on a committee cannot be allocated to the same political group;

- (b) The majority of the seats on each committee should be allocated to the political group holding the majority of seats on the council;
- (c) Subject to (a) and (b) above, the number of seats on the total of all the ordinary committees of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council;
- (d) Subject to (a), (b) and (c) above, the number of seats on each ordinary committee of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council.

In order to fulfil these requirements in the order stated, and particularly to achieve the best fit of requirement (d) while maintaining requirement (c), it is usual for a small number of manual adjustments to be required to the allocations for individual committees.

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‘Agreeing and/or amending the responsibilities of committees, deciding on their composition and making the initial appointment in each Council year to them in accordance with the statutory rules requiring political proportionality and compliance with the wishes of the political groups’

And at Appendix a 2(d);

‘Agreeing and/or amending the terms of reference of committees, deciding on their composition and making appointments to them subject to the Local Government (Committees and Political Groups) Regulations 1990. In the event of changes to political balance, the Chief Executive shall have the authority to amend the appointments to comply with the rules of political balance in accordance with the wishes of the group leaders’