

Appointment of and Allocation of Seats on Committees for the 2017/18 Municipal Year – 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 Group	Liberal Democrat Group
Steve Ardagh-Walter	Lee Dillon
Peter Argyle	Billy Drummond
Howard Bairstow	Mollie Lock
Pamela Bale	Alan Macro
Jeremy Bartlett	
Jeff Beck	
Dennis Benneyworth	
Dominic Boeck	
Graham Bridgman	
Paul Bryant	
Anthony Chadley	
Keith Chopping	
Jeanette Clifford	
Hilary Cole	
James Cole	
Richard Crumly	
Rob Denton-Powell	
Lynne Doherty	
Adrian Edwards	
Sheila Ellison	
Marcus Franks	
James Fredrickson	
Dave Goff	
Nick Goodes	
Manohar Gopal	
Paul Hewer	
Clive Hooker	
Carol Jackson-Doerge	
Marigold Jaques	
Mike Johnston	

Conservative Group	Liberal Democrat Group
Graham Jones	
Rick Jones	
Alan Law	
Tony Linden	
Gordon Lundie	
Tim Metcalfe	
Ian Morrin	
Graham Pask	
Anthony Pick	
James Podger	
Garth Simpson	
Richard Somner	
Anthony Stansfeld	
Virginia von Celsing	
Quentin Webb	
Emma Webster	
Laszlo Zverko	

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 above are to be regarded as Members of the Conservative and Liberal Democrat Groups respectively.**

2. Proposed New Model for Scrutiny

- 2.1 In order to improve the way the Council carries out its scrutiny activities it is proposed that the Council integrates its policy development activities associated with scrutiny into work which it is already doing.
- 2.2 It is proposed that the Council appoints a group of “scrutineers” who would, inter alia, be incorporated into the individual project groups associated with the Corporate Programme.
- 2.3 This new model would look to retain an Overview and Scrutiny Management Commission (comprising the group of “scrutineers”) which would meet quarterly to review performance reports etc whilst also being responsible for call-ins. This new model would also look to recognise other current policy development activities which are ongoing across a range of other Task Groups. The new model would however mean that the Communities, Environment and Resources Select Committees would be disbanded.
- 2.4 A decision on the future of Scrutiny will have been made following the discussion of Item 11 ‘Proposed New Model for Scrutiny’. The number of Committees, their Membership and number of substitutes will need to be adjusted, if necessary, depending on the outcome of that decision.

Recommendation 2:

- That Council notes the discussion and outcome of the proposed new model for scrutiny as outlined in paragraphs 6.1 to 6.4 of the report entitled “Proposed new model for Scrutiny” (Agenda item 11 refers) and if appropriate adjusts the seats and substitute numbers accordingly on Committees as set out in Tables A, B and C below.

3. Appointment of Committees

- 3.1 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 including the Health and Wellbeing Board.
- 3.2 It is proposed that Council appoint the Committees (as set out in Table A) with the number of places shown for each.

Table A

	Existing Scrutiny Model	Proposed Scrutiny Model
Body	Number of Seats	Number of Seats
Overview and Scrutiny Management Commission	7	12
Communities Select Committee	5	0
Environment Select Committee	5	0
Resources Select Committee	5	0
Total	22	12
	Existing Governance Arrangements	
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	
Personnel Committee	5	
Appeals Panel	12	
Governance and Ethics Committee	8 <i>(two non-voting co-opted Parish Councillors and a substitute Parish Councillor will also be appointed to this Committee)</i>	
Total	95	85

Recommendation 3 and 15:

- That the Council agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 3.2 (Table A).
- That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees.

4. Allocation of Seats

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

	Number of Members No.	Political Composition %
Conservative Group	47	92.2%
Liberal Democrat Group	4	7.8%
Vacancy	1	
	52	100.00%

4.2 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.

4.3 Based on 95 seats (Table A with existing Scrutiny Arrangements), the "basket principle" and the normal rules of rounding, the following number of seats would therefore normally be allocated to each Group.

Group	Ratio	No of Seats
Conservative Group	92% x 95	87
Liberal Democrat Group	8% x 95	8
Total		95

OR

4.4 Based on 85 seats (Table A with proposed new Scrutiny Arrangements), the "basket principle" and the normal rules of rounding, the following number of seats would therefore normally be allocated to each Group.

Group	Ratio	No of Seats
Conservative Group	92% x 85	78
Liberal Democrat Group	8% x 85	7
Total		85

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4.5 However in accordance with rule (1) as set out in paragraph 4.2 above the Liberal Democrat Group would be entitled to one seat on each of the above Committees. This means that they would therefore be entitled to either eleven seats (existing scrutiny arrangements) or eight seats (new scrutiny arrangements).

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

Table B						
Committee	Total Number of Seats		Conservative Group		Liberal Democrat Group	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Overview and Scrutiny Management Commission	7	12	6	11	1	1
Communities Select Committee	5	0	4	0	1	0
Environment Select Committee	5	0	4	0	1	0
Resources Select Committee	5	0	4	0	1	0
Licensing Committee	12	12	11	11	1	1
District Planning Committee	12	12	11	11	1	1
Eastern Area Planning Committee	12	12	11	11	1	1
Western Area Planning Committee	12	12	11	11	1	1
Personnel Committee	5	5	4	4	1	1
Appeals Panel	12	12	11	11	1	1
Governance and Ethics Committee	8	8	7	7	1	1
Total	95	85	84	77	11	8

Recommendation 4 and 15:

- 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 4.6 of Appendix A (Table B).
- That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees.

5. Substitutes

5.1 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		
Governance Arrangements	Existing	Proposed
Overview and Scrutiny Management Commission	Six Conservative Substitutes - two from each of the three Scrutiny Select Committees Three Liberal Democrat Substitutes	Three Conservative Substitutes and One Liberal Democrat Substitute
Communities Select Committee	Two Conservative and One Liberal Democrat Substitute	N/a
Environment Select Committee	Two Conservative and One Liberal Democrat Substitute	N/a
Resources Select Committee	Two Conservative and One Liberal Democrat Substitute	N/a
Area Planning Committees	Up to 4 per Political Group	Up to 4 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	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	No substitutes permitted
Personnel Committee	Up to 2 per Political Group	Up to 2 per Political Group
Appeals Panel	No substitutes permitted	No substitutes permitted
Governance and Ethics Committee	Up to 2 per Political Group	Up to 2 per Political Group

5.2 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 5 and 6:

- That the number of substitutes on Committees and Commissions be as set out in paragraph 5.1 (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.

6. Appointment to Committees

6.1 Appendix C is a list of Committees and the nominations from each Political Group.

Recommendation 7:

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

7. Planning and Policy Framework

7.1 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 2017/18 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.

Recommendations 8 and 9:

- **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 2017/18 be as set out above 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.**

8. Executive – Article 6

8.1 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 C.

Recommendation 10:

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

9. Governance and Ethics Committee

- 9.1 At the Full Council meeting on the 02 July 2015 Members agreed to merge the then Standards, and Governance and Audit Committees to form a Governance and Ethics Committee. It was agreed that the membership of the revised Governance and Ethics Committee would comprise ten representatives (eight District Councillors appointed on a proportional basis and two co-opted non-voting Parish/Town Councillors). It was also agreed that the Advisory Panel and three Independent Persons would be retained.
- 9.2 The Advisory Panel would comprise eight Members: two from the administration, two from the main opposition party, two parish/town councillors and two of the three Independent Persons, used on a rotational basis.
- 9.3 It is now being proposed that the Council appoint a non voting substitute Parish Councillor to each of the Governance and Ethics Committee and the Governance and Ethics Advisory Panel. This is in order to ensure that there is Parish Council representation at the meetings and also to provide continuity.

Recommendations 11, 12 and 13:

- **That the appointment of two non voting co-opted Parish/Town Councillors and one non-voting substitute Parish/Town Councillor be made to the Governance and Ethics Committee namely Barry Dickens (co-opted non voting Parish Councillor), Geoff Mayes (co-opted non voting Parish Councillor) and Jane Langford (substitute co-opted non voting Parish Councillor)**
- **That the appointment of two Parish/Town Councillors and one non-voting substitute Parish/Town Councillor is made to the Governance and Ethics Committee's Advisory Panel namely Tony Renouf, Darren Peace and Bruce Laurie (substitute)**
- **To re-appoint three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.**

10. Health and Wellbeing Board

- 10.1 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 has recently been extended and will be as follows*:

- Leader of the Council or other appropriate elected Member
- Portfolio Holder with responsibility 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’s Services and Adult Social Services)
- Local Healthwatch Representative
- Representative from the Voluntary and Community Sector
- Portfolio Holder with responsibility for Children and Young People
- Portfolio Holder with responsibility for Adult Social Care
- Portfolio Holder with responsibility for Partnerships
- Shadow Portfolio Holder with responsibility for Health and Wellbeing
- NHS England Local Area Team
- Chief Officer (Federation of CCGs)
- Royal Berkshire Fire and Rescue Service
- Thames Valley Police
- Representative from the Housing Sector

*Subject to any changes made to the Portfolio Holders by the Leader at the Council meeting.

10.2 Each of the Board Members have nominated a named substitute as set out in Appendix C.

Recommendation 14

- **To agree the membership of the Health and Wellbeing Board as set out in paragraph 10.1 of Appendix A.**

Background Papers:

- The Local Government and Housing Act 1989
- Local Government (Committees and Political Groups) Regulations 1990
- Local Authorities (Functions and Responsibilities) (England) Regulations 2000
- The Localism Act 2011
- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval
Delays in implementation could have serious financial implications for the Council
Delays in implementation could compromise the Council’s position

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Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Wards affected:

All

Strategic Aims and Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priority:

MEC1 – Become an even more effective Council

The proposals contained in this report will help to achieve the above Council Strategy priority by ensuring the Council's Governance structure is adequately resourced.

Officer details:

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Appendix B

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.

What is the proposed decision that you are asking the Council to make:	To appoint Members to Committees
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Moira Fraser
Date of assessment:	27 April 2017

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

1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To appoint Members to the Councils various Committees
Objectives:	
Outcomes:	
Benefits:	

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		
Further Comments relating to the item:		
All groups effected equally		

3. Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

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](#).

4. Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Moira Fraser

Date: 27 April 2017

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.