

<b>REPORT TO:</b>	Annual Council Meeting	
<b>DATE:</b>	15 May 2025	
<b>REPORT AUTHOR:</b>	Julian Joinson, Member Services Manager	
<b>TITLE OF REPORT:</b>	Appointment of Committees, Sub-Committees, Panels and Working Groups 2025/26	
<b>EXEMPT REPORT:</b>	<b>No</b>	
<b>KEY DECISION:</b>	<b>No</b>	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 2025/26; 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, set out at Table 2, be approved.
- 2.3 That the membership of those Committees and Sub-Committees and the proposed Chairs and Vice-Chairs set out at Appendix 3(a), 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 Green or Independent Members in consultation with those Members directly.
- 2.4 That the membership of Panels and Working Groups, together with the proposed Chairs set out at Appendix 3(b), 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 Green or 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 2025/26**

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 2025/26 Municipal Year is:-

Labour and Co-operative Group	21
Conservative Group	12
Green	1
Independent	1

The Council comprises 35 elected members.

4.3 The total seats available across the Council should now, in so far as is practicable, be divided between the political parties in the following ratio: 63.6% (Labour and Co-operative) 36.4% (Conservative). The same ratio should be applied, in so far as is practicable, to the allocation of seats on each individual committee/sub-committee. 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 and other councillors who are not able to form a political group on the Council, as it has done on previous occasions.

4.4 The basic calculation to allocate seats to committees of various sizes remains as was indicated at the Council meeting on 27<sup>th</sup> February 2025, following the by-election in the Baxenden ward, and is as shown in Table 1 below (columns 1 to 5). At that time, the Council noted that some adjustment to the ratios shown might be required in the final allocation of seats across the Council to take into account the following principles as required by the legislation and in the light of the practice referred to at paragraph 4.3 above:

- Not all seats to go to the same group;
- If a Group has a majority on the Council, it should receive a majority of seats on each committee;
- Total number of seats across all bodies must be proportionate (subject to (a) and (b));
- Seats on each body must be proportionate (subject to (a) to (c)).

4.5 Table 1 below also sets out the allocation of seats proposed for 2025/26 (see column 6). A change to the proportionality as determined in February 2025, now proposes the allocation of

the Independent councillor seat to a committee of 12 members (rather than a committee of 13 members). This is to take into account a proposed reduction in the size of the Planning Committee to 12 members in 2025/26 (Paragraph 4.6 refers).

Table 1

No of seats on Committee	Lab	Cons	Green	Indpt	Proposed Ratio
(1)	(2)	(3)	(4)	(5)	(6)
2 members	1	1	0	0	1:1:0:0
3 members	2	1	0	0	2:1:0:0
4 members	3	1	0	0	3:1:0:0
5 members	3	2	0	0	3:2:0:0
6 members	4	2	0	0	4:2:0:0
7 members	5	2	0	0	5:2:0:0
8 members	5	3	0	0	5:3:0:0
9 members	6	3	0	0	6:3:0:0
10 members	7	3	0	0	7:3:0:0
11 members	7	4	0	0	7:4:0:0
12 members	8	4	0	0	8:3:0:1*
13 members	9	4	0	0	8:4:0:0
14 members	9	5	0	0	8:5:1:0*
15 members	10	5	0	0	10:5:0:0

\* NB. Adjusted to provide for 1 Green and 1 Independent seat.

4.6 There are no amendments proposed to the names of committees/sub-committees since the meeting held on 27<sup>th</sup> February 2025. The size of all committees/sub-committees will remain the same, save for the following proposed adjustments:

- Resources Overview and Scrutiny Committee – reduce from 8 to 7 members
- Special Scrutiny Committee – increase from 7 to 8 members
- Planning Committee – reduce from 13 to 12 members

4.7 The total number of available seats across all committees and sub-committees will reduce from 88 to 87.

4.8 Details of the Council's proposed committees and sub-committees, the number of seats available and allocation of seats for 2025/26 are set out in Table 2 below.

Table 2

Committee	Lab	Cons	Green	Indpt	Size
Audit	4	2	0	0	6
Communities & Wellbeing OSC	5	3	0	0	8
Judicial Committee (PH & HC Licensing)	4	2	0	0	6
Licensing Committee	8	5	1	0	14
Licensing Sub-Committee	2	1	0	0	3

Management Review Committee	3	2	0	0	5
Planning Committee	8	3	0	1	12
Planning (Trees) Sub-Committee	3	2	0	0	5
Resources OSC	5	2	0	0	7
Special Scrutiny Committee	5	3	0	0	8
Standards Committee	5	3	0	0	8
Standards - Hearing Sub-Committee*	3	2	0	0	5
<b>Total</b>	55 63.2%	30 34.5%	1 1.1%	1 1.1%	87 100%

4.9 The proposed membership of Committees will be circulated before the meeting, if possible, as Appendix 3(a). 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.

## **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, as Appendix 3(b).

5.2 The terms of reference of the Panels and Working Groups will follow as Appendix 2.

5.3 The proposed membership of Panels and Working Groups will be circulated before the meeting, if possible, contained within Appendix 3(b). 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 The size of the Cabinet, its membership and allocation of portfolio responsibilities is within the power of the Leader. The Cabinet membership and positions for 2025/26 will be determined as soon as practicable and circulated for information. If available, these details will be provided at the Annual Council meeting, or otherwise circulated shortly thereafter.

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

7.1 All appointments were reviewed in 2025 and successful nominees were appointed for a two year period until the Annual Council Meeting in 2026.

## **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**

<b>Financial implications (including mainstreaming)</b>	None
<b>Legal and human rights implications</b>	The report meets the statutory requirements in relation to appointment of members to Committees and the political balance rules.
<b>Assessment of risk</b>	None
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> 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.