

## ANNUAL COUNCIL – 21 MAY 2019

### 19b. APPOINTMENT OF PLANNING, REGULATORY SERVICES, LICENSING, INFRASTRUCTURE, HOUSING AND ECONOMIC DEVELOPMENT, LEISURE, ENVIRONMENT AND COMMUNITY, AUDIT, AND COUNCIL TAX SETTING COMMITTEES (DoF)

#### 1. Summary

1.1 To appoint Members to the Planning, Regulatory Services, Licensing, Infrastructure, Housing and Economic Development, Leisure, Environment and Community, Audit and Council Tax Setting Committees in accordance with Council Procedure Rules 26 and 28, and the Local Government and Housing Act 1989.

#### 2. Details

2.1 The Council has agreed that the Planning, Regulatory Services, Licensing, Infrastructure, Housing and Economic Development, Leisure, Environment and Community Audit and Council Tax Setting Committees should be appointed with terms of reference as set out in the Council's Constitution. Council is advised that no Member of the Policy and Resources Committee may sit on the Audit Committee.

2.2 Section 15 of the Local Government and Housing Act 1989 determines that appointments to the above bodies should be made in the following priority order:-

Not all seats on a body can be allocated to the same political group.

The majority party must have a majority on each body.

The total number of seats on committees should be allocated in the same proportion as members of the group on the authority bear to the total membership of the authority.

Subject to the above, seats should be allocated on individual committees as far as possible in the same proportion. (Roundings in the calculations inevitably mean that some adjustments have to be made.)

2.3 Regulation 8 of the Local Government (Committees and Political Group) Regulations 1990 (SI 1990 1553) states that to qualify as a political group there have to be at least two members in that group.

2.4 Members can agree alternative proposals that should be circulated prior to the meeting. These must conform to the rules above or be agreed by the Council with no dissent.

2.5 Following the above rules, officers have prepared the table below to be used in the reallocation of the seats on the Council:-

2.6

Committee	Con	Labour	Lib Dem	Total
Council Composition (Groups)	12	3	24	39
Proportional Allocation *	30.8%	7.7%	61.5%	100.00%

## Allocations to Committees

Body	Seats Available	Con	Labour	Lib Dem	Total
Council Tax Setting Committee	5	2		3	5
Planning Committee	11	3	1	7	11
Regulatory Services Committee	10	3	1	6	10
Licensing Committee	10	3	1	6	10
Policy and Resources Committee	13	4	1	8	13
Infrastructure, Housing and Economic Development Committee	11	3	1	7	11
Leisure, Environment and Community Committee	11	3	1	7	11
Audit Committee	7	3		4	7
<b>TOTAL</b>	<b>78</b>	<b>24</b>	<b>6</b>	<b>48</b>	<b>78</b>
Proportional Allocation	100%	30.8	7.7	61.5	100%

\* Divisor 39

2.7 The Council is asked to approve the allocation of seats for 2019/20 based on the allocation detailed in Paragraph 2.6 above.

### 2.8 **Appointment of Substitute Members to all Council Committees excluding Licensing Committees.**

To appoint all Members of each Group to act as substitutes on all Council Committees excluding the Planning and Licensing Committees providing they have not been appointed onto that Committee. Notification of substitutes to remain as governed by Rule 28 of the Council Constitution. For the Regulatory Services Committee Rule 28 3c will apply in that substitute Members must have specific training and 72 hours' notice of the substitution given.

2.9 Appointment of named substitute Members to the Planning Committee (3 Members per political group) in accordance with the Terms of Reference of the Committee.

### 3. **Options/Reasons for Recommendation**

3.1 The recommendation is made in order to appoint members to the Council's committees and substitute Members.

### 4. **Policy/Budget Reference and Implications**

4.1 The recommendations in this report are within the Council's agreed policy and budgets.

### 5. **Legal Implications**

5.1 In accordance with the Local Government and Housing Act 1989 the Council has a duty to allocate seats on Committees in proportion to the number of seats held by Political Groups on the Council. The Council is not obliged to follow the proportionality rules and may make different arrangements provided the procedures set out in Section 17 of the Act are followed:-

- (i) Due Notice is given in the Agenda.
- (ii) No Member of the Council votes against the proposal although there may be abstentions.

5.2 Regulation 8 of the Committees and Political Group Regulations 1990 (SI 1990 1553) states that to qualify as a political group there have to be at least two members in that group.

**6. Financial, Equal Opportunities, Staffing, Environmental, Community Safety, Customer Services Centre, Communications and Website, Risk Management and Health and Safety Implications**

6.1 None specific.

**7. Recommendation**

7.1 That the Council reconstitutes the Committees as listed in paragraph 2.6 above.

7.2 That the party balance on those Committees be determined accordingly and Members be appointed to serve thereon.

7.3 To agree the appointment of all Members to act as substitutes on the Council Committees excluding the Licensing Committee.

7.4 To appoint named substitute Members to the Planning Committee (3 Members per political group) in accordance with the Terms of Reference of the Committee.

Report prepared by: Anne Morgan, Solicitor to the Council  
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**Data Quality**

Data sources: Council agenda and Minutes  
Council Composition

Data checked by: Joanne Wagstaffe, Director of Finance

Data rating:

1	Poor	
2	Sufficient	
3	High	✓

**Background Papers**

Council's Constitution  
Local Government and Housing Act 1989