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# Appointment of and Allocation of Seats on Committees for the 2019/20 Municipal Year

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**Committee considering report:** Council on 21 May 2019

**Portfolio Member:** Leader of the Council

**Report Author:** Moira Fraser

**Forward Plan Ref:** C3599

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## 1. Purpose of the Report

- 1.1 To consider the appointment and allocation of seats on Committees for the next Municipal Year in accordance with the duty under section 15 of the Local Government Housing Act 1989, whilst recognising that the number of elected Members of the Council has reduced from 52 to 43.
- 1.2 To agree the Council's Policy Framework for 2019/20 as set out in Paragraph 6.1 of Appendix B.

## 2. Recommendations

- 2.1 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 Appendix B to this report are to be regarded as Members of the Conservative, Liberal Democrat and Green Party Groups respectively.
- 2.2 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 of Appendix B (Table A).
- 2.3 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 of Appendix B (Table B)
- 2.4 That the number of substitutes on Committees and Commissions be as set out in paragraph 4.1 of Appendix B (Table C).
- 2.5 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.
- 2.6 That the Council approves the appointment of Members to the Committees as set out in Appendix C and notes the appointments set out in Appendix D which are in accordance with the wishes of the Political Groups.
- 2.7 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 that the Council's Policy Framework for 2019/20 be as set out in paragraph 6.1 of Appendix B and that any appropriate amendments be made to the Council's Constitution (Paragraph 2.5.2) should this be necessary.

- 2.8 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.
- 2.9 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.
- 2.10 That the appointment of two non-voting co-opted Parish/Town Councillors be made to the Governance and Ethics Committee namely: Barry Dickens (co-opted non-voting Parish Councillor) and Jane Langford (co-opted non-voting Parish Councillor). That two substitute non-voting co-opted Parish/Town Councillors be appointed to the Governance and Ethics Committee
- 2.11 That the appointment of two non-voting co-opted Parish/Town Councillors is made to the Governance and Ethics Committee's Advisory Panel namely Tony Renouf, and another. That two substitute non-voting co-opted Parish/Town Councillors be appointed to the Governance and Ethics Committee's Advisory Panel.
- 2.12 To re-appoint three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.
- 2.13 To note the membership of the Health and Wellbeing Board as set out in paragraph 9.1 of Appendix B.
- 2.14 That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the changes to the number of Members of the Council and following the appointments to Committees.

### 3. Implications

- 3.1 **Financial:** Members Allowances, proposed by the Independent Remuneration Panel, were agreed at the March 2018 Council meeting. All allowances will be met from within existing budgets. [Independent Remuneration Report](#)
- 3.2 **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.
- 3.3 **Personnel:** None
- 3.4 **Legal:** The allocation of seats to the Political Groups is in accordance with section 15(5) of the Local Government Act 1989 and related regulations mentioned in the report.
- 3.5 **Risk Management:** None

3.6 **Property:** None

3.7 **Other:** None

**4. Other options considered:**

4.1 Not to change the size of existing committees. This is not recommended for the reasons detailed in the report.

## Executive Summary

### 5. Introduction / Background

- 5.1 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. This report also considers the allocation of seats on each Committee having regard to the fact that the total number of Members has reduced from 52 to 43 Councillors.
- 5.2 This report sets out the Membership of the Political Groups, the proposed 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 2019/20 Policy Framework.
- 5.3 As Members will be aware the Council was subject to Boundary Review between 2016 and 2018. An initial report brought to the 22 November 2016 Council meeting noted that a cross party Working Group had been set up to manage the process and to consider future governance arrangements in the Council. The Working Group comprised the following Members:
- Councillor Graham Jones (Chairman)  
Councillor Pamela Bale (Vice Chairman)  
Councillor Steve Ardagh-Walter  
Councillor Adrian Edwards  
Councillor Alan Macro
- 5.4 In order to determine future governance arrangements a survey of Members was undertaken between 19 September and 3 October 2016 to better understand the time commitment of Members in relation to a number of roles that they were required to undertake. 32 (62%) Members completed the survey.
- 5.5 The Working Group noted that all Members have representational roles and the majority also sit on outside bodies. The report above noted that as the number of members decreased, the number of constituents that each individual Member represented would increase. That report suggested that there were three substantive roles for Members under a reduced total and these are set out below:
- (i) Executive (10)
  - (ii) Regulatory (Planning and Licensing) (15)
  - (iii) Scrutiny (OSMC and Governance and Ethics) (15)
- 5.6 Following the Boundary Review (26 April 2018) the number of Councillors on West Berkshire Council was reduced from 52 to 43. This is 3 members more than that which had originally been proposed, and the number which had been considered by the Working Group.
- 5.7 Appointments to the Executive are a matter reserved to the Leader of Council, and are not therefore considered here. This report proposes that the number of seats on the committees be allocated as detailed in the supporting information.

## **6. Proposals**

- 6.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, 24 Members wish to be regarded as members of the Conservative Group, 16 Members wish to be regarded as members of the Liberal Democrat Group and 3 Members wish to be regarded as members of the Green Party Group.
- 6.2 Members, and where appropriate substitutes, will be appointed to 8 Committees totalling 76 seats. In this case 43 of these seats will be allocated to Conservative Members, 28 to Liberal Democrat Members and 5 to Green Party Members. The Health and Wellbeing Board is not included in these appointments as it is subject to its own membership requirements.
- 6.3 The Council will continue to appoint two Parish/Town Councillors to the Governance and Ethics Committee, two Parish/ Town Councillors to the Governance and Ethics Committee's Advisory Panel and three Independent Persons. Two substitute Parish/ Town Councillors will be appointed to the Governance and Ethics Committee and two substitute Parish/ Town Councillors will be appointed to the Governance and Ethics Committee's Advisory Panel.

## **7. Conclusions**

- 7.1 Members are asked to agree the appointment of and allocation of seats on the Committees for the 2019/20 Municipal Year.
- 7.2 Members are asked to agree the Council's Policy Framework for 2019/20 as set out in Paragraph 6.1 of Appendix B.

## **8. Appendices**

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Supporting Information
- 8.3 Appendix C – Membership of Committees 2019/2020 – to follow
- 8.4 Appendix D - Task Group and Panel Memberships 2019/20 – to follow
- 8.5 Appendix E – Wards covering each Planning Committee

## Appendix A

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	To appoint Members to Committees
<b>Summary of relevant legislation:</b>	Local Government (Committees and Political Groups) Regulations 1990 Local Government and Housing Act 1989 Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008. Localism Act 2011
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No
<b>Name of assessor:</b>	Moira Fraser
<b>Date of assessment:</b>	08 May 2019

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	Yes	Is changing	Yes
Service	No		

<b>1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To appoint Members to the Councils various Committees.
<b>Objectives:</b>	To agree the number and names of members allocated to committees.
<b>Outcomes:</b>	Members are appointed to appropriate committees
<b>Benefits:</b>	An efficiently run Council

**2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.**

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
<b>Further Comments relating to the item:</b>		
All groups affected equally		

<b>3 Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	No

Name: Moira Fraser

Date: 08 May 2019