

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

Council
18 May 2022

Report Title: Appointment to Committees

Submitted by: Chief Executive

Portfolios: One Council, People and Partnerships

Ward(s) affected: All

Purpose of the Report

To appoint Members to committees, elect chairs and vice-chairs and note appointments to Political Group Leader and Deputy Leadership positions.

Recommendation

That:

- (a) Council makes the committee appointments set out in the Appendix to this report and notes the appointed Group Leader/Deputy Leadership positions.**
- (b) The Head of Legal and Governance/Monitoring Officer be granted delegated authority to make the arrangements for 2 non-voting co-opted members to be appointed onto the Health, Wellbeing and Environment Scrutiny Committee in accordance with the provisions of the constitution.**

Reasons

In accordance with the requirements of the Constitution, and to enable council business to be conducted through committees (Sections 101 & 102 of the Local Government Act 1972; Section 6 of the Licensing Act 2003) and to comply with the requirements in respect of Scrutiny (Part 1A of the Local Government Act 2000).

1. **Background**

Committee Appointments

- 1.1 The Local Government and Housing Act 1989 ("the 1989 Act") imposes political proportionality requirements in respect of the appointment of committees (other than the Executive). Specific provision is made in Section 15 of the Act as to how proportionality requirements should be prioritised as between the number of seats available on each committee and the number of available committee seats overall.
- 1.2 To meet these requirements, minor adjustments often need to be made where, for instance, a strict calculation results in an entitlement to less than one whole seat on any given committee.
- 1.3 These calculations were last refreshed in the run up to this Annual Council to reflect changes resulting from the Borough Elections held on 5 May, 2022.

- 1.4 It now falls to Council to appoint members from the relevant political groups to the seats allocated to those groups. Council will then need to elect a chair and vice-chair for each committee. Nominations made by the groups will be set out in an appendix to be tabled at the meeting.
- 1.5 Government advice on Scrutiny Committees suggests that local authorities might consider it appropriate to have all or some of these committees chaired by members outside the majority group.
- 1.6 The constitution states that there shall be 2 non-voting co-opted members on the Health, Wellbeing and Environment Scrutiny Committee as set out below:

“In addition, there shall also be 2 non-voting co-opted members, representing the young people of the Borough drawn from the Student’s Union at Keele University and the Student Representative Body at Newcastle College. Both establishments are to be invited to nominate a co-opted member at each Annual Council.”

It is recommended that the Head of Legal and Governance/Monitoring Officer be granted delegated authority to make these arrangements.

Group Leadership/Deputy Leadership

- 1.7 For completeness, Political Group Leader and Deputy Leaderships are also reported to Annual Council. These will also be set out the appendix to this report tabled at the meeting.

2. **Issues**

- 2.1 Set out above.

3. **Proposal**

- 3.1 That Council makes the committee appointments set out in the Appendix to this report and notes the appointed Group Leader/Deputy Leadership positions.

4. **Reasons for Proposed Solution**

- 4.1 To comply with the legislative requirements and Council’s Constitution.

5. **Options Considered**

- 5.1 Not applicable.

6. **Legal and Statutory Implications**

- 6.1 Dealt with in the body of the report

7. **Equality Impact Assessment**

- 7.1 Not applicable.

8. **Financial and Resource Implications**

- 8.1 There are no significant direct financial or resource implications arising from the proposals. There is no change to the number of chairmanships or vice-chairmanships so no impact on members' allowances.

9. **Major Risks**

- 9.1 It is essential that the council's decision making structures and processes are robust and established in line with the relevant legislation and principles of good governance, to minimise the risk of legal challenge. The proposed approach seeks to ensure those aims are met.
- 9.2 The appointment of scrutiny committees enables the Council to achieve enhanced accountability and transparency of decision making process. Scrutiny is a key element of the Council's executive arrangements and is the main way by which executive decision-makers are held to public account for the discharge of the functions for which they are responsible.
- 9.3 The scrutiny process is a key mechanism for enabling councillors to represent the views of their constituents and other organisations to the cabinet and to the Council and, by examining the operation and impact of the Council's policies, is a useful means of improving the development and delivery of services. Lack of an effective scrutiny function could lead to a lack of democratic accountability for the Council.

10. **UN Sustainable Development Goals (UNSDG)**

- 10.1 Not applicable.

11. **Key Decision Information**

- 11.1 This is not a Key Decision.

12. **Earlier Cabinet/Committee Resolutions**

- 12.1 Not Applicable.

13. **List of Appendices**

- 13.1 Nominations.

14. **Background Papers**

- 14.1 Not Applicable.