

ANNUAL COUNCIL – 25 MAY 2021

19. APPOINTMENT OF POLICY AND RESOURCES, PLANNING, REGULATORY SERVICES, LICENSING, INFRASTRUCTURE, HOUSING AND ECONOMIC DEVELOPMENT, LEISURE, ENVIRONMENT AND COMMUNITY, AUDIT, AND COUNCIL TAX SETTING COMMITTEES (CED)

1. Summary

1.1 To appoint Members to the Policy and Resources, Planning, Regulatory Services, Licensing, Infrastructure, Housing and Economic Development, Leisure, Environment and Community, Audit and Council Tax Setting Committees in accordance with Council Procedure Rules 26 and 28, the Local Government (Committees and Political Groups) Regulations 1990 and the Local Government and Housing Act 1989.

2. Details

2.1 The Council has agreed that the Planning, Regulatory Services, Licensing, Infrastructure, Housing and Economic Development, Leisure, Environment and Community Audit and Council Tax Setting Committees should be appointed with terms of reference as set out in the Council's Constitution.

2.2 Section 15 of the Local Government and Housing Act 1989 determines that appointments to the above bodies should be made in the following priority order:-

- Not all seats on a body can be allocated to the same political group.
- The majority party must have a majority on each body.
- The total number of seats on Committees should be allocated in the same proportion as members of the group on the authority bear to the total membership of the authority.
- Subject to the above, seats should be allocated on individual committees as far as possible in the same proportion. (Rounding in the calculations inevitably mean that some adjustments have to be made.)

2.3 Regulation 8 of the Local Government (Committees and Political Group) Regulations 1990 (SI 1990 1553) states that to qualify as a political group there have to be at least two members in that group.

2.4 Members can agree alternative proposals that should be circulated prior to the meeting. These must conform to the rules above or be agreed by the Council with no dissent.

2.5 Following the above rules, officers have prepared the table attached in appendix 1 to be used in the reallocation of seats on the Council.

2.6 The Council is asked to approve the allocation of seats for 2021/22 based on the allocation detailed as follows:

Committee	Seats Available	Conservative	Labour	Lib Dem	Independent
Council Tax Setting Committee	5	2	0	3	0
Planning Committee	11	3	1	7	0
Regulatory Services Committee	11	3	1	6	1
Licensing Committee	11	3	1	6	1
Policy and Resources Committee	13	4	1	8	0
Infrastructure, Housing and Economic Development Committee	11	3	1	6	1
Leisure, Environment and Community Committee	11	3	1	6	1
Audit Committee	7	2	1	4	0
TOTAL	80	23	7	46	4

3. Appointment of Members to Council Tax Setting Committee

- 3.1 Appointment to the Council Tax Setting Committee is made by submission of names by Group Leaders to the Chief Executive before each meeting, such appointment to last for that meeting only.
- 3.2 It is recommended that all Members of each Group with seats on the Council Tax Setting Committee be appointed to act as substitutes.

4. Appointment of Members to Planning Committee

- 4.1 Annual mandatory training must be undertaken by all Members of the Planning Committee and by any named substitute Members before the first meeting of the Committee in the municipal year.
- 4.2 Substitutes are only permitted from a designated pool of named substitute Members with each Group allowed to appoint up to the number of Members that Group has seats on the Committee.
- 4.3 It is recommended that Members who have undertaken the mandatory training be appointed to the Planning Committee in accordance with the number and allocation of seats on that Committee identified at paragraph 2.6 above.

5. Appointment to Regulatory Services Committee

- 5.1 There is common membership between the Regulatory Services Committee and the Licensing Committee.
- 5.2 Annual mandatory training must be undertaken by all Members of the Regulatory Services Committee and Licensing Committee before the first meeting of that Committee in the municipal year.
- 5.3 Substitute Members are permitted on the Regulatory Services Committee if the Member has received the mandatory training prior to being appointed a substitute member on the Committee.

5.4 It is recommended that Members who have undertaken the requisite training be appointed to the Regulatory Services Committee in accordance with the number and allocation of seats on that Committee identified at paragraph 2.6 above.

6. Appointment to Licensing Committee

6.1 There is common membership between the Licensing Committee and the Regulatory Services Committee.

6.2 Annual mandatory training must be undertaken by all Members of the Licensing Committee before the first meeting of that Committee in the municipal year.

6.3 Substitute Members are not permitted on the Licensing Committee.

6.4 It is recommended that Members who have undertaken the requisite training be appointed to the Licensing Committee in accordance with the number and allocation of seats on that Committee identified at paragraph 2.6 above.

7. Appointment of Members to Policy and Resources Committee

7.1 It is recommended that Members be appointed to the Policy and Resources Committee in accordance with the number and allocation of seats on that Committee identified at paragraph 2.6 above.

7.2 It is further recommended that all Members of each Group with seats on the Policy and Resources Committee be appointed to act as substitutes on that Committee.

8. Appointment of Members to Audit Committee

8.1 It is recommended that Members be appointed to the Audit Committee in accordance with the number and allocation of seats on that Committee identified at paragraph 2.6 above.

8.2 It is further recommended that all Members of each Group with seats on the Audit Committee be appointed to act as substitutes on that Committee **except that** no Member of the Policy and Resources Committee may serve on the Audit Committee.

9. Appointment of Members to the two Service Committees - Infrastructure, Housing and Economic Development Committee and Leisure, Environment and Community Committee

9.1 It is recommended that Members be appointed to the two Service Committees in accordance with the number and allocation of seats on that Committee identified at paragraph 2.6 above.

9.2 It is further recommended that all Members of each Group with seats on the two Service Committees be appointed to act as substitutes on those Committees.

10. Options/Reasons for Recommendation

10.1 The recommendations are made in order to appoint Members to the Council's Committees, named substitute Members and substitute Members.

11. Policy/Budget Reference and Implications

11.1 The recommendations in this report are within the Council's agreed policy and budgets.

12. Legal Implications

12.1 In accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 the Council has a duty to allocate

seats on Committees in proportion to the number of seats held by Political Groups on the Council. The Council is not obliged to follow the proportionality rules and may make different arrangements provided the procedures set out in Section 17 of the Act are followed, namely that:

- (i) Due notice is given in the Agenda; and
- (ii) No Member of the Council votes against the proposal although there may be abstentions.

12.2 Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 states that to qualify as a political group there have to be at least two members in that group.

6. Financial, Equal Opportunities, Staffing, Environmental, Community Safety, Customer Services Centre, Communications and Website, Risk Management and Health and Safety Implications

6.1 None specific.

7. Recommendation

7.1 That the Council reconstitutes the Committees as listed in paragraph 2.6 above.

7.2 That the party balance on those Committees be determined accordingly and Members be appointed to serve thereon.

7.3 That Council agrees the appointment of Members to act as substitutes on the Council Committees excluding the Licensing Committee.

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Data Quality - Council Composition

Data rating:

1	Poor	
2	Sufficient	
3	High	✓

Background Papers

Council's Constitution

Local Government and Housing Act 1989

Local Government (Committees and Political Groups) Regulations 1990