



Meeting of the City Council

20 May 2015

Report title	Political Balance, Appointment of The Cabinet, Appointments to Scrutiny and Regulatory and Other Committees/ Joint Authorities/ Committees and Outside Bodies and Calendar of Meetings 2015/16	
Referring body		
Councillor to present report	Cllr Lawrence	
Wards affected		
Cabinet Member with lead responsibility	Councillor Lawrence Leader of the Council	
Strategic director	Kevin O'Keefe Governance	
Originating service	Democratic Support	
Contact employee(s)	John Wright	Democratic Support Manager 01902 555048 john.wright@wolverhampton.gov.uk
Report to be/has been considered by		

Recommendation(s) for action or decision:

The Council is recommended to:

- (i) Approve the political composition of the Council, and how this is applied to appointments to Council bodies, in accordance with the political balance model set out in Appendix 1.
- (ii) Note the appointment, by the Leader of the Council, of Councillors to the Cabinet, the specified lead Cabinet Member roles and Cabinet Panels set out in Appendix 2.

- (iii) Approve the appointment of Councillors to the Scrutiny Board, and Scrutiny Panels, including Chairs and Vice-chairs, as appropriate, set out in Appendix 3.
- (iv) Approve the appointment of Councillors to Regulatory and Oversight, other Panels/Committees/Boards and Advisory Groups, including Chairs and Vice-Chairs, as appropriate, and the appointment of a Member Champion, also set out in Appendix 4.
- (v) Approve the appointments to Joint Authorities/ Committees and Outside Bodies set out in Appendices 5 and 6, including Lead, substitute Lead and voting Councillors.
- (vi) Approve the programme of meetings set out in Appendix 7, subject to any amendments subsequently made by the Cabinet and Cabinet Panels, Scrutiny Panels or Regulatory and Oversight or other Panels/Committees/Boards and Advisory Groups;
- (vii) Approve the amended terms of reference of the West Midlands Integrated Transport Authority set out in Appendix 8 insofar as they relate to the executive functions of the Council;
- (viii) Note the establishment of the Transport Delivery Committee as per the amended Scheme of Delegation set out in the ITA's amended terms of reference and as set out in Appendix 8;
- (ix) That the Councillors detailed on the list as circulated at the meeting be appointed as the Council's representatives on the Transport Delivery Committee of the ITA for the 2015/16 Municipal Year;
- (x) That the Director of Governance and Solicitor to the Council be authorised to agree and enter into such documents as are necessary to give effect to these decisions insofar as they relate to the West Midlands Integrated Transport Authority;
- (xi) Note the changes to the governance arrangements of the West Midlands Integrated Transport Authority

1.0 Purpose

- 1.1 This report deals with a number of matters which must be dealt with at the Annual Council Meeting in accordance with the Council's Constitution, principally covering the appointment of the Cabinet and Cabinet Panels, the Scrutiny Board and Scrutiny Panels, Regulatory and other Committees, representatives on Joint Authorities/Committees and Outside Bodies and approval of the programme of ordinary meetings of the Council, etc, for the forthcoming municipal year.

2.0 Background

Political Balance

- 2.1 The Local Government and Housing Act 1989 requires the Council to review periodically the political composition of the Authority, and how this is applied to appointments to Council bodies.
- 2.2 The rules for securing political balance on Committees and Sub-Committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations, 1990.
- 2.3 The Council is under a duty to:
- ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable;
 - 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 e.g. as a result of changes in political balance or an increase in the number of committees established;
 - allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
 - accept nominations made by the groups for the filling of seats allocated to them.
- 2.4. In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable:
- (a) not all seats to be allocated to the same political group;
 - (b) if a political group has a majority on the Council, it must have a majority of seats on committees;
 - (c) subject to (a) – (b) above, the total of all seats on ordinary committees should be allocated to the groups in proportion to their respective strength on the Council; and
 - (d) subject to (a) – (c) The number of seats on ordinary committees or sub-committees to be allocated to each political group in proportion to the number of all the seats on the committee or sub-committee in proportion to their respective strength on the Council.

2.5 Under Section 17 of the Local Government and Housing Act, 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations, 1990, certain bodies of the Council are exempt from the requirements relating to political balance as they are established under separate legislation. For this reason, the following bodies are not covered by these arrangements:-

- The Cabinet
- All Cabinet Panels
- Standards Committee
- Licensing Sub Committee

2.6 Additionally, where meetings are (a) advisory in nature or (b) where the Council has determined otherwise, and no Councillor has voted against, the political balance requirements need not apply.

2.7 The current political balance of the Council is:-

Labour	48
Conservative	10
Liberal Democrat	1
UKIP	1
Total	60

2.8. Appendix 1 sets out the proposed allocation of Councillors to the Cabinet, Scrutiny Board and Panels, Regulatory and other Committees to reflect the political balance of the Council. For completeness, it includes those bodies which are not subject to the balance requirements set out in paragraph 2.5 above.

The Cabinet

2.9. Under the Local Government Act, 2000, the Cabinet may comprise no more than 10 members. As indicated in paragraph 15 (iii), under the provisions of the Local Government and Public Involvement in Health Act 2007, the Council has adopted the Leader and Cabinet Executive model for the future governance arrangements of the Council. Under this model, Cabinet Members are appointed by the Leader from members of the Council.

2.10 The Council is asked to note the appointments to the Cabinet and Cabinet Panels, including the nominations for the specified lead Cabinet Member roles, set out in Appendix 2, which will be circulated at the meeting.

2.11 Details of the appointments to the Shadow Cabinet are set out in Appendix 8 to the report.

Overview and Scrutiny

2.12 The Council is asked to appoint Councillors, including Chairs and Vice-chairs, to the Scrutiny Board and Scrutiny Panels, as listed in Appendix 3 and in accordance with the

nominations of the political groups.

Regulatory and Oversight, Other Panels/Committees/Boards and Advisory Groups

- 2.13 The Council is asked to appoint Councillors to the various Regulatory and Oversight, other Panels/Committees/Boards and Advisory Groups, including Chairs and Vice-Chairs, as listed in Appendix 4. The allocation of seats is in accordance with the political balance rules, with the exception of the Standards Committee, and the nominations of the political groups.

Member Champion

- 2.14 The proposals for the appointment of a Member Champion are set out in Appendix 4.

Joint Authorities/Committees and Outside Bodies

- 2.15 Appendices 5 and 6, set out the proposed appointments to the various Joint Authorities/Committees, including lead, substitute lead and voting Councillors, and various outside bodies based on the nominations received from the political groups. (It is necessary formally to terminate the appointment of any existing Member of a Joint Authority who is replaced at the Annual Meeting, or at any other time.)

Calendar of Meetings

- 2.16 Under the Constitution, the Annual Council Meeting is required to approve a programme of ordinary meetings of the Council, the Cabinet, Scrutiny Board and Panels and Regulatory and other Committees for the year. The Special Advisory Group has approved this programme and a schedule of dates has been prepared and circulated accordingly. The Council is asked to confirm the programme of meetings set out in Appendix 7, subject to any amendments which individual Cabinet or Cabinet Panel, Scrutiny Board or Panels or Regulatory and Oversight or other Panels/Committees/Boards and Advisory Groups may wish to make at the start of the year.

West Midlands Integrated Transport Authority

- 2.17 To oversee the operational transport matters/ delivery of the ITA's Transport Policy and Strategy a 'Delegated Transport' Joint Committee of the ITA and the 7 Metropolitan Districts was created which was called " Centro Members".
- 2.18 A Review of the Delegated Transport Joint Committee, Centro Members' has been undertaken, and subsequently agreed by the ITA at its meeting of the 28th January 2015.
- 2.19 The principles adopted in the review looked to reinforce its role in overseeing delivery/ operational matters whilst ensuring greater efficiency and maintaining where possible political and geographical proportionality.

- 2.20 The Review amended the ITA terms of reference and scheme of delegation, the name and number of members.
- 2.21 The name of the Joint Committee will change from Centro Members to the Transport Delivery Committee of the ITA to better reflect its role.
- 2.22 Membership of the Transport Delivery Committee of the ITA will be 19, 7 from Birmingham with 2 from each of the other six metropolitan districts.
- 2.23 The ITA also recommended that Local Authorities be encouraged to appoint members on a politically balanced basis, where this is feasibly possible.
- 2.24 The ITA also noted a request by the Vice Chair that Local Authorities should consider that one of their appointees should be the Cabinet Member with responsibility for Transportation.

3.0 Financial implications

- 3.1 A number of roles, such as Cabinet Members and Scrutiny Panel chairs, attract the payment of Special Responsibility Allowances. These roles and the allowances payable are described in the Constitution. Budgetary provision of £891,000 is in place to pay these allowances. [GE/13052015/N]

4.0 Legal implications

- 5.1 Paragraphs 2.2, 2.3, 2.4, 2.6 and 2.10 above detail the legal implications of this report. [KO/13052015/N]

5.0 Equalities implications

- 5.1 There are no specific equalities implications arising from this report

6.0 Environmental implications

- 6.1 There are no specific environmental implications arising from this report.

7.0 Human resources implications

- 7.1 There are no specific human resources implications arising from this report.

8.0 Schedule of background papers

- 8.1 None.