
Appointment of and Allocation of Seats on Committees for the 2020/21 Municipal Year

Committee considering report:	Council
Date of Committee:	12 May 2020
Portfolio Member:	Councillor Lynne Doherty
Date Portfolio Member agreed report:	01 May 2020
Report Author:	Moir Fraser
Forward Plan Ref:	C3930

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.
- 1.2 To agree the Council's Policy Framework for 2020/21 as set out in paragraph 6.1 of the Supporting Information.

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 the Supporting Information 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 the Supporting Information. (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 3.3 of the Supporting Information. (Table B)
- 2.4 That the number of substitutes on Committees and Commissions be as set out in paragraph 4.1 of the Supporting Information (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 A and notes the appointments set out in Appendix B 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 as amended, agrees that the Council's Policy Framework for 2020/21 be as set out in paragraph 6.1 of the Supporting Information 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 notes that Paragraph 2.6.5 of Article 6, setting out the Executive Portfolios, will 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 and Jane Langford. That Lourdes Cottam and Roger Hunneman be appointed as substitute non-voting co-opted Parish/Town Councillors to the Governance and Ethics Committee
- 2.11 To re-appoint three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.
- 2.12 To note the membership of the Health and Wellbeing Board as set out in Appendix A.
- 2.13 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 and Impact Assessment

Implication	Commentary
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
Human Resource:	None

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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.			
Risk Management:	None			
Property:	None			
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.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
Environmental Impact:		x		
Health Impact:		x		
ICT Impact:		x		

Digital Services Impact:		x		
Council Strategy Priorities:		x		
Core Business:		x		
Data Impact:		x		
Consultation and Engagement:	The political groups have been consulted on aspects of this report.			

4 Executive Summary

- 4.1 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.
- 4.2 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 2020/21 Policy Framework.
- 4.3 Appointments to the Executive are a matter reserved to the Leader of Council, and are not therefore not included in this report.

Supporting Information

1. Political Groups

- 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.

Conservative	Liberal Democrat	Green Party
Ardagh-Walter, Steve	Abbs, Adrian	Culver, Carolyne
Argyle, Peter	Barnett, Phil	Marsh, David
Beck, Jeff	Brooks, Jeff	Masters, Steve
Benneyworth, Dennis	Cottam, Jeremy	
Boeck, Dominic	Dillon, Lee	
Bridgman, Graham	Drummond, Billy	
Cant, Jeff	Jeffery, Owen	
Cole, Hilary	Kessell, Nassar	
Cole, James	Longton, Royce	
Doherty, Lynne	Macro, Alan	
Hooker, Clive	Mayes, Geoff	
Hurley, Gareth	Moore, Andy	
Jones, Rick	Pattenden, Erik	
Law, Alan	Vickers, Martha	
Linden, Tony	Vickers, Tony	
Mackinnon, Ross	Woodhams, Keith	
Marino, Tom		
Pask, Graham		
Rowles, Claire		
Simpson, Garth		
Somner, Richard		
Stewart, Joanne		
Williamson, Andrew		
Woollaston, Howard		

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 the Supporting Information are to be regarded as Members of the Conservative, Liberal Democrat and Green Party 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 or its sub-committees.

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- 2.2 It is proposed that Council appoint the Committees (as set out in Table A) with the number of places shown for each. The Health and Wellbeing Board is subject to its own Membership requirements and are therefore not included in this table.

Table A

Body	Number of Seats
Overview and Scrutiny Management Commission	9
Licensing Committee	12
District Planning Committee	9 <i>(four members of the Eastern Area Planning Committee and four Members of the Western Area Planning Committee as well as the Portfolio Holder for Planning)</i>
Eastern Area Planning Committee	9
Western Area Planning Committee	9
Personnel Committee	5
Appeals Panel	12
Governance and Ethics Committee	9 <i>(two co-opted, non voting Parish Councillors will also be appointed to this Committee)</i>
Joint Public Protection Committee	1
Total	75

- 2.3 The boundaries for the Eastern and Western Area Planning Committees are set out in Appendix C.
- 2.4 It is proposed that 12 Members be appointed to the Licensing Committee and the Appeals Panel, to ensure that there is a sufficient pool of Members trained and available to undertake the work of these Committees which frequently sit as a Sub-Committee or Panel.

Recommendation 2 and 13:

- **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 the Supporting Information. (Table A.**
- **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. Allocation of Seats

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

	Number of Members No.	Political Composition %
Conservative Group	24	55.81% (56%)
Liberal Democrat Group	16	37.21% (37%)
Green Party Group	3	6.97% (7%)
	43	100.00%

- 3.2 In allocating seats on Committees, the Council must give effect to the requirements for political balance on Committees as prescribed by section 15 of the Local Government and Housing Act 1989. These requirements apply only to voting members of the Committee.

This section creates a sequential test that must be adhered to when allocating seats to the Committees of Council, which provides 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 the satisfaction of the above statutory criteria, the total number of seats on ordinary Committees must be allocated to political groups in the same proportion as their representation on the Council;
- (4) Subject to all the above, the number of seats on each Committee must be the same proportion as the political group's representation on full Council;

- 3.3 Having regard to the above, it is suggested that the seats on Committees should be allocated as set out in Table B below.

Table B				
Committee	Total Number of Seats	Conservative Group	Liberal Democrat Group	Green Party
Overview and Scrutiny Management Commission	9	5	3	1
Licensing Committee	12	7	4	1
District Planning Committee	9	5	3	1
Eastern Area Planning Committee	9	5	4	0
Western Area Planning Committee	9	5	3	1
Personnel Committee	5	3	2	0
Appeals Panel	12	7	5	0
Governance and Ethics Committee	9	5	3	1
Joint Public Protection Committee	1	1	0	0
Total	75	43	27	5

Recommendation 3 and 13:

- 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 3.3 (Table B)
- 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.

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 number of substitutes for each Committee is as follows:

Table C	
Overview and Scrutiny Management Commission	Up to 3 per Political Group
Area Planning Committees	Up to 3 per Political Group
District Planning Committee	Up to 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
Personnel Committee	Up to 2 per Political Group
Appeals Panel	No substitutes permitted
Governance and Ethics Committee	Up to 2 per Political Group

- 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 notes the appointments set out in Appendix B which are 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 as amended, the Council is requested to confirm the Policy Framework for 2020/21 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;
- Statutory Pay Policy Statement;
- Property Investment 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 as amended, agrees that the Council's Policy Framework for 2020/21 be as set out in paragraph 6.1 of the Supporting Information and that any appropriate amendments be made to the Council's Constitution (Paragraph 2.5.2) should this be necessary.
- 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.

7. Executive – Article 6

7.1 Paragraph 2.6.5 of Article 6 of the Constitution sets out the current Executive Portfolios and this will need to be amended in the light of any proposed changes made by the Leader of the Council to these Portfolios as set out in Appendix A.

Recommendation 9:

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

8. Governance and Ethics Committee

8.1 At the Full Council meeting on the 02 July 2015 Members agreed to form a Governance and Ethics Committee. In addition to the elected Members who will be appointed on a proportional basis, two co-opted non-voting Parish/Town Councillors would also be appointed. In addition two substitute (and also non-voting) Parish/Town Councillors will also be appointed to provide continuity.

- 8.2 It was also agreed that the Advisory Panel and three Independent Persons would be retained.

Recommendations 10 and 11:

- **That the appointment of two non-voting co-opted Parish/Town Councillors be made to the Governance and Ethics Committee namely: Barry Dickens and Jane Langford. That Lourdes Cottam and Roger Hunneman be appointed as substitute non-voting co-opted Parish/Town Councillors to the Governance and Ethics Committee**
- **To re-appoint three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.**

9. Health and Wellbeing Board

- 9.1 The Health and Wellbeing Board is a Sub-Committee of the Executive as set out in the Health and Social Care Act 2012. A number of regulations linked to Committees have been disapplied in relation to this Committee such as the proportionality rules and rules pertaining to voting. The membership of the Board is set out in Appendix A:
- 9.2 Each of the Board Members have nominated a named substitute as set out in Appendix A.

Recommendation 12

- **To note the membership of the Health and Wellbeing Board as set out in Appendix A.**

10. Proposals

- 10.1 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.
- 10.2 Members, and where appropriate substitutes, will be appointed to 8 Committees totalling 75 seats. In this case 43 of these seats will be allocated to Conservative Members, 27 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.
- 10.3 The Council will continue to appoint two Parish/Town Councillors to the Governance and Ethics Committee and three Independent Persons. Two substitute Parish/ Town Councillors will be appointed to the Governance and Ethics Committee .

11. Other options considered

- 11.1 None

12. Conclusion

- 12.1 Members are asked to agree the appointment of and allocation of seats on the Committees for the 2020/21 Municipal Year.
- 12.2 Members are asked to agree the Council's Policy Framework for 2020/21 as set out in Paragraph 6.1 of the Supporting Information.

13. Appendices

- 13.1 Appendix A – Membership of Committees 2020/2021 – to follow
- 13.2 Appendix B - Task Group and Panel Memberships 2020/21 – to follow
- 13.3 Appendix C – Wards covering each Planning Committee

Background Papers:

None

Subject to Call-In:

Yes: ☐ No: ☒

The item is due to be referred to Council for final approval

Wards affected: All

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