

Sandwell Metropolitan Borough Council

16 July 2019

Subject:	Political Balance and Appointment to Committees/Boards and Other Bodies
Director:	Surjit Tour – Director of Law and Governance and Monitoring Officer
Contribution towards Vision 2030:	
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DECISION RECOMMENDATIONS

That the Council:-

1. Establishes and determines the constitution and political balance of the committees, boards and other fora for 2019/20, as set out in Appendix A.
2. Considers and receives nominations for all outstanding vacancies (including any changes to existing appointments), on committees, boards and other fora established by the Council, as set out in Appendix B.
3. Considers and receives nominations for all outstanding vacancies on outside/other bodies, as set out in Appendix C.

1 PURPOSE OF THE REPORT

- 1.1 The Council's Constitution sets out the executive, scrutiny and constitutional functions and the rules and procedures for how the Council operates, it also prescribes the issues that the Council should address at its Annual Meeting in identifying the person(s) or bodies it wishes to carry out its functions as a local authority and the portfolios and terms of reference for those persons and bodies.

- 1.2 At its annual meeting on 21 May 2019, and the extraordinary meeting on 4 June 2019, the Council considered the political balance and appointments to those Committees, Boards and other fora for the 2019/20 Municipal Year and the assignment of members to those roles and bodies.
- 1.3 The Director of Law and Governance and Monitoring Officer has been notified of a change in political membership, Councillor Cherrington has resigned from the United Sandwell Group, resulting in the opposition group ceasing to exist. Councillor Cherrington has also resigned from the committees/boards he was appointed to, resulting in vacant positions. Council is now requested to consider and approve the political balance of committees, boards and other fora for the 2019/2020 Municipal Year and to assign members to vacancies to those roles and bodies (including any changes required to existing appointments).

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 The Council's decision-making structures are designed to support the delivery of Sandwell's Vision 2030.

3. BACKGROUND AND MAIN CONSIDERATIONS

Appointment of Members to Committees and Fora of the Council

- 3.1 The Council is requested to appoint members to the vacant positions on Committees and Fora of the Council and to outside bodies and make changes to existing appointments, as necessary.

Section 15 – Political Balance on Committees

- 3.2 Section 15 of the Act provides, amongst other things, that where a local authority is divided into different political groups, it will have regard to the allocation to the different political groups on the Council, of all of those seats on any ordinary committee, sub-committee and Joint Authorities established pursuant to Part IV of the Local Government Act 1985.
- 3.3 The regulations provide for a political group to comprise two or more elected members of a local authority.
- 3.4 Pending notification to the Proper Officer regarding the formation of any political group, it is assumed that at the time of production of this report, Sandwell is now a single party authority and the proportionality provisions will not apply.

- 3.5 A political group represented on the Council may choose to allocate a proportion of its allocation of seats to an elected member who is not in a political group on the Council, without affecting proportionality.

The allocation of seats based on the political proportionality principles set out in Section 15 of the 1989 Act may be varied (pursuant to Section 17 of the 1989 Act) if alternative arrangements are approved by the Council, subject to notice being given to all Members of the proposal to adopt the alternative arrangements for the allocation of seats (this is met by the express reference made in the Council Summons (Regulation 20 of the 1990 Regulations); and the alternative arrangements must be approved by the Council without dissent (a “nem con” vote).

4 STRATEGIC RESOURCE IMPLICATIONS

- 4.1 There are no direct resource implications arising from the approval of the decision-making structures for 2019/2020 or the appointment of members to positions within the structure.

5 LEGAL AND GOVERNANCE CONSIDERATIONS

- 5.1 Council can determine the making of non-executive appointments to committees and other fora. Council is under a legal and constitutional obligation to make appointments to its committees, boards and other fora to ensure the effective operation of the Council’s functions and other obligations, duties and responsibilities.

6 APPENDICES

Appendix A – Political Balance

Appendix B – Current Appointments to Committees

Appendix C – Current Nominations to Outside/Other Bodies

Surjit Tour

Director of Law and Governance and Monitoring Officer