



FULL COUNCIL

Wednesday, 28 July 2021

Subject	Political balance and allocation of seats on Committees 2021/22
Report by	Councillor Steve Gallant Leader of the Council
Supporting Officer	Chris Bing Head of Legal and Democratic Services 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 and Sub-Committees of East Suffolk Council is determined under the terms of 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.

Full Council, at its Annual Meeting on 5 May 2021, received a report (ES/0730) which contained recommendations about the allocation of seats on the Council's Committees and Sub-Committees for the 2021/22 Municipal Year, that is until May 2022, due to the reduction in the number of seats on the Appointments Committee from six to three seats and the resignation of Councillor Elliott (Green) (Beccles and Worlingham Ward) in March this year.

Since that report (ES/0730) was received and its recommendations agreed, the vacant seat in the Framlingham Ward and the vacant seat in the Beccles and Worlingham Ward have been filled by the respective by-elections held on 6 May 2021 with the results of those by-elections declared on 10 May 2021. The newly elected Members being Councillor Lydia Freeman (Aldeburgh Ward) and Councillor Sarah Plummer (Beccles and Worlingham Ward).

Similarly, following the resignation of Councillor Jocelyn Bond (Aldeburgh and Leiston Ward) and Councillor T-J Haworth-Culf (Aldeburgh and Leiston Ward) from East Suffolk Council with effect from 10 May 2021, a by-election for the two vacant seats in this Ward was held on 8 July 2021 and the two vacant seats have been filled. The newly elected Members being Councillor Tom Daly and Councillor Russ Rainger.

The results of these by-elections have been considered in his report which contains a recommendation about the allocation of seats on the Council's Committees and Sub-Committees for the 2021/22 Municipal Year, that is until May 2022.

Councillor Melissa Allen (Orwell and Villages Ward) resigned from East Suffolk Council with effect from 18 June 2021. A by-election for the vacant seat in this Ward will be held on 12 August 2021.

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.

Recommendation:

That, with effect from 28 July 2021 seats on Committees and Sub-Committees of the Council be allocated in accordance with the nominations by Group Leaders indicated within Appendix A to this report.

Corporate Impact Assessment

Governance:

The Local Government & Housing Act 1989 requires 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 (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 wished to see occupy certain seats.</p> <p>Appendix A to this report shows the nominations to seats following the Aldeburgh and Leiston Ward by-election and, in addition, now includes the allocations made by the Chief Executive Officer under delegated authority and in consultation with all Group Leaders following the by-elections in the Framlingham and Beccles and Worlingham Wards.</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"/>
<p>How does this proposal support the priorities selected?</p> <p>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. 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>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.</p>			

Background and Justification for Recommendations

1	Background facts		
1.1	<p>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.</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	<p>This report contains a recommendation on the allocation of seats on the Council's Committees and Sub-Committees. There are 55 seats, in total, on the Council. The political balance of the Council was last reviewed in May 2021, following the resignation of Councillor Elliott (Beccles and Worlingham Ward). The political balance as of May 2021 is shown in table 3.1, below.</p> <p>Since that review, Councillor Bond (Conservative) (Aldeburgh and Leiston Ward) and Councillor Haworth-Culf (Conservative) (Aldeburgh and Leiston Ward) have resigned from the Council with effect from 10 May 2021. A by-</p>		

election for the two vacant seats took place on 8 July 2021.

Councillor Melissa Allen (Orwell and Villages Ward) resigned from East Suffolk Council with effect from 18 June 2021. A by-election for the vacant seat in this Ward will be held on 12 August 2021.

2 Current position

2.1 THE COUNCIL'S DEMOCRATIC STRUCTURE

Cabinet

The Full Council appointed the Leader of the Council for a four-year term of office at its Annual Meeting in May 2019 and the Leader then appoints the Cabinet.

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.

Audit & Governance Committee

The Audit & 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 & 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 18 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 the Licensing Sub-Committee (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 the Licensing Sub-Committee given its quasi-judicial nature.

Appointments Committee

The Appointments Committee has three seats (revised from 6 seats in report ES/0711 to Full Council on 24 March 2021).

The Committee must comprise the Leader (or Deputy Leader in their absence), the relevant Cabinet Member (or another Cabinet Member in their absence), and one Member of the Opposition. It was agreed in March of this year that the one opposition seat would be shared between the Labour and GLI (Green, Liberal Democrat and Independent) groups, in the sense that the Leader of each of those groups would sit for alternating interviews.

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, the Monitoring Officer and the Chief Finance Officer.

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. Upon declaration of the outcome of the Aldeburgh and Leiston by-election, the political balance of the Council was calculated, so that membership of each Committee reflected the overall political balance of the Council.

Under the Council's current structure, there are 58 seats available on Committees to which the Regulations will apply:

- 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

3 How to address current situation

3.1 At the time of finalising this report, 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		Committee seats	Con	Lab	GLI	
	Current (July 2021) number of Councillors - 54 (1 vacancy – Orwell and Villages)		38	7	9	
	Distribution of the 58 committee placings		41	7.5	9.5	
		Number of places	Con	Lab	GLI	
	Audit and Gov	9	6	1	2	
	Licensing	15	11	2	2	
	Planning North	9	7	1	1	
	Planning South	9	6	1	2	
	Scrutiny	13	9	2	2	
	Appointments	3	2	0.5	0.5	

3.3 The proposed revised committee placings for the remainder of the 2021/22 Municipal Year are set out in their entirety in Appendix A. The changes from the placings agreed at the AGM in May 2021 are:

	<ul style="list-style-type: none"> - Councillor Daly (GLI) to replace Councillor Fryatt (Conservative) on Planning Committee South; - Councillor Bird (Conservative) to be Vice-Chairman of Planning Committee South; and - A nomination be sought for the vacant Conservative seat on Licensing Committee.
3.4	Committee placings will be reviewed again after the outcome of the Orwell and Villages byelection in August 2021 and any further changes reported to the meeting of Full Council in September 2021.

4 Reason for recommendations

4.1	To ensure that Members are appointed to Committees for the 2021/22 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	Proposed revised committee placings for the remainder of 2021/22
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Background reference papers:

None
