



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Annual Council

26 May 2022

Report of: Karen Bradford

Chief Executive



Appointments to Committees and Panels of the Council and the Appointment of Chairmen and Vice-Chairmen

This report sets out the requirements placed on Full Council for the appointment of Members to its Committees and Panels, and the appointment of their Chairmen and Vice-Chairmen.

All Political Group Leaders are responsible for nominating Members from within their respective Groups to each of the Committees, in accordance with political balance as appropriate. Full Council will appoint the Chairmen and Vice-Chairmen of the Committees. They will be appointed according to their suitability and merit in the opinion of the Leader of the Council.

Report Author

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Corporate Priority:	Decision type:	Wards:
High Performing Council	Administrative	All Wards

Reviewed by:	Graham Watts, Assistant Director of Governance and Deputy Monitoring Officer	17 May 2022
Signed off by:	Karen Bradford, Chief Executive	18 May 2022

Recommendation (s) to the decision maker (s)

That Full Council:

- Notes the political balance on its Committees and Panels as set out in Appendix 1 to this report.

- 2. Appoints Members to its Committees and Panels, taking account of the requirements for political balance.**
- 3. Appoints the Chairmen and Vice-Chairmen of its Committees.**

1 The Background to the Report

- 1.1 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 political balance of the Council as a whole.
- 1.2 At the annual meeting of Full Council, Members must decide the allocation of seats to political groups, in accordance with the Regulations.
- 1.3 Those appointments to which the rules of political balance apply are:
- Ordinary Committees or Sub-Committees of the Council.
 - Advisory Committees and any Sub-Committees appointed by an Advisory Committee.
 - Specified prescribed bodies where at least three seats have to be filled by the relevant Authority.
- 1.4 The legislation also requires that in appointing members on a politically proportional basis, it should give effect, so far as reasonably practicable, to the following principles:
- a) That not all seats are appointed to the same political groups.
 - 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 seats on the whole Council.
 - 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.
- 1.5 The Regulations mean that Members who do not align themselves to a political group are not considered as part of the calculation and do not have any right to be appointed to any Council Committee.
- 1.6 Appendix 1 to this report sets out the political composition of the Council and a breakdown of political balance requirements for each Committee.
- 1.7 When making appointments, there are factors that must be taken into consideration:
- In order to demonstrate a robust and effective scrutiny process, no member of Cabinet may sit on an Overview and Scrutiny Committee.
 - The membership of the Chief Executive's Appeal Panel must include at least one member of Cabinet.
 - Members of the Chief Executive's Appeal Panel should not be Members of the Employment Committee so that any appeal lodged is considered by Members who have not previously considered any matters being challenged.
- 1.8 Political groups have the ability to gift any of their allocated seats to another political group, or individual Member of the Council.

2 Consultation and Feedback Received, Including Overview and Scrutiny

- 2.1 The latest political balance calculation for the Council has been shared with Political Group Leaders in advance of the publication of this report.

3 Available Options Considered

- 3.1 The Council must comply with the provisions of the Local Government and Housing Act 1989 and apply the principles of political balance as per Appendix 1.

4 Preferred Option

- 4.1 To make appointments to the Council's Committees in accordance with the principles set out above.

5 Reasons for the Recommendation (s)

- 5.1 Full Council must make appointments as prescribed by legislation and the Council's Constitution.

6 Next Steps – Communication and Implementation of the Decision

- 6.1 Committee memberships, once agreed, will be published on the Council's website.

7 Financial Implications

- 7.1 Provision for the Special Responsibility Allowances payable in respect of appointments within this report is made within the Members' Allowances budget.

Financial Implications reviewed by: Richard Wyles, Chief Finance Officer

8 Legal and Governance Implications

- 8.1 Appointments to the Council's Committees and Panels must comply with the relevant legislation, as set out in this report, and provisions within the Council's Constitution.

Legal Implications reviewed by: Graham Watts, Assistant Director of Governance and Deputy Monitoring Officer

9 Background Papers

- 9.1 The Local Government and Housing Act 1989:
<https://www.legislation.gov.uk/ukpga/1989/42/contents>
- 9.2 Local Government (Committees and Political Groups) Regulations 1990:
<http://www.legislation.gov.uk/uksi/1990/1553/contents/made>

10 Appendices

- 10.1 Appendix 1: Political balance calculations.