



<b>Report of:</b>	<b>Meeting</b>	<b>Date</b>
Councillor David Henderson, Leader of the Council and Garry Payne, Chief Executive	Council	3 October 2019

## **Appointments to Committees**

### **1. Purpose of report**

- 1.1 To enable changes to be made to the membership of committees for the remainder of the 2019/20 Municipal Year.

### **2. Outcomes**

- 2.1 Effective arrangements to carry out the Council's non-executive decision making and advisory functions.

### **3. Recommendations**

- 3.1 That the revised political balance calculations following the resignation of Cllr George from the Labour Group, set out in Appendix 1, resulting in a total allocation of 60 seats to the Conservative Group, 13 seats to the Labour Group and 7 seats to the UKIP Group and with no seats allocated to the single Brexit Party member be noted.
- 3.2 That an additional nominee of the Conservative Group be appointed to the Licensing Committee in place of one of the existing Labour members.
- 3.3 That an additional nominee of the UKIP Group be appointed to the Audit Committee in place of Cllr George.
- 3.4 That an additional nominee of the Labour Group be appointed to the Employment and Appeals Committee in place of Cllr George.

### **4. Background**

- 4.1 On 7 August 2019 Cllr George informed the Chief Executive that she had resigned from the Labour Group. Cllr George has subsequently announced that she has joined the Brexit Party. As a consequence, a number of changes need to be made to the membership of committees, in order to comply with the political balance rules.

**5. Key issues and proposals**

**5.1** Section 15 of the Local Government and Housing Act 1989 requires that the allocation of places on non-executive Committees of the Council must be allocated on the following criteria:

- (a) that all seats on a body are not allocated to the same Political Group;
- (b) that the majority of seats on a body is allocated to a particular Political Group, if the number of persons belonging to that Group is the majority of the Authority’s membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary Committees of a relevant Authority which are allocated to each Political Group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority;
- (d) subject to paragraphs (a) - (c) above, that the number of seats on a body which are allocated to each Political Group bears the same proportion to the number of all seats on that body as is borne by the number of members of that Group in membership of the Authority.

**5.2** The overall political composition of the Council is now: 37 Conservative Members, 8 Labour Members, 4 UKIP members and 1 Brexit Party member. However, the provisions set out in the 1989 Act refer specifically to ‘political groups’. A single member does not constitute a ‘group’ and Cllr George is not therefore statutorily entitled to a place on any committee. For the purposes of political balance the proportion of seats to be allocated to the groups are therefore calculated as follows:

Conservative	37 Members	75.51%
Labour	8 Members	16.33%
UKIP	4 Members	8.16%
Total	49 Members	100%

**5.3** There are a total of 80 seats available on the Committees appointed by the Council. The application of the calculations in paragraph 5.1 leads to an overall allocation of 60 seats to the Conservative Group (an increase of 1), 13 seats to the Labour Group (a decrease of 2) and 7 seats to the UKIP Group (an increase of 1).

**5.4** In order to meet as closely as possible the proportionality requirements on each committee (as set out in Section 15(d) of the 1989 Act), as well as the proportion of the total seats on all committees (set out in Section 15(c) of the 1989 Act), it is proposed that places be allocated on committees as shown in the table below (current allocations are shown in brackets):

Committee	Seats	Conservative		Labour		UKIP	
		Current	Proposed	Current	Proposed	Current	Proposed
Overview & Scrutiny	14	(11)	11	(2)	2	(1)	1
Planning	14	(11)	11	(2)	2	(1)	1
Licensing	14	(10)	11	(3)	2	(1)	1
Audit	14	(10)	10	(3)	2	(1)	2
Employment & Appeals	10	(7)	7	(2)	2	(1)	1
Standards	6	(4)	4	(1)	1	(1)	1
Senior officer appointments	4	(3)	3	(1)	1	(0)	0
Senior officer disciplinary	4	(3)	3	(1)	1	(0)	0
	<u>80</u>		<u>60</u>		<u>13</u>		<u>7</u>

**5.5** The full calculations are set out in Appendix 1.

**5.6** Approval of the recommendations set out in paragraph 3.1 to 3.4 will enable these proposals to be implemented and compliance with the legal requirements to be met.

<b>Financial and legal implications</b>	
Finance	None arising directly from this report.
Legal	The proposals in this report are in accordance with legal requirements, as referred to in section 5 of this report. Section 17 of the Local Government and Housing Act 1989 does allow for a divergence from a literal interpretation of the calculation rules, but only if any such proposals are agreed by the Council without any member voting against.

#### **Other risks/implications: checklist**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

<b>risks/implications</b>	<b>✓ / x</b>
community safety	<b>x</b>
equality and diversity	<b>x</b>
sustainability	<b>x</b>
health and safety	<b>x</b>

<b>risks/implications</b>	<b>✓ / x</b>
asset management	<b>x</b>
climate change	<b>x</b>
ICT	<b>x</b>
data protection	<b>x</b>

### **Processing Personal Data**

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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<b>List of background papers:</b>		
name of document	date	where available for inspection
None	-	-

### **List of appendices**

Appendix 1: Revised Political Balance Calculations 2019/20

@ August 2019 %

APPENDIX 1

**Political Composition**

Conservatives	37	75.51%
Labour	8	16.33%
UKIP	4	8.16%
<b>Total Members</b>	<b>49</b>	<b>100.00%</b>

Brexit 1

**Committee/Panel**

Committee/Panel	No. of Seats	Conservative	Labour	UKIP	Total
Council	50				
Cabinet	6				
<b>Places to which Political Balance Rules statutorily apply:</b>					
Planning	14	10.6	2.3	1.1	14.00
Licensing	14	10.6	2.3	1.1	14.00
O&S	14	10.6	2.3	1.1	14.00
Audit	14	10.6	2.3	1.1	14.00
Employment and Appeals	10	7.6	1.6	0.8	10.00
Senior Officer Disciplinary	4	3.0	0.7	0.3	4.00
Senior Officer Appointments	4	3.0	0.7	0.3	4.00
Standards	6	4.5	1.0	0.5	6.00

**Total Places to which Political Balance Rules Statutorily Apply-Rounded** 63.0 13.0 5.0 81.0

**Total Places to which Political Balance Rules Statutorily Apply-Unrounded** 80 60.4 13.1 6.5 80

**Places to which Political Balance Rules do not statutorily apply:**

Councillor Development	12	9	2	1	12
Planning Policy	12	9	2	1	12

**Adjustment Required to..... Final Allocations.....**

Adjustment Required to.....	Final Allocations.....	Conservative	Labour	UKIP	Total	Conservative	Labour	UKIP	Total
						11	2	1	14
						11	2	1	14
						11	2	1	14
						10	2	2	14
						7	2	1	10
						3	1	0	4
						3	1	0	4
						4	1	1	6
						60	13	7	80
						75.00%	16.25%	8.75%	