



FULL COUNCIL

Wednesday, 24 May 2023

Subject	Political balance and allocation of seats on Committees 2023/24
Report by	Leader of the Council
Supporting Officer	Chris Bing Head of Legal and Democratic Services 07442 405007 chris.bing@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	NOT APPLICABLE
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

Membership of the Committees of East Suffolk Council is determined under the terms of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

Those provisions require the Authority to review the representation of political groups and individuals on the Committees, Sub-Committees, and other appropriate bodies to ensure that the seats on Committees are allocated by Group Leaders in proportion to the political groups' membership of the Council.

This report contains recommendations on the allocation of seats on the Council's Committees and Sub-Committees, reviewed to reflect the Council's political balance. The number of Green Members on the Council is 16, there are 15 Conservative Members, 12 Labour Members, 11 Liberal Democrat Members and 1 Independent Member.

There are currently no vacancies on the Council.

Options:

None. The Council needs to appoint to its Committees and Sub-Committees 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.

Recommendations:

1. That, with effect from 24 May 2023, in order to meet statutory requirements, seats on Committees and Sub-Committees of the Council be allocated in accordance with the contents of this report and Appendix A.
2. That the Leader be granted Delegated Authority to make any necessary changes to the membership of the Committees for the remainder of the 2023/24 Municipal Year, in consultation with the other Group Leaders.

Corporate Impact Assessment

Governance:

The Local Government and Housing Act 1989, and regulations made under that Act, require that the overall political balance of the Council be reflected, where possible, in the appointment of Members to Committees and Sub-Committees of the Council (known informally as the political balance rules).

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.

The appointment to Committees and 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.

ESC policies and strategies that directly apply to the proposal:

Decisions are implemented in accordance with the Council's Constitution and statutory legislation.

Environmental:

Not applicable

Equalities and Diversity:

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.

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 it will provide the framework for those issues to be addressed when making decisions or reviewing policies / services.

Financial:

Councillors can claim expenses for attending Council meetings which will be met from within the Council's agreed Scheme of Members' Allowances. In addition, positions such as Chairmen of Committees are awarded a Special Responsibility Allowance recognising the additional responsibilities that these positions have.

Human Resources:

Not applicable

ICT:

Not applicable

Legal:

Membership of the Committees and Sub-Committees of East Suffolk Council is determined under the terms of the Local Government and Housing Act 1989 and the Local Government

(Committees and Political Groups) Regulations 1990. Specific legislation applies to the regulatory committees that exercise quasi-judicial powers and separate legislation is in place for the Cabinet.

External Consultees:	<p>External consultation is not required. The Leaders of the Political Groups were asked to nominate the members of the Council whom they wish to see occupy certain seats.</p> <p>Appendix A to this report shows the list of nominations which were received from each Group Leader, setting out their allocation of Members to each Committee.</p>
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>

P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>

How does this proposal support the priorities selected?

Membership of Committees of East Suffolk Council is determined under the terms of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. 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.

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.

Background and Justification for Recommendations

1 Background facts	
1.1	<p>Membership of Committees of East Suffolk Council is determined under the terms of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.</p> <p>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:</p> <ul style="list-style-type: none"> (1) No single political group has all seats on a Committee. (2) The majority of seats on a Committee is allocated to the majority political group. (3) The total number of seats on a Council’s Committee 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.
1.2	This report contains recommendations on the allocation of seats on the Council’s Committees and Sub-Committees. There are 55 Council seats in total, on the Council.
1.3	The Green, Liberal Democrat and Independent Councillors have formed a Group, which will be known as the GLI.

2 Current position	
2.1	THE COUNCIL’S DEMOCRATIC STRUCTURE

Cabinet

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.

The Leader of the Council has been appointed earlier at this meeting.

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 and Governance Committee

The Audit and Governance Committee is comprised of 9 Members and the political proportionality rules apply.

Members of the Cabinet are not able to sit on the Audit and Governance Committee.

Scrutiny Committee

The Scrutiny Committee is comprised of 13 Members and the political proportionality rules apply.

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.

Members of the Cabinet are not able to sit on the Scrutiny Committee.

Planning Committee (North)

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.

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.

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)

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.

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.

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

As 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, the seats on the Strategic Planning Committee have not been included in the total number of Committee seats, below.

Licensing

The Licensing Committee is comprised of 15 seats.

The size of the Committee reflects both the statutory licensing responsibilities and the need to appoint Members to Licensing Sub-Committees (3 Members plus one 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

The Appointments Committee has three seats.

The Committee must comprise the Leader (or Deputy Leader in their absence).

The Appointments Committee is politically balanced.

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.

2.2	<p>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.</p> <p>Under the Council’s current structure, there are 58 seats available on Committees to which the Regulations will apply:</p> <ul style="list-style-type: none"> • Audit and Governance Committee: 9 seats • Licensing Committee: 15 seats • Planning Committee (North): 9 seats • Planning Committee (South): 9 seats • Scrutiny Committee: 13 seats • Appointments Committee: 3 seats
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3 How to address current situation

3.1	The membership of the Council and the associated number and distribution of committee placings is as set out in the table at 3.2, below.				
3.2		Seats	GLI	Conservative	Labour
	Current (May 2023) number of Councillors - 55	55	28	15	12
	Distribution of the 58 committee placings	58	29	16	13
		Number of places	GLI	Conservative	Labour
	Audit and Gov	9	5	2	2
	Licensing	15	6	5	4
	Planning North	9	5	2	2
	Planning South	9	5	2	2
	Scrutiny	13	6	4	3
	Appointments	3	2	1	0
3.3	It is proposed that the allocation of Committee places to the different political groups be allocated, as above.				

4 Reason for recommendations

4.1	To ensure that Members are appointed to Committees for the 2023/24 Municipal Year in accordance with the political proportionality rules and that decision-making is undertaken in a democratic way.
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Appendices

Appendices:

Appendix A	The list of nominations which were received from each Group Leader, setting out their allocation of Members to each Committee.
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TO FOLLOW

Background reference papers:

None