

Meeting of the City Council

15 May 2024

Report title	Political balance, appointment of the Cabinet, appointments to Scrutiny and Regulatory and other Committees, and appointments to outside bodies for 2024-2025	
Referring body	N/A	
Councillor to present report	Leader of the Council	
Wards affected	All Wards	
Cabinet Member with lead responsibility	Leader of the Council	
Accountable director	David Pattison, Chief Operating Officer	
Originating service	Governance	
Accountable employee	Jaswinder Kaur Tel Email	Democratic Services Manager 01902 550320 jaswinder.kaur@wolverhampton.gov.uk
Report to be/has been considered by	N/A	

Recommendations for decision:

The Council is recommended to:

1. 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.
2. 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.
3. Approve the appointment of Councillors to the Scrutiny Board, and Scrutiny Panels, including Chairs, Vice-chairs and co-opted members, as set out in Appendix 3.
4. Approve the appointment of Councillors to Regulatory, Oversight and other Committees and advisory groups and independent members, including Chairs and Vice-Chairs, as set out in Appendix 4.

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

5. Approve the appointments to Joint Authorities/Committees and Outside Bodies, as set out in Appendices 5 and 6, including lead, substitute lead and voting Councillors.

1.0 Purpose

- 1.1 This report deals with a number of matters which must be determined 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, and representation on Joint Authorities/Committees and outside bodies.

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
- Cabinet Panels
- 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	47
Conservative	12
Independent	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 ten 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.

Overview and Scrutiny

2.11 The Council is asked to appoint Councillors, including Chairs, Vice-chairs and co-opted members, to the Scrutiny Board and Scrutiny Panels, as listed in Appendix 3 and in accordance with the nominations of the political groups.

2.12 The Local Government Act 2000 permits that Overview and Scrutiny Committees may include Co-opted Members, that is, those who are not members of the relevant Local Authority. For further information see section 9FA of and schedule A1 to the Local Government Act 2000, regulation 5 and 11 of The Local Authorities (Committee System) (England) Regulations 2012, and regulation 30 of The Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. Co-opted Members may be given voting rights where permitted by the relevant Local Authority in accordance with a

scheme made by the Local Authority. Full Council on 5 November 2014 awarded the three Co-opted Members of Healthwatch full voting rights on Health Scrutiny Panel.

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, and the nominations of the political groups.

Joint Authorities/Committees and Outside Bodies

- 2.14 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.)

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 are funded from the £1.1 million budget currently set aside for all Councillor allowances within Democratic Services.
[SR/24042024/A]

4.0 Legal implications

- 4.1 Paragraphs 2.2, 2.3, 2.4, 2.6 and 2.9 above detail the legal implications of this report. The report sets out clearly the legal position and the proposed approach meets the legal duties under the Local Government and Housing Act 1989 and related legislation.
[SR/24042024/A]

5.0 Equalities implications

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

6.0 Any other implications

- 6.1 There are no other implications arising from this report.

7.0 Schedule of background papers

- 7.1 None.

8.0 Appendices

- 8.1 Appendix 1 – Political Balance

- 8.2 Appendix 2 - Appointments to the Cabinet and Cabinet Panels
- 8.3 Appendix 3 – Appointments to Scrutiny Board and Scrutiny Panels
- 8.4 Appendix 4 - Appointments to Regulatory, Oversight and other Committees and advisory groups
- 8.5 Appendices 5 and 6 - Joint Authorities/Committees and Outside Bodies