

REPORT TO COUNCIL

REPORT OF: Chief Executive

REPORT NO: LDS147

DATE: 21 May 2015

TITLE:	Appointments to Committees, Policy Development Groups, Panels and Boards of the Council and the appointment of Chairmen and Vice-Chairmen	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Decision of Council	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A	
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INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	Not applicable	
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Local Government and Housing Act 1989 http://www.legislation.gov.uk/ukpga/1989/42/part/1/crossheading/political-balance-on-committees-etc Local Government (Committees and Political Groups) Regulations 1990 http://www.legislation.gov.uk/uksi/1990/1553/contents/made	

1. RECOMMENDATIONS

1.1 That the Council appoints members to its committees, groups and boards taking account of the requirements for political balance

1.2 That the Council appoints the Chairmen and Vice-Chairmen of its Committees and Policy Development Groups

2. PURPOSE OF THE REPORT

2.1 This report sets out the requirements placed on the Council for the appointment of members to its committees, panels and boards and the appointment of their Chairmen and Vice-Chairmen.

3. DETAILS OF REPORT

Membership of Committees/Groups/Boards

3.1 Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 introduced statutory requirements that, where a relevant authority has a membership divided into different political groups, it must ensure that appointments reflect the overall proportion as that in which the council as a whole is divided. Those appointments to which the rules of political balance apply are:

- Ordinary committees or subcommittees of the authority
- Advisory committees and any subcommittees appointed by an advisory committee
- Specified prescribed bodies where at least three seats have to be filled by the relevant authority.

3.2 The legislation also requires that in appointing members on a politically proportional basis, it should, as far as possible conform with the following principles:

- (a) That not all seats are appointed to the same political group
- (b) That a political group with an overall council majority gets a majority of seats allocated
- (c) Subject to (a) and (b) that the total number of seats each political group has on all ordinary committees is in proportion to that group's share of the total council elected membership
- (d) Subject to (a) and (c) that each political group has the same proportion of seats as it holds on the council as a whole

3.3 Under these regulations, to constitute a political group, members have to sign to state that they wish to be treated as a member of a political group and to inform the Chief Executive who the leader of that group is to be. The Regulations mean that members who do not align themselves to a political group (i.e. non-aligned members) do not have any right to be appointed to any Council Committee. The decision made by members regarding their membership of any group on this Council is entirely unrelated to any

membership of any national political party or to any statement on their nomination form/ballot paper.

- 3.4 The agenda deadlines for this report have meant that it has had to be written before the political composition of the Council was known. It is essential that decisions made by members regarding the composition of political groups must be forwarded to the Chief Executive by their respective group leaders by no later than **Friday 15 May 2015**. This will enable the apportionment of seats on political balanced committees to be calculated and group leaders can be informed so that they can consider their nominations before the annual council meeting.
- 3.5 Details of which committees need to be politically balanced, their size and training requirements are included in Table 1 (below). Where mandatory training is required, it is essential it is completed before any member can sit on the relevant committee.

Table 1

Committee	No. of members	Politically balanced?	Training: Core (C) or Mandatory (M)
Resources Policy Development Group	7	Yes	C
Engagement Policy Development Group	7	Yes	C
Communities PDG	7	Yes	C
Scrutiny Committee	11	Yes	C
Development Control Committee	17	Yes	M
Licensing Committee*	11	Yes	M
Governance and Audit Committee	7	Yes	M
Constitution Committee	5	Yes	C
Chief Executive's Remuneration Panel	3	Yes	C
Chief Executive's Performance Panel	3	Yes	C
Chief Executive's Appeal Panel	3	Yes	C

* Includes members of the Alcohol, Entertainment and Late Night Refreshment Licensing Committee and Review Board

- 3.6 When making appointments, there are a number of factors that must be taken into consideration:
- In order to demonstrate a robust and effective scrutiny process, no member of the Cabinet may be appointed to the Scrutiny Committee or a Policy Development Group
 - There cannot be common membership between the Scrutiny Committee and Policy Development Groups.

- The membership of the Chief Executive's Panels must include at least one member of the Cabinet

Chairmanship of Committees/Groups/Boards

3.7 The Constitution states that the Chairmen and Vice-Chairmen of these committees and groups should be appointed by Council following the advice of the Leader relating to the suitability and merit of candidates. It is not necessary for the Council to appoint a Chairman or Vice-Chairman for any of the Chief Executive's panels. Members should also note that it is best practice that the Chairman of the Scrutiny Committee should not be a member of the administration.

4. OTHER OPTIONS CONSIDERED

4.1 The Council must either comply with the provisions of the Local Government and Housing Act 1989 and apply the principles of political balance as per table 1 or agree to make alternative arrangements.

5. RESOURCE IMPLICATIONS

5.1 This report has no resource implications. Finance for special responsibility allowances is incorporated within existing budgets.

6. RISK AND MITIGATION

6.1 No significant risks were identified in the preparation of this report.

7. ISSUES ARISING FROM IMPACT ANALYSIS

7.1 An equality analysis is not applicable.

8. CRIME AND DISORDER IMPLICATIONS

8.1 No crime and disorder implications arise as a result of this report.

9. COMMENTS OF FINANCIAL SERVICES

9.1 There are no financial comments arising from this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 In making appointments to its committees and subcommittees the Council is required to comply with the Local Government and Housing Act 1989 (LGHA) and the Local Government (Committees and Political Groups) Regulations 1990. These set out requirements relating to political balance and the application of this principle to prescribed categories of meeting and makes provision for alternative arrangements. To agree alternative arrangements, no members of the authority present at the meeting may vote against the alternative arrangements. This means that abstentions would not defeat the vote.

10.2 If no alternative arrangements can be agreed, the requirements to address political balance must be put in place.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 Not applicable.