

Allocations of Seats to Political Groups and Appointments to Committees, Other Council Bodies and Outside Bodies

Council

Date: 21st May 2021

Author: Chief Legal Officer
Wards: All Wards
Parishes Affected: All Parish Areas

1. Purpose and Reasons

- 1.1 Under Section 15 of the Local Government and Housing Act 1989 the Council must review the representation of the different political groups on Committees and other relevant Council bodies at the Annual Council meeting or as soon as practicable after that meeting. The Statutory provisions have been added to by the Local Government (Committees and Political Groups) Regulations 1990, as amended by the Local Government (Committees and Political Groups) (Amendment) Regulations 1991.
- 1.2 To establish the allocation of seats to political groups based on proportionality and to agree arrangements for making the necessary adjustments to proportionality based on appointments to individual Committees in order that it can be applied across Council bodies as a whole for the Municipal Year 2021/22.
- 1.3 To make appointments to Committees, other Council bodies and Outside Bodies for the Municipal Year 2021/22.
- 1.4 To note the appointments to Member Project Boards and Cabinet Member Advisory Groups (not decision making).
- 1.5 The Delivery of effective, accountable and transparent decision making by the Council directly links to the delivery of the current Corporate Strategy and to its related Change Programme.

2. Recommendations

The Council is recommended to:

- 2.1 Determine that, having carried out a review under Section 15 of the Local Government and Housing Act 1989, the Council shall continue to apply the political balance provisions under the Act.
- 2.2 Remind Committees, and other relevant Council bodies, where appropriate, of their duty to carry out a review and recommend that having carried out that review they continue to apply the political balance provisions.
- 2.3 Confirm the waiving of Political Balance arrangements on the Standards Committee.

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- 2.4 Appoint Councillors to serve on the Council's Committees, other Council bodies and outside bodies for the Municipal Year 2021/22 as listed in Appendices 1 to 3 to the report.
 - 2.5 To approve the proposals set out in paragraph 3.9 of the report.
 - 2.6 To note appointments to Member Project Boards and Cabinet Member Advisory Groups (not decision making) as listed in Appendix 4 of the report.
 - 2.7 Appoint Chairs and Vice-Chairs for the Council's Committees and other Council bodies for the Municipal Year, 2021/22 as listed in Appendix 5.

3. Detail

- 3.1 It is a function of the Council under the provisions of the Local Government and Housing Act to review the allocation of seats to political groups based on proportionality and to agree arrangements for making the necessary adjustments to proportionality based on appointments to individual committees. The requirement is for representation to be proportional on each committee and across relevant committees as a whole.
- 3.2 The political balance on the Council is currently: Conservatives 36 and Labour 20. There is one vacancy.
- 3.3 It is open to the Council or a Committee or other relevant Council body when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations. Notice of such a proposal would have to be given in the Council Summons, and a decision would have to be without any Member voting against the arrangements.
- 3.4 It is recommended that the Council, having carried out a review under Section 15 of the Local Government and Housing Act 1989, should continue to apply the political balance provisions under the Act. In turn the Committees and other relevant Council bodies must carry out a review and the Council is asked to recommend that, having carried out a review, Committees continue to apply the political balance provisions in making appointments to Sub-Committees and other relevant task groups and working parties.
- 3.5 The remainder of this report assumes that the Council will not want an alternative arrangement to the political balance provisions set out in the Act and Regulations, with the exception of Special Committee and the Standards Committee.
- 3.6 The Act sets out four principles that must be followed. They are:
 - 3.6.1 Not all the seats on the Committee may be allocated to the same political group;

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- 3.6.2 The majority of the seats on the Committee must be allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - 3.6.3 Subject to paragraphs (3.6.1) and (3.6.2) above, the number of seats on the ordinary committees (relevant bodies) of the Borough Council, which are allocated to each political group, must bear the same proportion to the total of all the seats on the ordinary committees of the Borough Council as is borne by the number of members of that group to the membership of the Borough Council; and
 - 3.6.4 Subject to paragraphs (3.6.1) to (3.6.4) above, the number of the seats on the committee which are allocated to each political group should bear the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the Borough Council.
- 3.7 The procedure adopted by the Council in appointing committees will apply equally to committees appointing sub-committees.

Appointments to Committees and other relevant Bodies

- 3.8 Council is recommended to note the appointments to Cabinet by the Leader of the Council, and to make appointments to the Committees (Appendix 1), and other Council bodies (Appendix 2), Outside Bodies for the Municipal Year 2021/22 (Appendix 3) and note the appointments made to Member Project Groups and Cabinet Advisory Bodies by the relevant Cabinet Member (Appendix 4).
- 3.9 So far as the Standards Committee is concerned, it be noted that the Council has appointed Independent Persons Paul Morris and Keith Strickland have been nominated for a 4 year term (term ending 2022) following an public advertisement and interview process. The Parish Councils within the Borough will nominate 2 Co-opted Parish Councillor Members (currently Richard Hailstone and Mike Compton). The appointment of Co-opted Lay Members will be reported to a future meeting of the Council.
- 3.10 The Overview and Scrutiny Committee structure currently in place are reflected in this report.

Appointments of Chairs and Vice-Chairs of Committees

- 3.10 The Council is recommended to appoint the Chairs and Vice-Chairs for the Committees set out in Appendix 5.

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4. Alternative Options

- 4.1 No alternative options are proposed.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no financial or procurement implications.
- 5.2 Certain Committee Chairs receive Special Responsibility Allowances. These Allowances are for the Chair of Scrutiny Committee £13,181 (if Leader of the Opposition), Chair of Scrutiny (if not Leader of the Opposition) £6,590, Leader of the Opposition (if not Chair of Scrutiny) £6,590, Chairs of Overview Committees £6,590, Chair of Planning Committee £6,590, Chair of Licensing Committee £6,590, Chair of Standards Committee £6,590 and Chair of Audit Committee £6,590. The Chair of the Health and Wellbeing Board receives an allowance of £6,590. The “Basic” Allowance for all Councillors in 2021/22 is £8,787. Co-opted Members of the Standards Committee receive a Special Responsibility Allowance of £1,318, Independent Persons receive an allowance of £1,308, and co-opted Health and Wellbeing Board Members Allowance is £1,318. The Chair of the Joint Swindon and Wiltshire Police and Crime Panel, if a Swindon Councillor, receives an allowance of £6,590 and the Vice-Chair of this Panel, if a Swindon Councillor, receives an allowance of £2,197.

Legal and Human Rights Implications

- 5.3 Legal and Human Rights considerations have been taken fully into account in compiling this report. The Council is required to comply with the requirements of the Local Government Acts 1972 and 2000 and associated Regulations and Statutory Instruments.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.4 There are no specific implications that relate to staff, sustainability, health, rural, crime and disorder within this report.

Diversity Impact Assessment

- 5.5 A Diversity Impact Assessment has not been completed for this report. This is because it relates to the allocation of seats to political groups and appointments to committees, with no changes to staffing, budget or service eligibility criteria.

Risk Management

- 5.6 A risk assessment has not been completed as this report refers specifically to the appointment to committees and the allocation of seats to political group.

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6. Consultees

- 6.1 The Corporate Director Finance and Assets (Section 151 Officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 - List of Committees
- 8.2 Appendix 2 - List of Other Council Bodies
- 8.3 Appendix 3 - List of Outside Bodies
- 8.4 Appendix 4 - List of Cabinet Members and Member Project Boards and Cabinet Member Advisory Groups
- 8.5 Appendix 5 - Appointments of Chairs and Vice-Chairs of Committee 2021/22.