

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

Council

Date: 18th May 2012

Author: Director of Law and Democratic Services
Wards: All Wards
Locality Affected: All Locality Areas
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 2012/13.
- 1.3 To make appointments to Committees, other Council bodies and Outside Bodies for the Municipal Year 2012/13.
- 1.4 To note appointments to Member Project Boards and Cabinet Member Advisory Groups (not decision making).

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, Special Committee and Great Western Joint Ambulance Overview and Scrutiny Committee.
- 2.4 Appoint Councillors to serve on the Council's Committees, other Council bodies and outside bodies for the Municipal Year 2012/13 as listed in Appendices 1 to 3 to the report.

Further information on the subject of this report can be obtained from Shaun Banks, Direct Dial 463606, sbanks@swindon.gov.uk.

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2.5 To note appointments to Member Project Boards and Cabinet Member Advisory Groups (not decision making) as listed in Appendix 4.

2.6 Appoint Chairs and Vice-Chairs for the Council's Committees and other Council bodies for the Municipal Year, 2012/13 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 29, Labour 24 and Liberal Democrats 4.

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.

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;

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

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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.
- 3.8 Section 15 of the Local Government and Housing Act 1989 (concerning political balance provisions) does not apply currently to appointments made to a Council's Standards Committee. This enables the Council to appoint one or more representative from each political group on the Council to serve on the Standards Committee. This arrangement will cease in July 2012 with the enactment of new legislation and the re-appointment of the Standards Committee Membership to reflect the need for proportionality will be the subject of an additional report once the final details are known.

Appointments to Committees and other relevant Bodies –

- 3.9 The Council is recommended to make appointments to the Committees (Appendix 1), and other Council bodies (Appendix 2), Outside Bodies for the Municipal Year 2012/13 (Appendix 3) and note the appointments made to Member Project Groups and Cabinet Advisory Bodies (Appendix 4).

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.

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 and Leader of the Opposition
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£9,836.68, Chairs of Overview Committees £3,721.79, Chair of Planning Committee £6,380.76, Chair of Licensing Committee £4,253.15 and Chair of Audit Committee £4,253.15. Members of the Licensing Committee receive a Special Responsibility Allowance of £1,062.71. The "Basic" Allowance for all Councillors in 2012/13 is £7,710. The Lay Chair of the Standards Committee receives a Special Responsibility Allowance of £7,444.56 and Lay Members of the Standards Committee receive a Special Responsibility Allowance of £1,062.71.

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.

Links to One Swindon, Plans and Policies

- 5.5 The delivery of effective, accountable and transparent decision-making by the Council directly links to those parts of the current Corporate Plan relating to the "Service Improvement" and "Transforming the Organisation".

Diversity Impact Assessment

- 5.6 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

- 5.7 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.

6. Consultees

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None
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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 Member Project Boards and Cabinet Member Advisory Groups
- 8.5 Appendix 5 - Appointments of Chairs and Vice-Chairs of Committee 2012/13

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