

North Tyneside Council

Report to Council

18 May 2023

Title: Annual Appointments 2023/24

Portfolio(s): Elected Mayor		Cabinet Member(s):	Dame N Redfearn DBE
Report from Service Area: Governance			
Responsible Officer:		Allison Mitchell, Head of Governance	Tel: (0191) 6435720
Wards affected:		All	

PART 1

1.1 Executive Summary:

The Council is requested to approve the appointment of committees/sub committees, the appointment of chairs and deputy chairs of those committees/sub committees, the allocation of seats to the political groups on those committees/sub committees and the appointment of representatives to serve on outside bodies that exercise non-executive functions for the 2023/24 Municipal Year.

1.2 Recommendation(s):

It is recommended that Council:

1. approve the appointment of committees/sub committees for the 2023/24 municipal year and determine the number of seats for each committee as set out in paragraph 1.5.1.1 of the report;

2. approve the allocation of seats on committees/sub committees to political groups represented on the Council, and agree that the leaders of the political groups inform the Monitoring Officer of their respective groups' nominations of members to each committee/sub committee by 12 noon on Friday 19 May 2023;
3. approve the appointment of chairs and deputy chairs of committees/sub committees for the 2023/24 municipal year, as set out in paragraph 1.5.3.1 of the report;
4. note the continued appointment of Mr Malcolm Wilkinson and Dr Stuart Green as the two co-opted members on the Audit Committee;
5. note the appointment of Reverend Michael Vine as the Church of England Diocesan representative and Mr Stephen Fallon as the Roman Catholic Diocesan representative on the Overview, Scrutiny and Policy Development Committee; and consider and determine whether or not it is appropriate to appoint any representative of other faiths/denominations to serve on the committee;
6. note that the Elected Mayor will appoint at least one Councillor onto the Health and Wellbeing Board for the 2023/24 Municipal Year; and
7. approve the appointment of representatives to serve on outside bodies that do not exercise executive functions for the 2023/24 municipal year, as set out in Appendix 2 to this report.

1.3 Forward Plan:

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 10 March 2023.

1.4 Council Plan and Policy Framework

This report has no direct relevance to the Our North Tyneside Plan priorities.

1.5 Information:

1.5.1 Appointment of Committees/Sub Committees 2023/24

- 1.5.1.1 Following an external review of the Council's Scrutiny functions undertaken by the Centre for Governance and Scrutiny during 2022, the recommendations from the review were reported in full to the Overview, Scrutiny & Policy Development Committee on 21 March 2023. In summary, it was recommended that the number of Scrutiny committees should be reduced and restructured to provide increased focus, to be more efficient and better positioned to discharge the Authority's Scrutiny function.

In its review of the Constitution, the Constitution Task Group considered the proposal to reduce the number of committees from 8 to 6; replacing Overview, Scrutiny and Policy Development Committee with an Overview and Scrutiny Co-ordination and Finance Committee and to align the remaining 5 sub-committees with the themes in the Council Plan (i.e. Caring, Thriving, Family Friendly, Green and Secure). The proposal is detailed in the Annual Council meeting agenda item 11 Annual Review of the Constitution.

The Council is requested subject to the agreement to the changes to the constitution to appoint committees/sub committees for the 2023/24 municipal year as listed below.

Committee/Sub-Committee	No of Seats
Overview and Scrutiny Co-ordination and Finance Committee	15
Caring Sub-Committee	12
Family Friendly Sub-Committee	12
Green Sub Committee	12
Secure Sub-Committee	12
Thriving Sub-Committee	12
Appointments and Disciplinary Committee	7
Audit Committee	9 (7 elected/2 independent)
Licensing Committee	12
Planning Committee	11
Regulation and Review Committee	12
Standards Committee	9
Health and Well Being Board	See section 1.5.1.2

- 1.5.1.2 The Council established a Health and Wellbeing Board with effect from 1 April 2013 in accordance with the requirements of the Health and Social Care Act 2012.

As the Authority operates executive arrangements, the Elected Mayor may instead of or in addition to making a nomination of at least one councillor onto the Board, be a member of the Board.

It is a matter for the Elected Mayor to nominate at least one Councillor onto the Board. The Authority's Constitution currently states that the membership of the Board will comprise five councillors to be nominated by the Elected Mayor.

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 where applicable are contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended. It should be noted however that the rules relating to political balance do not apply to the Licensing Committee (or its sub-committees) established under the Licensing Act 2003.
- 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 Section 16(1) of the Local Government and Housing Act 1989 requires that, where a group has expressed its wishes as to the names of members to fill its allocated seats, Council is under a duty to give effect to those group wishes.

1.5.2.5 The Council composition is 52 Labour members (including the Elected Mayor), 7 Conservative and 2 Independent Group members.

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

1.5.2.7 Nomination of Committee Members

The leaders of the political groups are requested to inform the Monitoring Officer 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 19 May 2023.

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 2023/24 municipal year as set out below.

	Committee/Sub Committee	Chair	Deputy Chair
1.	Overview and Scrutiny Co-ordination and Finance Committee		
2.	Caring Sub-Committee		
3.	Family Friendly Sub-Committee		
4.	Green Sub Committee		
5.	Secure Sub-Committee		
6.	Thriving Sub-Committee		
7.	Health and Wellbeing Board		
8.	Licensing Committee		
9.	Planning Committee		
10.	Regulation and Review Committee		
11.	Standards Committee		

- 1.5.3.2 In accordance with the Authority's practice, the Elected Mayor is Chair of the Appointments and Disciplinary Committee.
- 1.5.3.3 The Authority's Constitution requires that the two co-opted members of the Audit Committee shall fulfil the roles of Chair and Deputy Chair of the Committee. Mr Malcolm Wilkinson currently serves as Chair of the Committee, with Dr Stuart Green serving as Deputy Chair.
- 1.5.3.4 In accordance with the Audit Committee's terms of reference, the terms of office of Mr Wilkinson and Dr Green are due to expire in September 2025.
- ### **1.5.4 Church representatives on Overview and Scrutiny Co-ordination and Finance Committee**
- 1.5.4.1 The Council is requested to note the appointment of Reverend Michael Vine as the Church of England Diocesan representative and Mr. Stephen

Fallon as the Roman Catholic Diocesan representative on the Overview and Scrutiny Co-ordination and Finance Committee. The Council is also requested to consider and determine whether or not it is appropriate to appoint any representative of other faiths/denominations to serve on the Committee.

1.5.5 Appointment of Representatives to serve on Outside Bodies exercising non-executive functions

1.5.5.1 The Council is requested to appoint representatives to serve on those outside bodies which do not exercise executive functions for the 2023/24 municipal year, as set out in Appendix 2 to this report.

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 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 makes the various appointments set out in the report in accordance with the Authority's Constitution and the relevant legislation and that the necessary arrangements can be made to convene the meetings of the Authority.

1.8 Appendices:

Appendix 1: Allocation of seats on committees/sub-committees to political groups represented on the Council.

Appendix 2: List of Outside Bodies exercising non-executive functions.

1.9 Contact officers:

Allison Mitchell, Head of Governance Tel. 643 5720

Stephen Ballantyne, Head of Law and Monitoring Officer Tel. 643 5329

Claire Emmerson – Resources Tel. 643 8109

Paul Wheeler, Democratic Services Manager (Interim) Tel. 643 5318

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office 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

Results of Local Elections 4 May 2023

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Allowances for the committee/sub-committee chairs and deputy chairs are included in the 2023/24 budget for within the Resources Directorate.

2.2 Legal

This report fulfils the requirement of the Authority's Constitution to appoint committees/sub committees and representatives to outside bodies that exercise non-executive functions at the Annual Council 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 allocation of seats on each committee/sub-committee for the 2023/24 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 ☒
- Director(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Assistant Chief Executive ☒