

FAREHAM

BOROUGH COUNCIL

Report to Council

Date: **09 May 2019**

Report of: **Chief Executive Officer**

Subject: **APPOINTMENTS OF COMMITTEES AND ALLOCATION OF SEATS**

SUMMARY

This report provides details of the calculations for political balance relating to the allocation of seats on committees and panels, as required to be determined by the Council at its Annual meeting.

The report asks the Council to appoint the nominations of the political groups to committees and also to appoint the role of Chairman and Vice-Chairman for each committee.

RECOMMENDATION

It is recommended that the Council approves:

- (a) the committee functions and number of seats on each committee for the municipal year 2019/20, as listed at paragraphs 5, 6 and 7 of the report;
- (b) the allocation of seats to political groups for the municipal year 2019/20, as set out in Appendix A to this report;
- (c) the nominations of the political groups to seats on committees, deputies and spokesmen, for the municipal year 2019/20, as set out in Appendix B to this report (to be tabled at the meeting following the receipt of nominations); and
- (d) the appointment of a Chairman and Vice-Chairman for each committee for the municipal year 2019/20, as set out in Appendix B to this report.

INTRODUCTION

1. The Council is required by its Standing Orders to agree the functions and number of seats for its committees as well as the members to be appointed and the Chairman and Vice-Chairman for each committee.
2. Accordingly, the Council is now invited to agree the allocation of seats to its committees along with the nomination of deputies and the appointment of a Chairman and Vice-Chairman for each committee for the municipal year 2019/20. Such appointments will take effect from 10 May 2019.

FUNCTIONS AND NUMBER OF SEATS

Overview and Scrutiny

3. The Council is required by Standing Order 6.1 to appoint such committee or committees to undertake the function of overview and scrutiny as provided for in the Council's Constitution. Standing Order 6.3 similarly requires the Council to determine the number of members and standing deputies to be appointed.
4. The Council is reminded that following a Vanguard Intervention in Committee Services early last year, it was resolved at the meeting of the Council held on 11 October 2018 that the Scrutiny Board and the 5 Policy Development and Review Panels be disbanded and in their place, 6 Scrutiny Panels be created to undertake the scrutiny function of the Executive Portfolios and to assist the Council and Executive in delivering the corporate priorities.
5. The Council is therefore invited to confirm that the committees to be appointed for 2019/20 will be as set out below and that the number of members to be appointed is also as shown:
 - Policy and Resources Scrutiny Panel: 7 members + deputies
 - Leisure and Community Scrutiny Panel: 7 members + deputies;
 - Planning and Development Scrutiny Panel: 7 members + deputies;
 - Health and Public Protection Scrutiny Panel: 7 members + deputies;
 - Housing Scrutiny Panel: 7 members + deputies; and
 - Streetscene Scrutiny Panel: 7 members + deputies.

Appointment of Other Committees

6. The Council is reminded that it is required by the Licensing Act 2003 to appoint a committee to undertake certain licensing functions and that Standing Order 7.1 further requires the Council to appoint such committees as it considers necessary to carry out the non-executive functions of the Council. The Council is therefore invited to confirm the following committees to be appointed, the number of members and standing deputies and to allocate to those Committees such terms of reference and delegated powers as are contained in Part Two of the Council's Constitution:
 - Licensing and Regulatory Affairs Committee: 14 members;
 - Planning Committee: 9 members;
 - Appeals Committee: 5 members; and

- Audit and Governance Committee: 7 members.
7. Each political group shall appoint 2 deputy members to the Planning Committee and 1 deputy member to each of the remaining committees for which a seat has been allocated.
 8. Members are reminded that at its meeting on 26 April 2012, the Council agreed that the Audit and Governance Committee would be formed, from which a Standards Sub Committee could be called if necessary, to deal with any standards issues referred to it by the Monitoring Officer.

ALLOCATION OF SEATS

9. Section 5 of the Local Government and Housing Act 1989 provides the following principles which apply to the allocation of seats:
 - (a) that not all the seats on the body to which appointments are being made are allocated to the same political group;
 - (b) that the majority of seats on each Committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) that, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - (d) subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
10. The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of Committee places between the political groups, the Council must then appoint the nominees of the political groups to the Committees.

POLITICAL PROPORTIONALITY

11. The political balance of the Council for municipal year 2019/20 is attached as Appendix A to this report.
12. The allocation of seats between the political groups for each committee shall be in accordance with the figures in Appendix A.

ADJUSTMENTS FOLLOWING CALCULATIONS

13. Each of the political groups is entitled to a certain number of seats on committees. This is based upon their percentage representation on the Council as a whole, as detailed in Appendix A.
14. There are a total of 77 seats to be allocated and the strict entitlement to seats on committees for each political group is shown as detailed in Appendix A.
15. Each of the political groups is only entitled to their proportion of seats and once this entitlement has been reached, a manual adjustment may be necessary.

16. Appendix A shows a rounded allocation of seats to each political group. This is then required to be manually adjusted to ensure that the number of seats allocated to a particular political group matches, and does not exceed, the strict entitlement.
17. The manual adjustments required are confirmed in the notes as detailed in Appendix A.
18. To assist the Council in this matter and in exercise of powers delegated to the Chief Executive Officer, the Head of Democratic Services will be consulting the leaders of the political groups prior to the meeting, with a view to agreeing the allocation of seats for 2019/20. Group Leaders have been requested to provide nominations to the places on committees to which their respective groups are entitled. The nominations of political groups to seats on committees will be set out in Appendix B, to be tabled at the meeting.
19. The Council is invited to confirm the allocation of seats for the next municipal year. However, if the Council is asked to consider alternative arrangements in appointing the committees and those arrangements do not comply with the provisions requiring political balance, members are reminded that such alternative arrangements would require the support of the Council with no member voting against.

CHAIRMEN AND VICE-CHAIRMEN

20. The Council is required by Standing Order 7.3 to appoint a Chairman and Vice-Chairman for each committee appointed.
21. The nominations are set out in Appendix B (indicated by the letters Ch and VC), to be tabled at the meeting.

OPPOSITION SPOKESMEN

22. The minority group Leader may nominate a spokesman for each Executive portfolio area on which a seat is held by that group. The nominations of political groups to seats on committees is set out in Appendix B (marked as Xs), to be tabled at the meeting.

Appendices: Appendix A – Allocation of Seats to Committees

Appendix B – Committee Nomination Schedule (to be tabled at the meeting)

Background Papers: None

Reference Papers: Local Government (Committees and Political Groups) Regulations 1990
Local Government and Housing Act 1989

Enquiries: For further information on this report please contact Leigh Usher. (Ext 4553)

APPENDIX A- Allocation of Seats to Committees

Political Group Balance Calculation

		Conservative 24 77.42%		Liberal Democrat 5 16.13%		Independent 2 6.45%	
Seats to be allocated		Strict Entitlement	Rounded	Strict Entitlement	Rounded	Strict Entitlement	Rounded
	77	59.61	60	12.42	12	4.97	5
Policy & Resources Scrutiny Panel	7	5.42	5	1.13	1	0.45	0
Leisure & Community Scrutiny Panel	7	5.42	5	1.13	1	0.45	0
Planning & Development Scrutiny Panel	7	5.42	5	1.13	1	0.45	0
Health & Public Protection Scrutiny Panel	7	5.42	5	1.13	1	0.45	0
Housing Scrutiny Panel	7	5.42	5	1.13	1	0.45	0
Streetscene Scrutiny Panel	7	5.42	5	1.13	1	0.45	0
Licensing & Regulatory Affairs	14	10.84	11	2.26	2	0.9	0
Planning Committee	9	6.97	7	1.45	1	0.58	0
Appeals Panel	5	3.87	4	0.81	1	0.32	0
Audit & Gov	7	5.42	5	1.13	1	0.45	0
Notional allocation			57		11		0
Adjustment Required			+3		+1		+5

Notes:

- (i) Under the calculation, the Conservative Group has notionally been allocated 57 seats on committees which is 3 short of the strict entitlement of 60 and therefore a manual adjustment of +3 is required.
- (ii) The Liberal Democrat Group has notionally been allocated 11 seats on

committees which is 1 short of the strict entitlement of 12 and therefore a manual adjustment of +1 is required.

- (iii) Whilst there is a UKIP councillor, a group cannot be formed by a single member and so for the purposes of these calculations, the UKIP councillor will be treated as an independent member.
- (iv) Therefore, there are 2 independent councillors who do not represent any political group. There is no strict entitlement calculation applicable to an independent member however, following the calculations and allocation of seats to political groups, the Council must appoint the non-group members to any seats not otherwise allocated. In doing this, the Council may allocate seats from those committees requiring a balancing adjustment.

APPENDIX B – Committee Nomination Schedule

To be tabled at the meeting.