

Appointment to Committees, Sub Committees and Panels of the Council



Report to: Full Council

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Executive Summary

A This reports sets out the allocations for each political group based on the outcome of the local elections on 2 May 2024 and seeks approval of the nominations as expressed by each political group to the Head of Paid Service on the basis of these calculations.

Recommended that:

- A** The council notes the political balance calculations for 2024/25 and agrees that committee seats are allocated to political groups as set out in Tables 1 and 2.
- B** Councillors are appointed as members/substitute members of council committees, sub committees and panels as set out in Appendix A.
- C** Chairs and Vice Chairs of committees, sub committees and panels are appointed as set out in Appendix A.

Reason for decision

- A** To enable the council's committees to fulfil their functions as set out in legislation and the council's constitution.
- B** To comply with the Local Government and Housing Act 1989.

Other Options

- A** Full Council could determine to not appoint in accordance with political balance. To do so would require unanimous consent. Without unanimous consent, any decisions taken by unbalanced committees could be challenged. With unanimous consent, disproportionate workload could be placed on some councillors.

Background

1. The council has an established committee structure, whereby a number of ordinary committees perform the functions that, by law, cannot be performed by the Cabinet. In addition, a number of advisory panels have been established that do not have decision making powers, but advise the council on matters in their remit.
2. Councillors are divided into political groups, the provisions of the Local Government and Housing Act 1989 place a duty on the council to review the allocation between those groups of seats on committees of the council at its Annual Meeting.
3. The council is obliged to allocate seats to be occupied by its members to the political groups into which they are divided. Political groups then nominate the members of the council whom they wish to occupy those seats allocated to them. It is for council to appoint such Councillors to the seats allocated.
4. The political balance rules do not apply to Cabinet, or any bodies it establishes, although in practice any bodies established by Cabinet have been politically balanced so far as possible. Members of the Cabinet cannot be appointed to serve on the Scrutiny Committee or the Call in Sub Committee.

Issues/Proposals

5. It is proposed that the council's committee structure for 2024/25 is as sets out in Tables 1 and 2 below.
6. As of 3 May 2024, the political composition is as below:
 - a) Conservatives – 17 seats
 - b) Labour – 16 seats
7. It is proposed that, in accordance with the requirements of the Local Government and Housing Act 1989, the allocation of ordinary committee seats to the council's political groups is as set out in Table 1.

Table 1 – Political Balance Calculation 2024/25 – Ordinary Committees

Committee	Seats	Conservatives	Labour
Audit and Standards Committee	9	5	4
Development Management Committee	9	5	4
Licensing Committee	11	6	5
Scrutiny Committee	9	5	4
Personnel Committee	9	5	4
Total	47	26	21

8. Memberships of sub committees and advisory panels are governed by political balance rules. In some cases (specifically the Hearing Sub Committee and the Civic Awards Panel), the council has previously agreed rules on group representation on bodies which are used in place of a political balance calculation. It is proposed that seats on sub committees and advisory panels are allocated as set out in Table 2.

Table 2 – Political Balance Calculation 2024/25 – Sub Committees and Panels

Sub Committee/Panel	Seats	Conservatives	Labour
Call In Sub Committee	9	5	4
Investigatory and Disciplinary Committee (Statutory Officers and Directors)	5	3	2
Investigatory and Disciplinary Committee (Statutory Officers and Directors) Appeals Panel	5	3	2
Civic Award Panel*	4	3	1
Hearing Sub Committee**	6	3	3
Total	29	17	12

*To comprise the Chair and Vice Chair of the Council, and one representative from each Group.

**To include equal numbers of Councillors from both Groups

Implications

Equalities and Diversity

The public sector equality duty (specific duty) requires the Council to consider how to positively contribute to the advancement of equality and good relations, and demonstrate 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision on the administrative functions of the Council, Officers do not believe that it will have an impact on our equality duty however the council will ensure that all appointments are made fairly (i.e. no discrimination on the basis of protected characteristics) and that meetings are physically accessible to all.

Climate Change

None.

Finance

Budgets are in place to cover allowances for any appointments made. In the event that Council decides on the establishment of additional committees a budget will need to be identified to meet the cost of any special responsibility allowance associated with the new committee. I.

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Governance

The Council is required to ensure that the allocation of seats to committees is compliant with the relevant provisions contained in the Local Government and Housing Act 1989 and Regulations made under that act.

The Regulations require that in determining the allocation of seats the council must apply the following four principles in order of priority as far as it is reasonably practicable to do so:

- a) that not all the seats on the body are allocated to the same political group;
- b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a 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 as is borne by the number of members of that group to the membership of the authority;
and
- d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

Failure to appoint to committees sub committees and panels [and outside bodies] without the correct application of legislation could render them not quorate or unlawful. This would mean any decision taken by that committee may be open to challenge.

The recommendations in this report comply with the statutory requirements above and mitigate the risk to the Council of successful challenges to its governance and decision making structure.

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Appendices

Appendix A – Nominations from political groups

Background Papers

None.

Glossary of terms/abbreviations used

None.