

ANNUAL COUNCIL	AGENDA ITEM No. 9
20 MAY 2015	PUBLIC REPORT

COMMITTEE STRUCTURES, DELEGATIONS AND ALLOCATIONS

R E C O M M E N D A T I O N S
FROM : Director of Governance
<p>It is recommended that:</p> <ul style="list-style-type: none"> (a) The Council agrees the Committee structure: <ul style="list-style-type: none"> (i) as set out at paragraph 3.1 of the report; and (ii) that the terms of reference of those committees and the Council's Scheme of Delegations remain as currently set out in the Constitution, subject to any changes tabled at the meeting. (b) Council notes the programme of meeting schedules as attached at Appendix 1 to this report; (c) Subject to confirmation of the political group arrangements, the Council considers exempting the Audit Committee and the Planning Review Committee from the political balance seat arrangements; (d) The allocation of seats on Committees of the Council, subject to political balance seat arrangements be agreed (Appendix 2 - document to be tabled); and (e) The allocation of seats on Committees to be appointed to by the Council, not subject to political balance seat arrangements (paragraph 6), be agreed (Appendix 3 - document to be tabled).

1. PURPOSE AND REASON FOR REPORT

- 1.1 To review and approve the structure of committees of the Council and the allocation of seats on committees in accordance with the statutory requirements concerning political balance and to approve the appointment of members (and substitutes) to serve on committees for 2015/2016.

2. BACKGROUND - COMMITTEES

- 2.1 The Council must appoint at least one overview and scrutiny committee and such other committees as it considers appropriate to deal with the matters which are neither reserved to the Full Council nor are executive (Leader and Cabinet) functions.
- 2.2 A review of committees, their terms of reference and the schemes of delegation for committees is intended to be conducted over the coming months. The current committees and their terms of reference are proposed to remain unchanged in the interim.
- 2.3 Full Council may wish to consider the size of each of the committees in the light of electoral changes, but the membership set out below is as per that established in 2013/2014.

3. COMMITTEE STRUCTURE

3.1 The committee structure recommended for 2015 / 2016 is shown below:

Committee	Seats
<u>Ordinary Committees subject to political balance seat allocations:</u>	
Scrutiny Commission for Rural Communities	7
Scrutiny Commission for Health Issues	7
Strong and Supportive Communities Scrutiny Committee	7
Creating Opportunities and Tackling Inequalities Scrutiny Committee	7
Sustainable Growth and Environment Capital Scrutiny Committee	7
Employment Committee	7
Licensing Committee (Regulatory)	10
Planning and Environmental Protection Committee	10
Appeals Committee (Service Issues)	10
<u>Committees proposed to be exempted from the political balance seat allocations</u>	
Audit Committee	7
Planning Review Committee	10
<u>Other bodies to which Section 15 LGHA does not apply</u>	
Health and Wellbeing Board	5
Licensing Committee (Licensing Act 2003)	10
Cambridgeshire Police and Crime Panel	3
Fire Authority	4

4. BACKGROUND - ALLOCATION OF SEATS TO POLITICAL GROUPS

4.1 Under Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations, the city council has a duty to review the representation of different political groups at its annual meeting in respect of bodies to which the section applies (for example the section applies to the Council's ordinary committees). The section does not apply to the statutory Licensing Committee or Health and Wellbeing Board and so the political balance rules are not applied to these.

4.2 Section 15 of the Act provides that, in performing this duty, the Council has a duty to make only such determinations as give effect so far as reasonably practicable to the following principles:

- (a) that not all the seats on the body are allocated to the same political group;
- (b) that the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the authority as is borne by the number of members of that group to the membership of the authority; and
- (d) subject to (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

- 4.3 For the purpose of calculating the entitlement of each political group to seats on committees, it is proposed that the following be included:

Committee	Seats
Scrutiny Commission for Rural Communities	7
Scrutiny Commission for Health Issues	7
Strong and Supportive Communities Scrutiny Committee	7
Creating Opportunities and Tackling Inequalities Scrutiny Committee	7
Sustainable Growth and Environment Capital Scrutiny Committee	7
Employment Committee	7
Audit Committee	7
Licensing Committee (Regulatory)	10
Planning and Environmental Protection Committee	10
Planning Review Committee	10
Appeals Committee (Service Issues)	10
TOTAL	89

5. REMOVING COMMITTEES FROM POLITICAL BALANCE ARRANGEMENTS

- 5.1 In previous years, Audit Committee and the Planning Review Committee have been exempted from political balance seat arrangements. This is to allow at least one seat on each of those committees to be appointed to by the smallest groups. This ensures that there is complete political representation when Members may be hearing complaints under the Code of Conduct or when decisions of the Planning Committee are called in to Council.
- 5.2 In order to exempt these committees from political balance seat arrangements no Councillor can vote against the recommendation. This would reduce the number of seats subject to political balance requirements to 72, as detailed in the table below.

Committee	Seats
Scrutiny Commission for Rural Communities	7
Scrutiny Commission for Health Issues	7
Strong and Supportive Communities Scrutiny Committee	7
Creating Opportunities and Tackling Inequalities Scrutiny Committee	7
Sustainable Growth and Environment Capital Scrutiny Committee	7
Employment Committee	7
Licensing Committee (Regulatory)	10
Planning and Environmental Protection Committee	10
Appeals Committee (Service Issues)	10
TOTAL	72

- 5.3 Subject to Council appointing the committees and agreeing the sizes of committees described above, the total number of seats on committees available this year is proposed to be **89 or 72**. Separate allocations will be tabled at the meeting and will be dependent on the outcome of the Council's decision to exempt.
- 5.4 A Group's seats on a Committee will be allocated automatically in terms of whole numbers. The remainder will need to be shared out proportionately across the committees to ensure that the third principle (paragraph 4.2(c) above) is applied. The fourth principle is then applied to ensure that the seats then allocated are not unfairly weighted.

5.5 Discussions are taking place with and between the political whips with the intention to produce a fair distribution of the seats according to a Group's wishes. This will result in either an agreement to be proposed at the meeting or, failing that, a proposal to be debated and determined at the full Council meeting.

5.6 The agreed totals must then, as far as is reasonably practicable, reflect the aggregate entitlement of the political groups to committee seats. Council will therefore note the difference between this, their entitlement, and the actual distribution of seats their decision gives each political group.

6. APPOINTMENTS EXEMPTED FROM POLITICAL BALANCE

6.1 **The Licensing Committee (Licensing Act 2003):** The City Council has a Licensing Committee, which is a separate statutory committee pursuant to Section 6 of the Licensing Act 2003. By law the committee must comprise no more than 15 and no less than 10 members. The Committee currently comprises of 10 members of the authority and are the same members as are appointed under the political balance rules to the Licensing Committee (Regulatory), which is an ordinary committee.

6.2 **The Health and Wellbeing Board:** The membership of the Health and Well Being Board is prescribed in section 194 of the 2012 Act. Whilst it is an 'ordinary committee', the legislation has removed the political balance requirements of this committee because this is seen as an executive arm of the Council as well as it being required to include voting members from other bodies and, a first for local government, officers of the Council. The 5 elected Members on the Board are to be as determined by the Board's Terms of Reference.

6.3 **Cambridgeshire Police and Crime Panel** (3 members – as determined by the political make-up across the Cambridgeshire and Peterborough Authority Areas when taken together) – established by the Police Reform and Social Responsibility Act 2011. There are 13 seats on the Cambridgeshire Police and Crime Panel.

6.4 **Cambridgeshire and Peterborough Fire Authority:** There are 17 seats on the Cambridgeshire and Peterborough Fire Authority, 4 of which are allocated to Peterborough City Council representatives and 13 of which are allocated to Cambridgeshire County Council representatives. The seats are allocated on a proportionate basis.

7. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

6.1 Peterborough City Council's Constitution.