

Manchester City Council Report for Resolution

Report To: Constitutional and Nomination Committee – 15 May 2012

Subject: (1) Membership of Committees 2012/2013
(2) Appointment of Chairs of Committees

Report Of: The City Solicitor

Purpose of Report

To report on the political balance of the Council and to present proposals for the allocation of seats to committees in accordance with the provisions of Sections 15-17 of the Local Government and Housing Act 1989, and to deal with the appointment of Chairs and Deputy Chairs of Committees in line with the Council's Constitution.

Recommendations

The Committee is recommended to make recommendations to Council in relation to

1. the size of committees;
2. the appointment of members to serve on the various committees listed in Paragraph 2.4 in accordance with the principles of political balance;
3. the appointment of members to serve as chairs of the overview and scrutiny committees, chairs of non-executive committees, and the deputy chairs of the Planning and Highways Committee, and Licensing and Appeals Committee;
4. the appointment of a member for the purpose of answering questions at Council on the work of the Standards Committee, in accordance with Article 9 of the Council Constitution.

Financial Consequences for the Revenue Budget None

Financial Consequences for the Capital Budget None

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Background Documents

1. Section 15-17, Local Government and Housing Act 1989.
2. The Local Government (Committee and Political Groups) Regulations 1989.
3. The Local Government and Public Involvement in Health Act 2007
4. Council Constitution.

1. Background

- 1.1 Sections 15-17 of the Local Government and Housing Act 1989, and Regulation 16 of the Committees and Political Groups Regulations 2000, deal with the political balance of members of the Council on committees, and certain other bodies to which the Council makes appointments.
- 1.2 The Council is required to determine the allocation of seats on the various committees between the different political groups and must meet, so far as is reasonably practicable, the principles of political balance set out below.
- 1.3 The principles of political balance insofar as they affect the City Council, are:
- (a) that (if there is more than one political group) not all the seats on the relevant committee are allocated to the same political group;
 - (b) that the majority of seats on the relevant committee are allocated to the majority group on the Council;
 - (c) that, subject to (a) and (b), the aggregate total number of seats on the Council's committees are allocated between political groups in proportion to each group's respective representation on the Council;
 - (d) that, subject to (a), (b) and (c), the seats on each individual committee/sub-committee are allocated between the political groups in proportion to each group's respective membership of the Council, and
 - (e) where councillors are not members of a group, they are to be appointed to any seats which are left unallocated, after giving effect to the political balance principles.

2. Political Balance

- 2.1 This report has been prepared on the basis of the following calculation in relation to overall political balance

Labour	86
Liberal Democrat	9
Independent	1
	96

- 2.2 The following table provides details of the balanced allocation of seats for each group to committees ranging from memberships of 3 to 20.

Seats	LABOUR 86		LIB DEMOCRAT 9		INDEPENDENT 1	
	Calc	Seats	Calc	Seats	Calc	Seats
3	2.7	3	0.3	1	0.0	0
4	3.6	4	0.4	1	0.0	0
5	4.5	4	0.5	1	0.1	0
6	5.4	5	0.6	1	0.1	0
7	6.3	6	0.7	1	0.1	0
8	7.2	7	0.8	1	0.1	0
9	8.1	8	0.8	1	0.1	0

10	9.0	9	0.9	1	0.1	0
11	9.9	10	1.0	1	0.1	0
12	10.8	11	1.1	1	0.1	0
13	11.6	12	1.2	1	0.1	0
14	12.5	13	1.3	1	0.2	0
15	13.4	14	1.4	1	0.2	0
16	14.3	14	1.5	2	0.2	0
17	15.2	15	1.6	2	0.2	0
18	16.1	16	1.7	2	0.2	0
19	17.0	17	1.8	2	0.2	0
20	17.9	18	1.9	2	0.2	0

2.3 Of the ordinary Committees that come within the principles of political balance there are at present 186 places to be allocated, and the 3rd principle would see the totals allocated as 167 Labour, 18 Liberal Democrat, 1 Independent (on one of the Scrutiny Committees)

2.4 The Committee is requested to make recommendations to the Council regarding the membership of the following Committees

- Art Galleries [must be 14 elected members and 7 co-opted members]
- Audit Committee [8 elected members and 2 co-opted members]
- Communities Scrutiny Committee [13 members]
- Constitutional and Nomination Committee [13 members]
- Economy Scrutiny Committee [12 members]
- Employee Appeals Committee [3 members] – being the Executive Member for Finance and Human Resources (or Assistant Member), Executive Member of the appellant's Employing Department (or Assistant Member) and Councillor De Mauro
- Finance Scrutiny Committee [13 members]
- Health Scrutiny Committee [14 members]
- Licensing and Appeals Committee [maximum 15 members]
- Licensing Committee [maximum 15 members]
- Licensing Policy Committee [6 members]
- Neighbourhoods Scrutiny Committee [17 members]
- Personnel Committee [9 members] - Membership formula comprises the Leader of the Council (or a Deputy) the 6 Executive Members; the Assistant Executive Member (Finance and Human Resources) and 1 member of the Opposition.
- Planning and Highways Committee [15 members]
- Young People and Children Scrutiny Committee [15 members]
- Standing Executive Consultative Panel [15 seats]. The Opposition's allocation of seats in accordance with the Constitution is **2 members**.
- Wythenshawe Area Committee [15 seats] – includes all members representing the 5 Wythenshawe Wards, not subject to political balance.

- Standards Committee [12 seats, not subject to political balance – 7 members, 3 co opted members and 2 parish members] (The Chair of the Standards Committee must be an independent member and Mr J.A. Snadden was appointed Chair by the Council in May 2008, and there are two further independent members and two Ringway Parish Councillors). The Constitution provides that there should be at least 7 elected members of the Standards Committee. The rules of political balance do not apply to Standards Committees. The Committee has to establish 3 sub committees to deal with (a) initial assessment (b) reviews of decisions to take no action (c) the hearing itself. The same person cannot sit on the assessment panel and the review panel Therefore the most appropriate representation would be Labour: 5 Liberal Democrat: 2 so that each group could have a different member on the key sub committees dealing with allegations.

2.5 The Independent representative is **entitled** to be a member of one overview and scrutiny committee.

3. **Chairs**

3.1 The Committee is requested to recommend the appointment of the chairs of the following overview and scrutiny committees, and committees discharging non-executive functions.

Art Galleries Committee
Audit Committee
Children and Young People and Children Scrutiny Committee
Communities Scrutiny Committee
Constitutional and Nomination Committee
Economy Scrutiny Committee
Finance Scrutiny Committee
Health Scrutiny Committee
Licensing and Appeals Committee
Licensing Committee
Licensing Policy Committee
Neighbourhoods Scrutiny Committee
Planning and Highways Committee

4. **Deputy Chairs**

4.1 The Committee is requested to recommend the appointment of the Deputy Chair of the Planning and Highways Committee and the Licensing and Appeals Committee.

5. **Standards Committee: Article 9 Appointment**

5.1 The Committee is requested to recommend the appointment of a member for the purpose of answering questions at Council on the work of the Standards Committee, in accordance with Article 9 of the Council Constitution.