

Committee Name and Date of Committee Meeting

Council – 05 March 2025

Report Title

Appointment to Vacant Committee Seats

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

The Health Select Commission, the Improving Lives Select Commission, the Licensing Board and the Licensing Committee currently have vacant seats. As these have been vacant for longer than three weeks, Council are asked to appoint to these seats. As per the Local Government (Committees and Political Groups) Regulations 1990, if a group fails to express its wishes within a period of three weeks of being notified of the allocation or vacancy, the Council may make such appointments.

There are therefore no political proportionality requirements for the vacant seats.

Recommendations

That Council appoint Members to the following vacancies:

1. Health Select Commission (3 Vacancies)
2. Improving Lives Select Commission (1 Vacancy)
3. Licensing Board (1 Vacancy)
4. Licensing Committee (1 Vacancy)

List of Appendices Included

None.

Background Papers

[The Local Government \(Committees and Political Groups\) Regulations 1990](#)

[22 May 2024 Council Meeting - Membership of Political Groups on the Council, Political Balance and Entitlement to Seats - Rotherham Council](#)

[Rotherham Council Constitution - Appendix 9 - Responsibility for Functions](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

N/A

Council Approval Required

Yes

Exempt from the Press and Public

No

Appointment to Vacant Committee Seats

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1. Background

- 1.1 Section 15 of the Local Government and Housing Act 1989, places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation, following formal notification of the establishment of political groups in operation on the Council.

There is a requirement to annually review the entitlement of the political groups to seats on the committees of the Council.

The allocation of seats must follow two principles:

- (a) Balance must be achieved across the total number of available seats on committees; and
- (b) Balance must be achieved on each individual committee or body where seats are available

- 1.2 In accordance with the above, the Membership of Political Groups on the Council, Political Balance and Entitlement to Seats report was presented to the Annual Council (Business) Meeting on 22 May 2024.
- 1.3 At the meeting, approval was given to the appointment of Members to committees, boards and panels. A number of seats were not appointed to at that meeting and have remained vacant.

2. Key Issues

- 2.1 As per the Local Government (Committees and Political Groups) Regulations 1990, appointments are made in accordance with the wishes of a political group, then, as long as that person's seat continues to be allocated to that group, the authority or committee which made the appointment shall act in accordance with the wishes of that group. If a group fails to express its wishes within a period of three weeks of being notified of the allocation or vacancy, the Council may make such appointments.
- 2.2 Where a Group does not nominate to a vacancy then, after a period of 3 weeks, Council may appoint to that vacancy. It should be noted that such appointments will fall to be reconsidered on each occasion where the political balance of the authority is decided by Council and the moratorium period will again apply.
- 2.3 The following seats are vacant, and Council are asked to appoint to these vacancies:
- 1. Health Select Commission (3 Vacancies)
 - 2. Improving Lives Select Commission (1 Vacancy)
 - 3. Licensing Board (1 Vacancy)
 - 4. Licensing Committee (1 Vacancy)

3. Options considered and recommended proposal

3.1 That Council appoint Members to the following vacancies:

1. Health Select Commission (3 Vacancies)
2. Improving Lives Select Commission (1 Vacancy)
3. Licensing Board (1 Vacancy)
4. Licensing Committee (1 Vacancy)

3.2 The Council's Constitution sets out the Terms of Reference for Committees, Boards and Panels. These state that the Health Select Commission and Improving Lives Select Commission should have 18 Members, the Licensing Board should have 21 Members, and the Licensing Committee should have 15 Members.

3.3 Long term vacancies on committees can impact the effectiveness of that committee and increase the workload for existing members on that committee. Appointing to vacancies could therefore enable committees to perform their duties more efficiently.

3.4 The alternative option is to not appoint to the vacant seats. This is not recommended as it is not good practice to have vacant seats for a prolonged period of time.

4. Consultation on proposal

4.1 The Local Government (Committees and Political Groups) Regulations 1990 gives Council the power to appoint to vacant committee seats as set out in paragraph 2.1 of the report. As such no consultation on the proposal is required.

5. Timetable and Accountability for Implementing this Decision

5.1 Once appointed by Council, the appointment will be effective immediately and the Governance Team will ensure meeting appointments and committee membership details are updated accordingly.

6. Financial and Procurement Advice and Implications

6.1 There are no direct financial implications or procurement implications arising from the report.

7. Legal Advice and Implications

7.1 The legislative requirements are set out at paragraph 1.1 and 2.1 above.

8. Human Resources Advice and Implications

8.1 There are no Human Resources implications arising from the report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The appointment of members to serve on committees and other bodies of the Council will indirectly impact on children and young people and vulnerable adults through the activities and decisions of those bodies. There are no apparent direct implications at the time of writing this report.

10. Equalities and Human Rights Advice and Implications

- 10.1 The appointment of members to serve on committees and other bodies of the Council will indirectly impact on equalities through the activities and decisions of those bodies. There are no apparent direct implications at the time of writing this report.

11. Implications for CO₂ Emissions and Climate Change

- 11.1 There are no implications for CO₂ Emissions and Climate Change arising from this report.

12. Implications for Partners

- 12.1 The appointment of councillors to serve on its committees, boards and panels is designed to have a positive impact on the Council's relationship with partners and stakeholders to enhance the relationship through the presence of accountable and elected representatives.

13. Risks and Mitigation

- 13.1 By having regard to the detail of the report above in respect of meeting statutory requirements, any risk implications will have been mitigated. Therefore, there are no risks to be borne in mind in respect of the recommendations.

Accountable Officer(s)

Emma Hill, Head of Democratic Services

Approvals obtained on behalf of:

	Name	Date
Chief Executive	Sharon Kemp OBE	25/02/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	25/02/25
Assistant Director of Legal Services (Monitoring Officer)	Phillip Horsfield	25/02/25
The Strategic Director with responsibility for this report	Jo Brown, Assistant Chief Executive	24/02/25

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