

FAREHAM

BOROUGH COUNCIL

Report to Council

Date: **23 July 2020**

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 soon as is practicable following a change to the political group membership.

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 extended municipal year ending in May 2021, as listed at paragraphs 5, 6 and 7 of the report;
- (b) the allocation of seats to political groups for the extended municipal year ending in May 2021, 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 extended municipal year ending in May 2021, as set out in Appendix B to this report; and
- (d) the appointment of a Chairman and Vice-Chairman for each committee for the extended municipal year ending in May 2021, as set out in Appendix B to this report.

- (e) that Group Leaders are able to change the nominations agreed at (c) in the event that individual Members are unable to attend meetings due to isolation or other issues related to the Covid-19 pandemic.

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. Following the creation of the Independent Group in March 2020, Council is required to agree the allocation of seats to committees.
3. In response to the Covid-19 pandemic, the Government has legislated that Councillors' Terms of Office be extended for one year. References to the "remainder of the municipal year" mean the extended year past May 2020 and will last until May 2021 or a future meeting of the Council when Committee Allocations may be reviewed again.
4. 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 remainder of the extended municipal year ending in May 2021. Such appointments will take effect from 24 July 2020.

FUNCTIONS AND NUMBER OF SEATS

Overview and Scrutiny

5. 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.
6. The Council is reminded that following a Vanguard Intervention in Committee Services in 2018, 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.
7. The Council is therefore invited to confirm that the committees to be appointed for the remainder of the municipal year, ending in May 2021, 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

8. 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.

9. 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.
10. 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

11. 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.
12. 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

13. The political balance of the Council for the remainder of the municipal year, ending in May 2021, is attached as Appendix A to this report.
14. The allocation of seats between the political groups for each committee shall be in accordance with the figures in Appendix A.

ADJUSTMENTS FOLLOWING CALCULATIONS

15. 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.
16. There is 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.
17. 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.
18. 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.
19. The manual adjustments required are confirmed in the notes as detailed in Appendix A.

To assist the Council in this matter and in exercise of powers delegated to the Chief Executive Officer, the Head of Democratic Services has consulted with the leaders of the political groups prior to the meeting, with a view to agreeing the allocation of seats for the remainder of the municipal year, ending in May 2021. Group Leaders have provided nominations to the places on committees to which their respective groups are entitled. The nominations of political groups to seats on committees is set out in Appendix B.

20. The Council is invited to confirm the allocation of seats with effect from 24 July 2020. 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

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

OPPOSITION SPOKESMEN

23. The minority group Leaders 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 this report.

Appendices: Appendix A – Allocation of Seats to Committees

Appendix B – Committee Nomination Schedule

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)