

<b>Title of Report:</b>	<b>Appointment of and Allocation of Seats on Committees for the 2014/15 Municipal Year</b>
<b>Report to be considered by:</b>	Council
<b>Date of Meeting:</b>	15 May 2014
<b>Forward Plan Ref:</b>	C2689

**Purpose of Report:**

1. To consider the appointment and allocation of seats on Committees and associated bodies for the next Municipal Year.
2. To agree the Council's Policy Framework for 2014/15 as set out in Paragraph 6.1.

**Recommended Action:**

1. That the Council notes that under Paragraph 8 of the Local Government (Committees and Political Groups) Regulations 1990, notice has been received that the Members set out in paragraph 1.1 of this report are to be regarded as Members of the Conservative and Liberal Democrat Groups respectively.
2. That the Council agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 2.2 (Table A).
3. That the Council agrees to the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989 as set out in paragraph 3.4 (Table B).
4. That the number of substitutes on Committees and Commissions be as set out in paragraph 4.1 (Table C).
5. In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee. Where substitutes attend the District Planning Meeting they need to be drawn from the same Area Planning meeting as the Member they are substituting for.
6. That the Council approves the appointment of Members to the Committees as set out in Appendix A and in accordance with the wishes of the Political Groups.

7. That the Council, in accordance with Regulation 4, Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, and the Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008, agrees the Council's Policy Framework for 2014/15 be as set out in paragraph 6.1 and that any appropriate amendments be made to the Council's Constitution should this be necessary.
8. That the Council, in accordance with Regulation 5, Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, approves that all other plans, policies and strategies requiring approval and not included in the approved Policy Framework be delegated to the Council's Executive.
9. That the Council agrees that Paragraph 2.6.5 of Article 6 of the Council's Constitution, setting out the Executive Portfolios, be amended to reflect any changes made at the Annual Council meeting by the Leader of the Council.
10. That the appointment of two non voting co-opted Parish/Town Councillors be made to the Standards Committee.
11. That the appointment of two Parish/Town Councillors and two independent members be made to the Standards Committee's Advisory Panel.
12. To appoint James Rees and John Bingham to be the Council's Independent Persons.
13. To agree to the membership of the Health and Wellbeing Board as set out in paragraph 9.1
14. That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees.

**Reason for decision to be taken:**

It is a statutory requirement

**Other options considered:**

As it is a statutory requirement no additional options were considered.

**Key background**

- The Local Government and Housing Act 1989

- documentation:**
- Local Government (Committees and Political Groups) Regulations 1990
  - Local Authorities (Functions and Responsibilities) (England) Regulations 2000
  - The Localism Act 2011

The proposals will help achieve the following Council Strategy principle:	
<input checked="" type="checkbox"/>	<b>CSP8 - Doing what's important well</b>
The proposals contained in this report will help to achieve the above Council Strategy principle by: Ensuring that the Council complies with the legislative framework.	

Portfolio Member Details	
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<b>Date Portfolio Member agreed report:</b>	Emailed on 01 April 2014

Contact Officer Details	
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## Implications

- Policy:** The appointments and allocations will be made in accordance with the Council's statutory obligations. The Council's Policy making framework is updated annually.
- Financial:** Members Allowances, proposed by the Independent Remuneration Panel, were agreed at Council meeting held on the 03 March 2011.
- Personnel:** None
- Legal/Procurement:** The allocation of seats to Political Groups in accordance with Section 15(5) of the Local Government and Housing Act 1989 and related regulations mentioned in this report.  
  
The provisions of the Localism Act were brought into effect on 1st July 2012 which resulted in an amendment to the Governance Structures in respect of the Standards Committee which were updated at the December 2013 Council meeting .
- Property:** None
- Risk Management:** None

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
• Is it likely to affect people with particular protected characteristics differently?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at <a href="http://www.westberks.gov.uk/eia">www.westberks.gov.uk/eia</a>			<input type="checkbox"/>	
Not relevant to equality			<input checked="" type="checkbox"/>	

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

# Executive Summary

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## 1. Introduction

- 1.1. In accordance with Paragraph 4.2.2 of the Constitution, the Council is required to appoint Committees and other Member bodies that are not part of the Executive. Membership of the Council's Committees is agreed annually at the May Council meeting.
- 1.2. This report sets out the Membership of the two Political Groups, the size and Membership of the Committees as well as the number of substitutes to be appointed for each of the bodies. It also sets out the 2014/15 Policy Framework.

## 2. Proposals

- 2.1 In allocating seats on Committees, the Council must give effect, so far as reasonably practical, to the principles contained in Section 15(5) of the Local Government and Housing Act 1989.
- 2.2 This report sets out the number of seats on each group based on the 'basket principle' whereby the Liberal Democrat Group would be entitled to 25% of the seats and the Conservative Group 75% of the seats following the May 2011 elections.

## 3. Equalities Impact Assessment Outcomes

- 3.1 Officers do not consider that any groups will be affected by this report. Councillors will be asked if they want to be appointed to Committees or Commissions. The Council strives to ensure that all venues used for meetings accord with any relevant legislation.

## 4. Conclusion

- 4.1 Members are asked to agree the appointment of and allocation of seats on the Committees for the 2014/15 Municipal Year.
- 4.2 Members are asked to agree the Council's Policy Framework for 2014/15 as set out in Paragraph 6.1 of the report.

# Executive Report

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## 1. Introduction

- 1.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the under-mentioned Members have given notice of their wish to be regarded as Members of the Political Groups set out below.

<b>Conservative Political Group</b>	<b>Liberal Democrat Political Group</b>
Argyle, Peter	Allen, David
Bairstow, Howard	Brooks, Jeff
Bale, Pamela	Drummond, Billy
Beck, Jeff	Hunneman, Roger
Bedwell, Brian	Lock, Mollie
Betts, David	Longton, Royce
Boeck, Dominic	Macro, Alan
Bryant, Paul	Mason, Gwendoline
Chandler, George	Mayes, Geoff
Chopping, Keith	Rendel, David
Cole, Hilary	Swift-Hook, Julian
Croft, Roger	Vickers, Tony
Crumly, Richard	Woodhams, Keith
Edwards, Adrian	
Ellison, Sheila	
Franks, Marcus	
Goff, Dave	
Gopal, Manohar	
Hewer, Paul	
Horton, John	
Jackson-Doerge, Carol	
Johnston, Mike	
Jones, Graham	
Law, Alan	
Linden, Tony	
Lundie, Gordon	
Metcalfe, Tim	
Mooney, Joe	
Neill, Irene	
Pask, Graham	
Podger, James	
Rowles, Andrew	
Stansfeld, Anthony	
Simpson, Garth	
Tuck, Ieuan	
Von Celsing, Virginia	
Webb, Quentin	
Webster, Emma	
Zverko, Laszlo	

### Recommendation 1:

- That the Council notes that under Paragraph 8 of the Local Government (Committees and Political Groups) Regulations 1990, notice has been received that the Members set out in paragraph 1.1 of this report are to be regarded as Members of the Conservative and Liberal Democrat Groups respectively.

## 2. Appointment of Committees

- 2.1 In accordance with Paragraph 4.2.2 of the Constitution, the Council is required to appoint Committees and other Member bodies that are not part of the Executive.
- 2.2 It is proposed that Council appoint the Committees (as set out in Table A) and their relevant Sub-Committees with the number of places shown for each.

**Table A**

<b>Body</b>	<b>Number of Seats</b>
Overview and Scrutiny Management Commission	16
Licensing Committee	12
District Planning Committee	12 <i>(six members of the Eastern Area Planning Committee and six Members of the Western Area Planning Committee)</i>
Eastern Area Planning Committee	12
Western Area Planning Committee	12
Governance and Audit Committee	8
Personnel Committee	6
Standards Committee	6 <i>(two non-voting co-opted Parish Councillors will also be appointed to this Committee)</i>
<b>Total</b>	<b>84</b>

### Recommendation 2:

- That the Council agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 2.2 (Table A).

### 3. Allocation of Seats

3.1 The political balance of the Council currently stands as follows:

	<b>Number of Members</b> No.	<b>Political Composition</b> %
Conservative Group	39	75%
Liberal Democrat Group	13	25%
	<b>52</b>	<b>100.00%</b>

3.2 In allocating seats on Committees, the Council must give effect, so far as reasonably practical, to the principles contained in Section 15(5) of the Local Government and Housing Act 1989 which may be summarised as follows:

- (1) Not all seats on any Committee are to be allocated to the same political group
- (2) The majority of seats on any Committee must be allocated to the majority Group;
- (3) Subject to (1) and (2) above, the number of seats on ordinary Committees must be allocated to each political group in the same proportion as their representation on the Council;
- (4) Subject to (1) and (3) above, the number of seats on any Committee must be the same proportion as the political group's representation on full Council.
- (5) To qualify two or more Members must form a group.

3.3 Based on 84 seats (Table A), the "basket" principle and the normal rules of rounding the following number of seats would therefore be allocated to each Group.

Conservatives	$84 \times 75\% = 63$
Liberal Democrats	$84 \times 25\% = 21$
<b>Total</b>	<b>84</b>



3.4 The seats on Committees will therefore be allocated as follows:

<b>Table B</b>			
<b>Committee</b>	<b>Total Number of Seats</b>	<b>Liberal Democrats</b>	<b>Conservatives</b>
Overview and Scrutiny Management Commission	16	4	12
Licensing Committee	12	3	9
District Planning Committee	12	3	9
Eastern Area Planning Committee	12	3	9
Western Area Planning Committee	12	3	9
Governance and Audit Committee	8	2	6
Personnel Committee	6	1	5
Standards Committee	6	2	4
<b>Total</b>	<b>84</b>	<b>21</b>	<b>63</b>

**Recommendation 3:**

- That the Council agrees to the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989 as set out in paragraph 3.4 (Table B).

**4. Substitutes**

4.1 In accordance with the Council's Constitution, the Council is required to determine the number of substitute Members that may be appointed in respect of each Committee. The current numbers of substitutes for each is as follows:

<b>Table C</b>	
Overview and Scrutiny Management Commission	4 per Political Group
Area Planning Committees	4 per Political Group
District Planning Committee	4 per Political Group – 2 from the Eastern Area of the District and 2 from the Western Area of the District
Licensing Committee	No substitutes permitted

Governance and Audit Committee	2 per Political Group
Personnel Committee	2 per Political Group
Standards Committee	No substitutes permitted

4.2 In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee.

**Recommendations 4 and 5:**

- **That the number of substitutes on Committees and Commissions be as set out in paragraph 4.1 (Table C).**
- **In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee. Where substitutes attend the District Planning Meeting they need to be drawn from the same Area Planning meeting as the Member they are substituting for.**

**5. Appointment to Committees**

5.1 Appendix A is a list of Committees and the nominations from each Political Group.

**Recommendation 6:**

- **That the Council approves the appointment of Members to the Committees as set out in Appendix A and in accordance with the wishes of the Political Groups.**

**6. Planning and Policy Framework**

6.1 In accordance with Regulation 4, Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008 the Council is requested to confirm the Policy Framework for 2014/15 as set out below:

- Council Strategy;
- Local Transport Plan;
- Licensing Policy;
- Gambling Policy ;
- Plans and strategies which together comprise the Development Plan
- Health and Wellbeing Strategy.

**Recommendations 7 and 8:**

- **That the Council, in accordance with Regulation 4, Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000,**

and the Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008, the Council's Policy Framework for 2014/15 be as set out above and that any appropriate amendments be made to the Council's Constitution should this be necessary.

- That the Council, in accordance with Regulation 5, Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, all other plans, approves that policies and strategies requiring approval and not included in the approved Policy Framework be delegated to the Council's Executive.

## 7. Executive – Article 6 and Part 5 Rules of Procedure

- 7.1 Paragraph 2.6.5 of Article 6 sets out the current Executive Portfolio and this may need to be amended in the light of any proposed changes made by the Leader of the Council to these Portfolios.

As of the end of April 2013 the 2013/14 Portfolios were:

Leader of the Council
Highways, Transport (Operations), Emergency Planning, Newbury Vision
Children and Young People, Youth Service, Education
Community Care, Insurance
Finance, Economic Development, Health & Safety, HR, Pensions, Property
Planning, Transport (Policy), Culture, Customer Services, Countryside
Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support
Partnerships, Equality, Communities, Hungerford and Eastern Area Visions, Community Safety
Cleaner & Greener, Waste, Environmental Health, Trading Standards, Thatcham Vision
Health and Well Being

### Recommendation 9:

- That the Council agrees that Paragraph 2.6.5 of Article 6, setting out the Executive Portfolios, be amended to reflect any changes made by the Leader of the Council at the Annual Council meeting.

## 8. Standards Committee

- 8.1 The Council agreed to appoint the Standards Committee as a Committee of Council to deal with the "standards arrangements" as required by the Localism Act 2011. The Standards Committee will comprise six Members and must accord with the proportionality rules. It has also been agreed that two non voting Parish/ Town

Council representatives will be appointed to the Standards Committee to build confidence when dealing with complaints.

- 8.2 In addition an Advisory Committee of the Standards Committee comprising eight members (being two from the Administration, two from the Opposition group, two Parish and two Independent members) will be appointed. The Advisory Committee is to be chaired by one of the independent members. The Advisory Panel makes recommendations to the Standards Committee particularly as regards complaints and investigations.

**Recommendations 10, 11 and 12:**

- **That the appointment of two non voting co-opted Parish/Town Councillors be made to the Standards Committee.**
- **Two Parish/Town Councillors and two independent members be appointed to the Standards Committee's Advisory Panel.**
- **To re-affirm the appointment of James Rees and John Bingham to be Independent Person(s).**

**9. Health and Wellbeing Board**

- 9.1 The Health and Wellbeing Board is a Sub-Committee of the Executive in accordance with the Health and Social Care Act 2012. A number of regulations linked to Committee have been disapplied in relation to this Committee such as the proportionality rules and rules pertaining to voting. It has been agreed that the membership of the Board will be as follows:

- Leader of the Council or other appropriate elected Member
- Portfolio Holder for Health and Wellbeing
- North and West Reading Clinical Commissioning Group
- Newbury and District Clinical Commissioning Group
- Strategic Director of Public Health or Assistant Director of Public Health
- Director of Community Services (role covers Children Services and Adult Social Services)
- Local Healthwatch Representative
- Representative from the Umbrella Organisation (Empowering West Berkshire) representing the Voluntary and Community Sector

**Appendices**

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Appendix A – Membership of Committees *(to be tabled at the Council meeting)*

**Consultees**

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**Local Stakeholders:** None

**Officers Consulted:** Andy Day, David Holling, Robin Steel, Gillian Durrant and Corporate Board

**Trade Union:** Not consulted