SOUTH KESTEVEN DISTRICT COUNCIL

Council

Thursday, 23 May 2024

Report of Chief Executive

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

Report Author

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Purpose of Report

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/Panels, in accordance with the political proportionality of the Authority as appropriate. Full Council will appoint the Chairmen and Vice-Chairmen of Committees.

Recommendations

That Full Council:

1. **Notes the political proportionality of the Council as set out in Appendix 1 of the 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.**

Decision Information	
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Effective Council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 Provision for the Special Responsibility Allowances payable in respect of appointments within this report is made within the Members' Allowances budget which was approved by Council on 29 February 2024.

Completed by: Paul Sutton, Assistant Director of Finance and Deputy S151 Officer

Legal and Governance

1.2 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.

Completed by: James Welbourn, Democratic Services Manager and Deputy Monitoring Officer

2. Background to the Report

2.1 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.

2.2 At the annual meeting of Full Council, Members must decide the allocation of seats to political groups, in accordance with the Regulations.

2.3 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.

2.4 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.

2.5 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 or Panel.

3. South Kesteven District Council Political Proportionality

3.1 Since the January meeting of Full Council, the required notice was provided that Councillor Mark Whittington re-joined the South Kesteven Coalition Group and Councillor Barry Dobson joined the Democratic Independent Group.

3.2 On 26 April 2024 Councillor Patsy Ellis ceased to be a member of the Green Party Group and subsequently joined the Grantham Independent Group.

3.3 These changes have resulted in a slight change to the Council's political proportionality and allocation of committee seats, as set out in **Appendix 1**, leading to an increase in the allocations attributed to the Democratic Independent Group and the Grantham Independent Group. Consequently, these groups are now entitled to seats originally held by the Labour and Co-operative Group on the Licensing Committee and Standards Committee.

3.4 The Democratic Independent Group and the Grantham Independent Group are equally entitled to a seat on the Chief Executive's Appeals Panel. In consultation with the respective political group leaders, it has been agreed that the seat will be allocated to the Grantham Independent Group. This is reflected in **Appendix 1**.

3.5 When making appointments, the following factors 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.

3.6 Political groups have the ability to gift any of their allocated seats to another political group, or individual Member of the Council.

4. Appointment of Chairmen and Vice-Chairmen

4.1 The Council's Constitution prescribes that Full Council will appoint Chairmen and Vice-Chairmen of Committees according to their suitability and merit in the opinion of the Leader of the Council.

5. Special Responsibility Allowances

5.1 Special Responsibility Allowances will apply to specific roles, such as Chairmen and Vice-Chairmen of Committees, in accordance with the Members' Allowances Scheme.

6. Other Options for Consideration

6.1 One of the roles of the Council at its annual meeting is to determine which committees to establish for the municipal year, together with their size and terms of reference. Full Council could therefore opt to make changes to its committee structure at this meeting.

7. Reasons for the Recommendations

7.1 Full Council must make appointments as prescribed by legislation and the Council's Constitution. The report facilitates this requirement.

8. Consultation

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

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 A - Political Balance calculations