

**TO: ANNUAL COUNCIL
18 MAY 2016**

**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 Conservative Group is now the only Group on the Council. Nominations from the Conservative Group will be tabled at the meeting.

2 RECOMMENDATIONS

2.1 The Council is asked to agree:

- (i) the establishment of ordinary committees, their size and allocation of seats, agreeing a local variation to the proportionality rules, as set out in paragraph 6 of the report;**
- (ii) the establishment of the Licensing and Safety Committee, the Overview and Scrutiny Commission and the Standards Committee, their size and allocation of seats, 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 Members' wishes;**
- (iv) appointments to external organisations;**
- (v) the appointment of Council Champions, in accordance with Part 1 Section 7 of the Constitution; and**
- (vi) variations to terms of office as set out in paragraph 6.12.**

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 This report reflects the Conservative Group recommendations for the allocation of seats on committees, which require Council agreement to a local variation to the proportionality rules.

5 SUPPORTING INFORMATION

Background

- 5.1 The Bracknell Forest Borough elections took place on 7 May 2015, as a result of which the political balance of the Council is as follows:

	Number of Councillors	Proportionality
Conservative	41	97.62%
Labour	1	2.38%
	<hr/> 42	<hr/> 100%

Political balance requirements

- 5.2 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. 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.
- 5.3 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
 - (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.
- 5.4 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 Conservative Group is now the only political group on the Council. There is one Labour councillor on the Council however it requires two Members to form a Group; as a result Councillor Mrs Temperton is not entitled to any seats on committees as of right. However to give effect to (a) above, one seat on every committee and sub-committee has been offered to Councillor Mrs Temperton. Councillor Mrs Temperton has indicated that she would prefer not to have a seat on every committee/sub-

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committee and has identified those that she would like to sit on. 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 the proposal. If any Member votes against the proposal then the normal proportionality rules will be applied and Councillor Mrs Temperton will have a seat on every committee/sub-committee.

- 6.2 The table below sets out the proposed allocation of seats on ordinary committees. As set out above this proposal represents a local variation to the proportionality rules as every seat on three of the committees is allocated to the same political group.

Committee	Number of seats	Conservative Group	Labour
Appeals Committee	4	4	0
Education Governor Appointments Committee	5	5	0
Employment Committee	9	8	1
Governance and Audit Committee	8	7	1
Planning Committee	18	18	0
Total allocation of places	44	42	2
Overall political balance	44	43	1

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 table above which shows the overall allocation of seats on committees. The proposal for the allocation of seats on this committee also represents a variation to the proportionality rules as Councillor Mrs Temperton would not like a seat and therefore every seat is allocated to the same political group.

Conservative Group 15; Labour 0

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 therefore has not been 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 The proposal for the 13 seats is in accordance with the proportionality rules:

Conservative Group 13; Labour 1

Sub-committees

- 6.6 Committees are also required to observe political proportionality when setting the membership of sub-committees. The proposed allocation of sub-committee seats is set out below.

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

- 6.7 There will be a meeting of each committee immediately following the Annual Council meeting to establish their sub-committees. In law the Overview and Scrutiny Panels are sub-committees of the Overview and Scrutiny Commission.

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 proposed allocation of seats is:

Conservative 3; Labour 0

- 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 of the proposed committees, sub-committees, steering groups, advisory groups and panels is set out in Appendix A of agenda item 8.

Membership of external organisations

- 6.11 A template of external organisations, to which appointments will be made is set out in Appendix B of agenda item 8.
- 6.12 In response to a questionnaire sent to all external organisations the Council has been advised of the following amendments to terms of office for the organisations:
- Term of office for Bracknell & Wokingham College to be for four years therefore currently vacancy when filled will be extended to end May 2020;

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- Term of office for Berkshire Healthcare NHS Foundation Trust to be extended to three year term therefore Councillor Mrs Mattick's current term of office to be extended to end May 2018; and
- Term of office for Federation of Burial Cremation Authorities to be extended to three year term therefore Councillor McCracken's current term of office to be extended to end May 2017.

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

7.1 The relevant legal issues are identified elsewhere in this 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 Conservative Group and Councillor Mrs Temperton

Method of Consultation

8.2 Discussion

Representations Received

8.3 Outcome of discussions reflected in this report.

Background Papers

None

Contact for further information

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