

**TO: ANNUAL COUNCIL
14 MAY 2014**

**ESTABLISHMENT OF COMMITTEES AND ASSOCIATED MATTERS
Director of Corporate Services – Democratic and Registration Services**

1 PURPOSE OF REPORT

- 1.1 This report sets out the position regarding the overall allocation of seats on committees. The Council is asked to agree the establishment of committees, and the appointment of Members to serve on committees and other bodies.
- 1.2 The Council is required to determine the allocation of committee seats to party groups and then to appoint to those seats in accordance with the wishes of each party group on the Council. The bodies to be appointed to are set out in Appendix A of agenda item 8. The nominations from the Labour and UKIP Groups are included in Appendix A and those for the Conservative Group will be circulated in advance of the meeting.

2 RECOMMENDATIONS

2.1 The Council is asked to agree:

- (i) the establishment of ordinary committees, their size and allocation of seats to political groups, as set out in paragraph 6.1 of the report;**
- (ii) the establishment of the Overview and Scrutiny Commission and the Standards Committee, their size and allocation of seats to political groups, agreeing a local variation to the proportionality rules, as set out in paragraph 6 of the report;**
- (iii) the membership of each committee, in accordance with the wishes of the political groups (to be circulated in advance of the meeting);**
- (iv) appointments to external organisations (to be circulated in advance of the meeting);**
- (v) the appointment of Council Champions (to be circulated in advance of the meeting), in accordance with Part 1 Section 7 of the Constitution;**

3 REASONS FOR RECOMMENDATIONS

- 3.1 A review of the allocation of committee seats to party groups is conducted each year at the Annual Meeting of the Council, in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The report reflects the Leader's recommendations for the allocation of seats on committees which comply with the political proportionality rules and the Council's previously agreed formula for the allocation of seats on overview and scrutiny.

5 SUPPORTING INFORMATION

Background

- 5.1 The Council last reviewed its proportionality calculations and committee membership on 27 November 2013 following the formation of a third political group on the Council.
- 5.2 As a result the political balance of the Council is as follows:

Group	Number of Councillors	Proportionality
Conservative Group	38	90.48%
Labour Group	2	4.76%
United Kingdom Independence Party Group (UKIP)	2	4.76%
	42	100%

Political balance requirements

- 5.3 The Local Government and Housing Act 1989 requires the Council to allocate seats on ordinary and overview and scrutiny committees to political groups for the forthcoming municipal year, in accordance with the size of each group on the Council as a whole, unless alternative arrangements are notified to all Members and agreed without any Councillor voting against them.
- 5.4 The Council is also required to make appointments to committees in accordance with the wishes of the political group to which each seat has been allocated. The allocation exercise for the Overview and Scrutiny Commission and the Licensing and Safety Committee has been separated from that for the other committees as these are not ordinary committees in the sense of the Local Government and Housing Act 1989 and therefore have not been aggregated together in the 'basket' of seats.
- 5.5 The Local Government and Housing Act 1989 introduced provisions in order to ensure that the political balance on committees reflects the political complexion of the Council. In order to achieve this, the Council is required to observe the following principles as far as is reasonably practicable:
- (a) that not all seats on the committee are allocated to the same political group;
 - (b) that the majority of seats on each Committee should be allocated to a particular political group if the number of members of the group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the total number of all seats allocated to each political group on ordinary committees should reflect the political balance of the Council; and

Unrestricted

(d) subject to paragraphs (a) to (c) above, that the number of seats on each committee allocated to each political group should reflect the political balance of the Council.

5.6 Principles (a), (b) and (d) apply to all appointments to the authority's own committees and sub-committees and to certain outside bodies. However, principle (c) only relates to appointments to the 'ordinary' committees of the Council.

6 ALLOCATION OF SEATS ON ORDINARY COMMITTEES

6.1 The table below sets out the proposed allocation of seats and the effect of applying the political proportionality calculations for ordinary committees.

Committee	Number of seats	Conservative	Labour	UKIP
Appeals Committee	5	4	0	1
Employment Committee	9	8	1	0
Governance and Audit Committee	8	7	1	0
Governor Appointments Committee	5	4	0	1
Planning Committee	20	18	1	1
Total allocation of places	47	41	3	3
To achieve political proportionality	47	43	2	2

6.2 In order to comply with principle (a) above the Labour and UKIP Groups each have one more seat than they would be entitled to under rule (d) – rule (a) taking precedence over rule (d).

Licensing and Safety Committee

6.3 There are a further 15 seats on the Licensing and Safety Committee, which is the Council's Licensing Committee for the purposes of the Licensing Act 2003. As such it is not an ordinary committee in the sense of the Local Government and Housing Act 1989 and, although it must be politically proportionate, it has not been included in the 'basket' of seats for the purposes of the overall allocation of seats on committees, but is shown separately below:

Conservative Group 13; Labour Group 1; UKIP Group 1

Overview and Scrutiny Commission

6.4 There are a further 13 seats on the Overview and Scrutiny Commission. Although the allocation of seats to the Overview and Scrutiny Commission must be politically proportionate this is not an ordinary committee and should not be aggregated together with the seats of ordinary committees for the purposes of the allocation of seats to party groups by the Council under section 15(5)(c) of the Local Government and Housing Act 1989, i.e. principles (a), (b), and (d) apply but not (c).

6.5 Since May 2003 the Council has agreed to allocate seats on the Overview and Scrutiny Commission having regard to the proportion of seats held by the non-executive Members of the Council. This process has been followed in calculating seats on the Commission and Panels for the purposes of this review. Such a departure from the normal rules of proportionality is permitted by the Regulations if notice is given of the proposal in the agenda and if it is approved by the Council with no Member voting against. If any Member votes against the proposal then the normal proportionality rules would be applied.

6.6 The proportionality calculation for the 13 seats is:

Conservative Group 11; Labour 1; UKIP 1

Sub-committees

6.7 Committees are also required to observe political proportionality when setting the membership of sub-committees. The current allocation of sub-committee seats is set out below. There will be a meeting of each committee immediately following this Council meeting to establish their sub-committees. In law the Overview and Scrutiny Panels are sub-committees of the Overview and Scrutiny Commission.

Overview & Scrutiny Panels/Sub-Committees	Number of seats	Conservative	Labour	UKIP
Adult Social Care & Housing OSP	9	8	1	0
Children, Young People & Learning OSP	9	8	1	0
Environment, Culture & Communities OSP	9	8	1	0
Health OSP	9	8	1	0
Education Employment Sub-Committee	6	5	1	0

Advisory committees and other bodies

6.8 The Standards Committee is an Advisory Committee of the Governance and Audit Committee and as such is required to be politically balanced. The current allocation of seats is proportionate:

Conservative 2; Labour 0; UKIP 1

6.9 The Independent Members plus the Parish Representative on the Standards Committee outnumber the councillors and deprive the majority group of a majority on the Committee. This departure from the normal rules of proportionality is permitted by the Regulations if notice is given of the proposal in the agenda and if it is approved by the Council with no Member voting against.

Membership of committees and other bodies

6.10 A template setting out proposed committees, sub-committees, steering groups, advisory groups and panels is set out in Appendix A of agenda item 8. The Labour

and UKIP nominations for membership to each body are included and the Conservative nominations will be circulated in advance of the meeting.

Membership of external organisations

- 6.11 A template setting out the external organisations, to which appointments will be made is set out in Appendix B of agenda item 8. Nominations to each organisation will be circulated in advance of the meeting.

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 7.1 Nothing to add to the report.

Borough Treasurer

- 7.2 There are no additional revenue implications arising from the above recommendations.

Equalities Impact Assessment

- 7.3 Not relevant to this report.

Strategic Risk Management Issues

- 7.4 Not relevant to this report.

8 CONSULTATION

Principal Groups Consulted

- 8.1 Party Group Leaders

Method of Consultation

- 8.2 Discussion

Representations Received

- 8.3 Not applicable

Background Papers

None

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