

Meeting Date	19 May 2010
Report Title	Allocation of Committee seats and Committee appointments for 2010/11
Portfolio Holder	Leader
SMT Lead	Corporate Services Director
Head of Service	Interim Head of Legal
Lead Officer	Democratic and Electoral Services Manager
Key Decision	No
Classification	Open

Recommendations	1. That the allocation of seats be approved as set out in Appendix I
	2. That Group Leaders advise of their Groups' allocations to Committees as set out in Appendix II (to be tabled at the meeting)
	3. That Members agree the Chairman and Vice-Chairman of Committees as set out in Appendix III.
	4. That the terms of office of the Independent Standards Committee members be noted and that the Council commences a recruitment campaign with a view to appointing two Independent Members in July 2010..
	5. That it be agreed that the Standard Committee be given delegated authority, if necessary, to temporarily appoint one independent member from another district council as an interim measure.

1 Purpose of Report and Executive Summary

- 1.1 Section 15 of the Local Government and Housing Act 1989 requires Local Authorities to review the allocation of seats on committees at the annual meeting, or as soon as possible after it (set out in Appendix I). Once the Council has agreed the allocation of Committee places between the political groups the Council must then appoint the nominees of the political groups to the committees.

2 Background

- 2.1 The following principles apply to the allocation of seats:

- (a) That not all seats on the body to which appointments are being made are allocated to the same political group;
- (b) That the majority of seats on each Committee is allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) Subject to (a) and (b), that, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
- (d) Subject to (a) and (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

2.2 Sub-committees are also governed by the political balance rules, but it is not necessary to add up all the sub-committee seats and then allocate them in proportion. As far as this is predictable, the allocation of seats on each sub-committee should reflect the proportional representation of the political groups on the Council.

2.3 Schedule 6 (Minor and Consequential Amendments) of the Licensing Act 2003 amends section 101 of the Local Government Act 1972. . The effect of this amendment is that nothing in section 101 applies to any function under the Licensing Act 2003 of a Licensing Authority. Important consequences to note are that the committee set up to discharge the Licensing Act 2003 functions should agree its own procedures and appoint its own members. The requirement for the committee to be politically balanced does not apply, but is recommended..

2.3 The following seats are not included in the political balance calculations:

- The Standards Committee cannot be balanced due to its constitution, where Independent Members are required to have 25% of the overall membership of that Committee.
- The Joint Transportation Board, the Local Engagement Fora and the Local Development Framework Panel because their functions are Executive functions and their membership means that they are not committees covered by section 101 of the Local Government Act 1972 therefore section 15 of the LGHA does not apply..

Standards Committee appointments

2.4 The Standards Committee currently has three Independent Members, as agreed at Council in April 2008 (Minute No. 1075/04/08 refers). We have reviewed the expiration of the terms of office of the Independent Standards Committee Members and both Messrs Nunn and Rogers would have expired by 26th July 2010.

2.5 Appointments can only be for a maximum of two four year terms..However, in accordance with the Standards for England guidance the Council must go

through a recruitment process before reappointing an existing independent member.

- 2.6 It is therefore recommended that Council notes the terms of office of the Independent Standards Members and that a recruitment campaign be commenced with a view to appointing two Independent Standards Committee members at Council in July 2010. In the interim, it is proposed that the Standards Committee be given delegated authority to appoint an interim independent member from a neighbouring authority.

Non-aligned Members

- 2.7 The independent member as a single member is not aligned to any group. Non-aligned Members are entitled to a fair allocation of Committee places but are appointed to these by the Council, not by the political Groups. They have no rights to have or to act as substitute members.

Chairmen and Vice-Chairmen

- 2.8 The Constitution authorises the Council to appoint the Chairmen and Vice-Chairmen of certain committees. It should also be noted that the Chairman and Vice-Chairman of the Standards Committee must be Independent Members.

3 Proposal

- 3.1 Not applicable.

4 Alternative Options

- 4.1 Not applicable.

5 Consultation Undertaken or Proposed

- 5.1 Not applicable.

6 Implications

Issue	Implications
Corporate Plan	Becoming a high performing organisation.
Financial, Resource and Property	None identified at this stage.
Legal and Statutory	The relevant legal provisions are set out in the body of this report

Crime and Disorder	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Sustainability	None identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report

- Appendix I: Political Balance Calculations
- Appendix II: Membership of Committees
- Appendix III: Appointment of Chairman and Vice-Chairman

8 Background Papers

8.1 Not applicable.