

ANNUAL COUNCIL	AGENDA ITEM No. 10
16 JUNE 2014	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 A to this report. (c) The allocation of seats on Committees of the Council, in accordance with political balance requirements as set out paragraphs 4.3 to 4.10 of the report, be agreed (d) The allocation of seats on Committees and other bodies to be appointed to by the Council as set out paragraphs 5.1 to 5.5 of the report be agreed

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 2014/2015

2. BACKGROUND - COMMITTEES

- 2.1 The Full 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 2014 / 2015 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
Planning Review Committee	10
Appeals Committee (Service Issues)	10
<u>Committee exempted from Section 15 LGHA by Council</u>	
Audit Committee	*9
<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:
- that not all the seats on the body are allocated to the same political group;
 - 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;
 - 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
 - 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 The current membership of political groups represented on the city council is as follows. Of the seats on the Council:
- the Conservative Group currently hold 49.12%,
 - the Labour Group 21.05%;
 - the Peterborough Independent Forum Group 17.54%,
 - the Liberal Democrat Group 7.02%; and
 - the Werrington First Group 5.26%.

- 4.4 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
Licensing Committee (Regulatory)	10
Planning and Environmental Protection Committee	10
Planning Review Committee	10
Appeals Committee (Service Issues)	10
TOTAL	82

- 4.5 Alternative arrangements for appointments to these committees can be approved provided no member of the council votes against.

- 4.6 Subject to the full 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 **82**. The number of committee seats for each political group is therefore:

Group	Seats on Council	Percentage of Council	Allocation of seats as unrounded calculation	Allocation of seats on existing C'ttee numbers
Conservative Group	28/57	49.12%	40.28	40
Labour Group	12/57	21.05%	17.26	17
Peterborough Independent Forum (PIF) Group	10/57	17.54%	14.39	15
Liberal Democrat (LD) Group	4/57	7.02%	5.75	6
Werrington First (WF) Group	3/57	5.26%	4.32	4

- 4.7 A Group's seats on a Committees 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.

- 4.8 In this instance, the committee structure seats as they currently are will result in

- For a committee of 7 being allocated as 3 Conservative Group seats, 1 Labour Group seat, 1 PIF Group seat and 2 initially unallocated seats to be distributed in the round.
- For a committee of 10 being allocated as 5 Conservative Group seats, 2 Labour Group seats, 2 PIF Group seats and 1 Liberal Democrat seat.

This will leave 12 unallocated seats to be distributed, being 2 Conservative Group seats, 3 Labour Group seats, 1 PIF Group seat, 2 Liberal Democrat seats and 4 WF Group seats.

- 4.9 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, including allocating scrutiny seats or agreeing such things as the WF Group taking a regulatory committee seat in the place of the LD Group allowing a greater spread of the smaller groups' members. 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.
- 4.10 The agreed totals must then, as far as is reasonably practicable, reflect the aggregate entitlement of the political groups to committee seats of 49.12%, 21.05%, 17.54%, 7.02% and 5.26% respectively. Council will therefore note the difference between this, their entitlement, and the actual distribution of seats their decision gives each political group.

5. APPOINTMENTS TO WHICH POLITICAL BALANCE WOULD NOT APPLY

- 5.1.1 **The Audit Committee:** In addition to the above allocation of committee seats to political groups, at its meeting on 11 July 2012, Council agreed to make the Audit Committee exempt from political balance requirements of section 15 of the Local Government and Housing Act 1989 to allow the smallest group(s) a seat on the committee as the Audit Committee was given the responsibility for handling complaints made against Members.
- 5.1.2 This would now create a revised committee, *changing from 8 to 9 seats, to be comprised from the political groups of 3 Conservative, 2 Labour, 2 PIF, 1 Liberal Democrat and 1 WF.
- 5.1.3 The group leaders and whips have indicated that they are willing to continue support this change to the membership of the above committee, which are permissible under the rules pertaining to political balance subject to no member voting against.
- 5.2 **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.
- 5.3 **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.
- 5.4.1 **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, three of which are allocated to Peterborough City Council representatives, eight to representatives of district and county councils and two to independent members.
- 5.4.2 The appointments for the City Council to now make are to be three Members in line with the political make-up of the Panel across the PCC area. This is yet to be agreed amongst those political groupings.
- 5.5.1 **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.

5.5.2 The appointments for the City Council to now make are: 2 Conservative Group, 1 Labour Group and 1 Peterborough Independent Group as the representatives from Peterborough.

6. BACKGROUND DOCUMENTS

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

Peterborough City Council's constitution.

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