



## COUNCIL

Wednesday, 22 May 2019

### POLITICAL BALANCE AND ALLOCATION OF SEATS ON COMMITTEES 2019/20

#### EXECUTIVE SUMMARY

1. Membership of Committees and Sub-Committees of East Suffolk Council is determined under the terms of the Local Government (Committees and Political Groups) Regulations 1990.
2. Those provisions require the Authority to review the representation of political groups and individuals on the Committees, Sub-Committees, and other appropriate bodies in order to ensure that the seats on Committees are allocated by Group Leaders in proportion to the political groups' membership of the Council.
3. This report contains my recommendations on the allocation of seats on the Council's Committees and Sub-Committees, following the recent local government elections.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	Leader of the Council
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## **1 INTRODUCTION**

- 1.1 Membership of Committees and Sub-Committees of East Suffolk Council is determined under the terms of the Local Government (Committees and Political Groups) Regulations 1990.
- 1.2 Those provisions require the Council to review the representation of political groups and individuals on Committees, Sub-Committees, and other appropriate bodies in order to ensure that:
- (1) No single political group has all seats on a Committee;
  - (2) The majority of seats on a Committee is allocated to the majority party;
  - (3) The total number of seats on a Council's Committees is allocated in proportion to political groups' membership of the Council;
  - (4) The seats on Committees are allocated in proportion to the political groups' membership of the Council.
- 1.3 This report contains my recommendations on the allocation of seats on the Council's Committees and Sub-Committees, reviewed to reflect the Council's current political balance following the recent local government elections. The number of Conservative Members on the Council is 39, there are 7 Labour Members, 4 Green Members, 3 Liberal Democrat Members and 2 Independent Members.

## **2 MANDATORY PRINCIPLES OF ALLOCATION**

- 2.1 I have carried out the necessary calculation to enable me to suggest an apportionment of seats in a manner which, in my opinion, best meets the statutory requirements.
- 2.2 The Regulations require that the total number of seats for each group equates to the number of places on each Committee to which political balance requirements apply.
- 2.3 Under the Council's current structure, there are 61 seats available on Committees to which the Regulations apply:
- Audit and Governance Committee: 9 seats
  - Licensing Committee: 15 seats
  - Planning Committee (North Area): 9 seats
  - Planning Committee (South Area): 9 seats
  - Scrutiny Committee: 13 seats
  - Appointments Committee: 6 seats
- 2.4 The Council also has a Strategic Planning Committee, which is made up of the Members of the North and South Planning Committees and the Cabinet Member who is the Portfolio Holder for Planning. Therefore, the 18 seats on the Strategic Planning Committee have not been included within the information in paragraph 2.3, as the Membership is already prescribed.
- 2.5 Applying the relevant rules to the membership of the Council means that the Conservatives are entitled to 43 Committee places, the Labour Group are entitled to 8 places, the Green Party are entitled to 5 places, the Liberal Democrats are entitled to 3 places and the Independents are entitled to 2 places.
- 2.6 The table below provides the proposed distribution of seats, for consideration:

	<b>Total</b>	<b>Conservatives</b>	<b>Labour</b>	<b>Green</b>	<b>Liberal Democrats</b>	<b>Independents</b>
District Councillors	55	39	7	4	3	2
Audit and Governance Committee	9	6	1	1	1	0
Licensing Committee	15	10	2	1	1	1
Planning Committee (North Area)	9	7	1	1	0	0
Planning Committee (South Area)	9	7	1	0	1	0
Scrutiny Committee	13	9	2	1	0	1
Appointments Committee	6	4	1	1	0	0
<b>Total Proportional Allocations</b>	<b>61</b>	<b>43</b>	<b>8</b>	<b>5</b>	<b>3</b>	<b>2</b>

### **3 THE COUNCIL'S DEMOCRATIC STRUCTURE**

#### Cabinet

- 3.1 The Full Council appoints the Leader of the Council for a four year term of office and it then rests for the newly appointed Leader to appoint his / her Cabinet, including the Deputy Leader.
- 3.2 The Leader of the Council has been appointed earlier at this meeting.
- 3.3 The Cabinet (including the Deputy Leader) can be comprised of up to 10 Members and is exempt from the political proportionality rules under the Local Government Act 2000. It does not therefore form part of the Council's Committees. The Leader will determine the nature of the different portfolios that the Cabinet Members will be responsible for.

#### Audit & Governance Committee

- 3.4 The Audit & Governance Committee is comprised of 9 Members and the political proportionality rules apply.
- 3.5 Members of the Cabinet are not able to sit on the Audit & Governance Committee.

#### Scrutiny Committee

- 3.6 The Scrutiny Committee is comprised of 13 Members and the political proportionality rules apply.
- 3.7 Scrutiny activity is undertaken by one Committee. The Committee will carry out detailed reviews, policy development and may call-in Cabinet decisions. It may appoint task and finish groups, which will be established for a specific purpose and be time bound. It may also undertake joint reviews or those involving the Council's partners.

### Planning Committee (North)

- 3.8 The Planning Committee has 9 seats, which are allocated on a politically proportionate basis. This Committee considers planning applications which relate to the North of the District.
- 3.9 All Members and Substitute Members are required to have undertaken recent and relevant training on planning matters before they are able to serve on this Committee or instigate the Call-in process for planning applications.
- 3.10 All Members of the Planning Committee (North) also sit on the Strategic Planning Committee, along with the Members of the Planning Committee (South) and they provide high level, strategic direction regarding planning matters.

### Planning Committee (South)

- 3.11 The Planning Committee has 9 seats, which are allocated on a politically proportionate basis. This Committee considers planning applications which relate to the South of the District.
- 3.12 All Members and Substitute Members are required to have undertaken recent and relevant training on planning matters before they are able to serve on this Committee or instigate the Call-in process for planning applications.
- 3.13 All Members of the Planning Committee (South) also sit on the Strategic Planning Committee, along with the Members of the Planning Committee (North) and they provide high level, strategic direction regarding planning matters.

### Strategic Planning Committee

- 3.14 As mentioned previously in paragraph 2.4, the Strategic Planning Committee is made up of the Members of the North and South Planning Committees and the Cabinet Member who is the Portfolio Holder for Planning.

### Licensing

- 3.15 The Licensing Committee is comprises of 15 seats.
- 3.16 The size of the Committee reflects both the statutory licensing responsibilities and the need to appoint Members to Licensing Sub-Committees (3 Members plus a Substitute) and to hear licensing appeals. All Members serving on the Licensing Committee are required to have received appropriate training before they undertake their role on the main Committee or serve on a Licensing Sub-Committee given their quasi-judicial nature.

### Appointments Committee

- 3.17 The Appointments Committee has 6 seats.
- 3.18 The Committee must comprise of the Leader of the Council, or the Deputy Leader in their absence, the Cabinet Member for the Service Area concerned or another Cabinet Member in their absence and one Member of the opposition. The Appointments Committee is politically balanced.
- 3.19 The purpose of the Committee is to appoint the Heads of Service for the Council. The Committee can also consider the dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer. When considering such a dismissal, the Appointments Committee will co-opt two independent persons for this panel and they will act in accordance with the Local Authorities (Standing Orders) (England) Regulations 2015.

## **4 IMPLEMENTATION**

- 4.1 The Political Groups will nominate the members of the Council whom they wish to see occupy those seats.
- 4.2 Appendix A to this report shows the list of nominations which we have received from each Group Leader, setting out their allocation of Members to each Committee.

## **5 FINANCIAL AND GOVERNANCE IMPLICATIONS**

- 5.1 The Local Government & Housing Act 1989 requires that the overall political balance of the Council to be reflected, where possible, in the appointment of Members to Committees and Sub-Committees of the Council (known informally as the political balance rules).
- 5.2 Councillors are able to claim expenses for attending Council meetings which will be met from within the Council's agreed Scheme of Members' Allowances budget for 2019 /20. In addition, positions such as Chairmen of Committees are awarded a Special Responsibility Allowance recognising the additional responsibilities that these positions have.
- 5.3 The appointment of Committees forms the democratic framework by which some Council decisions are made. Specific legislation applies to the regulatory committees that exercise quasi-judicial powers and separate legislation is in place for the Cabinet.
- 5.4 The appointment to Committees / Sub-Committees enables the work of the Council to be shared across all Council Members (where appropriate) and enables Councillors to undertake a range of duties that collectively underpin or deliver the democratic decision-making process within the Council.

## **6 OTHER KEY ISSUES**

- 6.1 Decisions are implemented in accordance with the Council's Constitution and statutory legislation. Appointments to Committees enable Members to carry out their community leadership role and in considering the issues before them, help build a stronger, healthier and just society.
- 6.2 The decision to constitute and appoint to Committees will not in itself lead to the tackling of inequality, disadvantage and discrimination (particularly for the most vulnerable) but they will provide the framework for those issues to be addressed when making decisions or reviewing policies / services.

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 None. The Council needs to appoint to Committees / Sub-Committees in order to carry out its business effectively. Appointment to these bodies gives Members an opportunity to carry out their community leadership role and enables cross party views to be given on specific issues which is healthy for democracy and good decision-making.

## **8 REASON FOR RECOMMENDATION**

- 8.1 To ensure that Members are appointed to Committees for the 2019 / 20 municipal year in accordance with the politically proportionality rules and that decision-making is undertaken in a democratic way.

**RECOMMENDATION**

That, with effect from 22 May 2019, in order meet statutory requirements, seats on Committees and Sub-Committees of the Council be allocated in accordance with the table in paragraph 2.6 above.

**APPENDICES****Appendix A**

List of Nominations received from each Group Leader - To Follow

**BACKGROUND PAPERS – None**