

REPORT TO:		Annual Council Meeting	
DATE:		18 May 2023	
REPORT AUTHOR:		Julian Joinson, Member Services Manager	
TITLE OF REPORT:		Appointment of Committees, Sub-Committees, Panels and Working Groups 2023/24	
EXEMPT REPORT:	No		
KEY DECISION:	No	If yes, date of publication:	n/a

1. **Purpose of Report**

- 1.1 To approve the terms of reference and membership of the Committees, Sub-Committees, Panels and Working Groups for the Municipal Year 2023/24; and
- 1.2 To make appointments to those bodies.

2. **Recommendations**

- 2.1 That the terms of reference of Council, Cabinet and other constituted bodies, as outlined in Appendices 1 and 2, to be circulated separately, be approved.
- 2.2 That the political composition of Committees and Sub-Committees of the Council, to be circulated separately, be approved.
- 2.3 That the membership of those Committees and Sub-Committees and the proposed Chairs and Vice-Chairs, to be circulated separately, be approved, or in the event that the details are not available in time for the meeting, that the Chief Executive be authorised to approve the membership in consultation with the leaders of the relevant political groups and in the case of Independent Members in consultation with those Members directly.
- 2.4 That the membership of Panels and Working Groups, together with the proposed Chairs, to be circulated separately, be approved, or in the event that the details are not available in time for the meeting, that the Chief Executive be authorised to approve the membership in consultation with the leaders of the relevant political groups and in the case of Independent Members in consultation with those Members directly.
- 2.5 That a Councillor unable to attend a meeting, of which he/she is a member, be authorised to appoint a Councillor not serving on that particular Committee, Sub-Committee, Panel or Working Group to act as a substitute in accordance with Council Procedure Rule A26.8.

3. **Appointment of Committees, Sub-Committees, Panels and Working Groups 2023/24**

- 3.1 The annual meeting of Council is required to establish Committees, Sub-Committees, Panels and Working Groups and to determine their terms of reference.

- 3.2 The terms of reference are set out in Part 3 of the Constitution - Responsibility for Functions and the appendices indicated below will follow:-

Appendix 1: Terms of Reference of Council, Cabinet and Committees.

Appendix 2: Terms of Reference of Panels and Working Groups.

- 3.3 Where appropriate, minor and consequential amendments will have been made to the existing Terms of Reference, to incorporate revised legislation and changes to national policies.

4. Allocation of Seats

- 4.1 The Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990 require that the number of seats on committees and sub-committees reflects the overall political balance of the Council.
- 4.2 The number of seats held by each political group and others for the 2023/24 Municipal Year is:-

Conservative Group	16
Labour and Co-operative Group	16
Green	2
Independent	1

The Council comprises 35 elected members.

- 4.3 There is no legislative requirement to include councillors who are not members of a formal political group (such as Independent members) in the political balance calculation. However, the Council may choose to offer seats to Independent councillors as it has done on previous occasions.
- 4.4 Details of the Council's committees and sub-committees, the number of seats available and allocation of seats will be available prior to the meeting.

5. Establishment and Membership of Panels and Working Groups

- 5.1 The membership of Panels and Working Groups does not need to be politically balanced. A schedule of these bodies, including the number of seats available will be provided prior to the meeting.
- 5.2 The terms of reference and composition of the Panels and Working Groups will follow as Appendix 2.
- 5.3 The proposed membership will be circulated before the meeting, if possible. Where this is not possible a delegated authority to the Chief Executive to make the appointments in consultation with the relevant political group leaders may be required.

6. Cabinet

- 6.1 Cabinet membership and allocation of portfolio responsibilities is within the power of the Leader. The Cabinet membership and positions for 2023/24 will be determined as soon as

practicable and circulated for information. If possible, this will information be made available before the Annual Council meeting.

7. Appointment of Co-opted Members to Overview and Scrutiny Committees

- 7.1 It should be noted that, except for the Special Overview and Scrutiny Committee, each overview and scrutiny committee may appoint up to four members of the public (as agreed on 16th May 2019), who the committee deems to have relevant experience of topics related to that scrutiny meeting, as non-voting co-optees. The Special Overview and Scrutiny Committee may appoint up to two such co-optees. Co-opted members are appointed for two year period and the current post-holders remain appointed until the end of 2023/24.
- 7.2 A separate report will be provided in respect of any changes required if a co-optee is no longer eligible to serve in that capacity.

8. Appointment of Substitute Members

- 8.1 A member of the Council who cannot attend a meeting can appoint a reserve member not serving on that particular Committee, Sub-Committee, Panel or Working Group to act as a substitute, in accordance with Council Procedure Rule A26.8.
- 8.2 It should be noted that no substitute members may be appointed in respect of the Standards Committee.
- 8.3 It should also be noted that, members of the Licensing Committee, Judicial Committee (Private Hire and Hackney Carriage Licensing) and Planning Committee and their substitutes are required to undertake specific training because of the quasi-judicial nature of the decisions taken.
- 8.4 As in previous years, it is proposed to widen the scope of the substitution arrangements to allow for any member, rather than just a reserve member, to be appointed, subject to the limitations described in paragraphs 8.2 – 8.3 above.

9. Alternative Options considered and Reasons for Rejection

- 9.1 The Council would not be able to meet its statutory responsibilities without the appointment of committees. The number and terms of reference of the various committees, panels and boards is a matter for Members.

10. Consultations

- 10.1 The appointments will be made in consultation with the political groups.

11. Implications

Financial implications (including mainstreaming)	None
Legal and human rights implications	The report meets the statutory requirements in relation to appointment of members to Committees and the political balance rules.

Assessment of risk	None
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	This is not deemed to be necessary.

**12. Local Government (Access to Information) Act 1985:
List of Background Papers**

12.1 Hyndburn Borough Council Constitution - Part 3 – Responsibility for Functions

13. Freedom of Information

13.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.