

Report to:	Adjourned Annual Council	Date of Meeting:	16 May 2017
Subject:	Appointment of Committees and Working Groups 2017/18		
Report of:	Head of Regulation and Compliance	Wards Affected:	All
Cabinet Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

The purpose of this report is to allocate seats on the various Committees of the Council in order to comply with Section 15 of the Local Government and Housing Act 1989 and to make appointments to those seats in accordance with Section 16, together with the appointment of Chairs.

Recommendation(s):

- (1) The allocation of Committee Places in accordance with the Political Balance Rules as set out in the report be noted; and
- (2) The Members, Chairs and Vice Chairs for the Committees and Working Groups as set out in the appendix to this report be appointed for a period of twelve months until the Adjourned Annual Council Meeting to be held in May 2018.

Reasons for the Recommendation(s):

The comply with the requirements of the Council's Constitution

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

None

Implications of the Proposals:

None

Resource Implications (Financial, IT, Staffing and Assets): Not applicable
Legal Implications: Section 15 and 16 of the Local Government and Housing Act 1989
Equality Implications: There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: The proposals will ensure that appointments are made to the various Committees of the Council in order to comply with Section 15 of the Local Government and Housing Act 1989 and to make appointments to those seats in accordance with Section 16, together with the appointment of Chairs.
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 4639/17) has been consulted and has no comments on the report and Head of Regulation and Compliance (LD 3922/17) is the author of the report

The Political Groups have submitted nominations to the various Committees of the Council

(B) External Consultations

None

Implementation Date for the Decision

Immediately, following the Council meeting.

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Appendices:

Appointments to the various Committees of the Council.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 In accordance with Section 15 of the Local Government and Housing Act 1989, it is the duty of the Council, at its Annual meeting, where it is divided into different political groups, to review the representation of different political groups on Committees and Sub-Committees.

2. Political Composition of the Council

- 2.1 Following the Council Elections on 5 May 2016, the political composition of the Council is:

Political Group / Member	Seats on Council
Labour	38
Liberal Democrat	17
Conservative	6
Independents Group	4
Conservative Independent Member	1
Total	66

- 2.2 No Council Elections have been held in May 2017 and the political composition of the Council remains as set out above.

3. Allocation of Committee Places

- 3.1 In accordance with Section 15 of the Local Government and Housing Act 1989 (LG&HA 1989) and Local Government (Committees and Political Groups) Regulations 1990, where a Council is divided into different political groups, seats on Ordinary Committees have to be allocated to give effect to the following principles:

- (a) all the seats on Committee are not to be allocated to the same political group;
- (b) the majority of seats on a Committee should be allocated to the group which has the majority of the Authority's membership;
- (c) subject to (a) and (b) above, the total number of seats on Committees must be allocated in proportion to the political strength on the Council; and
- (d) subject to (a), (b) and (c) above the number of seats on each Committee must be allocated in proportion to the political strength on the Council.

- 3.2 A political group must comprise of two or more members and consequently the Conservative Independent Member, Councillor David Barton is not entitled to any Committee places on the Ordinary Committees.

- 3.3 The term “Ordinary Committees” have a special statutory meaning. They only include Committees that have delegated powers to discharge the Council's statutory functions.
- 3.4 The political proportionality rules do not apply to the appointment of the Cabinet under the Council's Constitution.
- 3.5 The Local Government (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 made under the Health and Care Act 2012 provide that the Health and Wellbeing Board shall be a committee of the Council. The requirement for political balance does not apply to the Board and the Act requires that the Council membership is nominated by the Executive Leader (Leader of the Council).
- 3.6 A careful statistical analysis is considered prior to the allocation of the seats, to achieve the best fit both mathematically and to give effect to the principles cited above. In considering the statistical outcome of the elections and the allocation of seats, it is vital to appreciate that not all statistical outcomes can be rounded up and that there needs to be compromise in the system to achieve the overall apportionment of seats. In other words some statistics that would ordinarily be rounded up might need to be rounded down in order to give effect to the statistical apportionment of seats to each party.

The first step is to ensure that the allocation of seats reflects the outcome of the election. The second step is to ensure that the party with the most members is allocated the most seats. Following which the primary principle is that each party achieves their overall allocation of seats across all of the Ordinary Committees (Section 15 (5) (c) of the LG&HA 1989 refers). Where possible and subject to that primary principle, only then can the principles be applied to each and every committee. It is not possible to give effect to this last principle even though the statistics for each individual ordinary committee might suggest otherwise.

- 3.7 It is therefore recommended that the seats on the Ordinary Committees be allocated as shown below:

Committee	Places	Labour	Liberal Democrat	Conservative	Independents
Audit & Governance	10	6	2	1	1
Licensing & Regulatory	15	8	5	1	1
Planning	15	9	4	1	1
O&S Adult Social Care and Health	10	6	3	1	0
O&S Children's Services & Safeguarding	10	6	2	1	1
O&S Regeneration & Skills	10	6	3	1	0
O&S Regulatory, Compliance	10	6	2	1	1

& Corporate Services					
Total	80	47	21	7	5

3.8 The allocation of seats on ad-hoc Committees is as follows:

Committee	Places	Labour	Liberal Democrat	Conservative	Independents
Licensing Urgent Referral Sub	3	2	1	0	0
Pay and Grading Committee	7	4	2	1	0
Planning Urgent Referral Sub	3	2	1	0	0
JCC Teachers	9	5	2	1	1
Local Joint Consultative	12	7	3	1	1
Public Engagement and Consultation Panel	4	2	1	1	0

4. Appointment of Members to Committees

- 4.1 Section 16 of the Local Government and Housing Act 1989 provides that after the Authority has determined the allocation of seats, it is the duty of the Authority to exercise its power to make appointments to Committees to give effect to the wishes of the various political groups, as to who is to be appointed to the seats of that body which have been allocated to that particular group. The seats are the property of the various political groups for appointment and dismissal.
- 4.2 The appointment of members in line with the wishes of the groups are shown in the appendix to this report