

Special Urgency Decision

Report title	In Year Appointments for the 2021-2022 Municipal Year	
Cabinet member with lead responsibility	Councillor Ian Brookfield Leader of the Council	
Wards affected	All Wards	
Accountable Director	Tim Johnson, Chief Executive	
Originating service	Governance	
Accountable employee	David Pattison	Director of Governance
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Report to be/has been considered by	N/A	

Recommendations for decision:

That the Leader of the Council and Chief Executive formally authorise the following decisions under the special urgency provisions at paragraph 12.9 of the Council's Constitution to:

1. Approve the appointment of Councillor Stephen Simkins and Councillor Paul Sweet to the Pensions Committee for the remainder of the Municipal year 2021/2022.
2. Approve the appointment of Councillor Harman Banger to the Adults and Safer City Scrutiny Panel for the remainder of the Municipal year 2021/2022.
3. Approve the appointment of Councillor Beverley Momenabadi to the Corporate Parenting Board for the remainder of the Municipal year 2021/2022.
4. Approve the removal of Councillor Harman Banger from the Audit and Risk Committee for the remainder of the Municipal year 2021/2022.
5. Approve the removal of Councillor Mak Singh from the membership and Chair of the Vibrant and Sustainable City Scrutiny Panel.
6. Approve the appointment of Councillor Barbara McGarrity as Chair of Vibrant and Sustainable City Scrutiny Panel and member of Scrutiny Board.
7. Approve the removal of Councillor Mak Singh from the membership of the Scrutiny Board.

This report is PUBLIC
[NOT PROTECTIVELY MARKED]



Signature
Leader of the Council, Councillor Ian Brookfield

Date:

Signature
Deputy Chief Executive, Mark Taylor

Date: 19 June 2021

1.0 Purpose

- 1.1 To approve in year appointments for the 2021- 2022 municipal year.

2.0 Background

- 2.1 The composition of the Pensions Committee, Adults and Safer City Scrutiny Panel, Audit and Risk Committee, Corporate Parenting Board, Vibrant and Sustainable City Scrutiny Panel and Scrutiny Board was approved at the meeting of Annual Council on 19 May 2021.
- 2.2 There are currently two Labour Group vacancies on Pensions Committee.
- 2.3 There is currently one vacancy on Adults and Safer City Scrutiny Panel.
- 2.4 There is currently one Labour Group vacancy on Audit and Risk Committee.
- 2.5 There is currently one Labour Group vacancy on Corporate Parenting Board.
- 2.6 Councillor Mak Singh has resigned from the Labour political group and joined the Conservative group, this results in a Labour Group vacancy for the Chair of Vibrant and Sustainable City Scrutiny Panel and for a member on Scrutiny Board.

3.0 Urgent Decisions

- 3.1 Under the Council's Constitution, Part 2, Article 12 the Council may take urgent decisions under the following procedure:

The Leader (or in their absence the Deputy Leader) in consultation with the Chair of Scrutiny Board, Opposition Leader and Chief Executive, shall be able to exercise the powers of the Council in any matter of immediate urgency making the prompt exercise of the powers of the Council desirable and which cannot await the next ordinary meeting of the Council. Decisions made under this provision will be reported to the next meeting of the Council.

- 3.2 Both the Chair of Scrutiny Board and the Opposition Leader have been consulted on the urgent decisions.

4.0 Evaluation of alternative options

- 4.1 The alternative option to the proposed recommendations would be to not appoint. This would prevent the Labour Group from taking up its allocation of seats on the various committees and panel.

5.0 Reasons for decisions

- 5.1 These decisions will ensure that the Council's legal duty for committee membership to reflect the political composition of the Council is met.

6.0 Financial implications

6.1 There are no financial implications from this report.

[CN/18062021/G]

7.0 Legal implications

7.1 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.

7.2 The rules for securing political balance on Committee and Sub-Committees appointed by local authorities are contained in sections 1 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations, 1990.

7.3 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 seat 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 fillings of seats allocated to them.

7.4 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.

7.5 In accordance with the Constitution Individual Cabinet Members are empowered to make Individual Executive Decisions in respect of their area of responsibility, subject to the decision does not fall within one of the exceptions listed in the Constitution. The Leader of the Council has lead responsibility to agree permanent membership changes to Cabinet Panels, Regulatory or other committees and Forums and the Scrutiny Board and Scrutiny Panels, in between annual meetings of the Council. The recommendations proposed in this report do not fall within the list of exemptions that would require that the matter be considered collectively by Cabinet.

- 7.6 There will need to be a separate decision redistributing 2 seats to the Conservative Group from the Labour Group.

[DP/15062021/A}

8.0 Equalities implications

- 8.1 There are no equality implications arising from the recommendations in this report.

9.0 All other Implications

- 9.1 There are no other implications arising from the recommendations of this report.

10.0 Schedule of background papers

- 9.1 Council – 19 May 2021, Political balance, appointment of the Cabinet, appointments to Scrutiny and Regulatory and other Committees, and appointments to outside bodies for 2021-2022