

FAREHAM

BOROUGH COUNCIL

Report to Council

Date: **14 May 2015**

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

That the Council approves:

- (a) the committee functions and number of seats on each committee for the municipal year 2015/16, as listed at paragraphs 5, 6 and 7 of the report;
- (b) the allocation of seats to political groups, as set out in Appendix A for the municipal year 2015/16;
- (c) the nominations of the political groups to seats on committees, deputies and spokesmen, for the municipal year 2015/16, as set out in Appendix B (to be tabled following the receipt of nominations); and
- (d) the appointment of a Chairman and Vice-Chairman for each committee for the municipal year 2015/16, as set out in Appendix B (to be tabled following the receipt of nominations).

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 2015/16. Such appointments will take effect from 15 May 2015.

FUNCTIONS AND NUMBER OF SEATS

Overview and Scrutiny Committees

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 the Constitution provides for the appointment of a Scrutiny Board to undertake the scrutiny function and for five Policy Development and Review Panels to assist the Council and Executive in reviewing and developing policy.
5. The Council is therefore invited to confirm that the committees to be appointed for 2015/16 will be as set out below and that the number of members to be appointed is as also shown:
 - Scrutiny Board: 9 members + deputies;
 - Leisure and Community Policy Development and Review Panel: 7 members + deputies;
 - Planning and Development Policy Development and Review Panel: 7 members + deputies;
 - Public Protection Policy Development and Review Panel: 7 members + deputies;
 - Health and Housing Policy Development and Review Panel: 7 members + deputies; and
 - Streetscene Policy Development and Review 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: 12 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 2015/16 is shown in Appendix A.
12. The allocation of seats between the political groups for each committee shall be in accordance with the figures tabled in Appendix A to this report.

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 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 their strict entitlement.

17. The manual adjustments required are shown as a note to Appendix A:
 - (i) Under the calculation, the Conservative Group has notionally been allocated 57 seats on committees. This is 3 less than the strict entitlement of 60 seats and so a positive adjustment must be made to balance the allocations.
 - (ii) The Liberal Democrat Group has notionally been allocated 11 seats on committees. The Group cannot have a greater representation on committees than their strict entitlement of 10 seats and so a negative adjustment must be made to balance the allocations.
 - (iii) Whilst there is one 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) The seat allocations for each committee must equal the agreed number of seats for that committee, as determined by the Council at paragraphs 5, 6 and 7 of the report. Where this does not occur, the manual adjustments described at paragraphs (i) and (ii) above, must be made from those committees requiring a balancing adjustment. These affected committees are shaded in the table at Appendix A.
 - (v) There are three 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. These affected committees are shaded in the table at Appendix A.
18. To assist the Council in this matter and in exercise of powers delegated to him, the Chief Executive Officer will be consulting the leaders of the political groups prior to the meeting, with a view to agreeing the allocation of seats for 2015/16. 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 will be 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 will be set out in Appendix B (marked as Xs), 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)

Political Group Balance Calculation

		Conservative		Liberal Democrat		Independent	
		24		4		3	
		77.42%		12.9%		(9.68%)	
Seats to be allocated		Strict Entitlement	Rounded	Strict Entitlement	Rounded	Strict Entitlement	Rounded
	77	59.61	60	9.94	10	n/a	n/a
Scrutiny Board	9	6.97	7	1.16	1	n/a	0
Leisure & Community	7	5.42	5	0.90	1	n/a	0
Planning & Development	7	5.42	5	0.90	1	n/a	0
Public Protection	7	5.42	5	0.90	1	n/a	0
Health & Housing	7	5.42	5	0.90	1	n/a	0
Streetscene	7	5.42	5	0.90	1	n/a	0
Licensing & Regulatory Affairs	12	9.29	9	1.55	2	n/a	0
Planning Committee	9	6.97	7	1.16	1	n/a	0
Appeals Panel	5	3.87	4	0.65	1	n/a	0
Audit & Gov	7	5.42	5	0.90	1	n/a	0
Notional allocation	77		57		11		0
Adjustment Required			+3		-1		+7

Notes:

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- (v) There are three 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. These affected committees are shaded in the table at Appendix A.

To be tabled at the meeting