

COUNCIL – 20 OCTOBER 2020

PART I

6. APPOINTMENT OF POLICY AND RESOURCES, PLANNING, REGULATORY SERVICES, LICENSING, INFRASTRUCTURE, HOUSING AND ECONOMIC DEVELOPMENT, LEISURE, ENVIRONMENT AND COMMUNITY, AUDIT, AND COUNCIL TAX SETTING COMMITTEES (CED)

1. Summary

1.1 To receive a report, following a change in the Council Composition, on the appointment of Members to the Policy and Resources, 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 following the change in the Council Composition.

1.2 The Council Composition as at Annual Council on 9 June was:

22 Liberal Democrats

12 Conservative

3 Labour

2 Independent Councillors Group

1.3 The Council Composition is now:

22 Liberal Democrats

11 Conservative

3 Labour

2 Independent Councillors Group

1 Independent Councillor

2. Details

2.1 At Annual Council on 9 June 2020 it was agreed that the Policy and Resources, 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 was 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. (Rounding's 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 attached table (Appendix 1) following the change in the Council Composition.

2.6 Council is asked to approve the re-allocation of seats for 2020/21 based on the allocation in Appendix 1. One change is proposed to the appointments on the Audit Committee. The current appointments are:

2.6.1 4 Liberal Democrats and 3 Conservative

It is proposed this now be:

2.6.2 4 Liberal Democrats, 2 Conservative and 1 Labour

3. Options/Reasons for Recommendation

3.1 The recommendation is made in order to agree the re-allocation seats on the Audit Committee as detailed in Paragraph 2.6.2 above.

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 seats on the Audit Committee as detailed in Paragraph 2.6 above be agreed.

Report prepared by: Anne Morgan, Solicitor to the Council

Sarah Haythorpe, Principal Committee Manager

Data Quality - Council Composition

Data checked by James Baldwin, Deputy Monitoring Officer

Nigel Pollard, Section Head Financial Planning and Analysis

Data rating:

1	Poor	
2	Sufficient	
3	High	✓

Background Papers

Council's Constitution

Local Government and Housing Act 1989