

Report to: **Governance Committee**

Date: **12 May 2017**

By: **Assistant Chief Executive**

Title of report: **Appointments of Members to Committees, Sub-Committees, Panels and Other Bodies**

Purpose of report: **To consider the allocation of places on committees, sub-committees, panels and other bodies to the three party political groups, the Independent Democrat Group and independent members.**

RECOMMENDATIONS:

The Governance Committee recommends the County Council to:

- (1) make recommendations to the County Council on the allocation to political groups of places on, and membership of:**
 - (a) main committees in appendix 1 of this report**
 - (b) other committees and panels listed in Appendix 2 of this report;**
 - (c) Chair and Vice Chair positions on Scrutiny Committees and other Committees; and**
 - (d) the East Sussex Fire Authority**
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1. Supporting Information

1.1 In appointing members to committees, sub-committees, most panels and some outside bodies the Council must comply with section 15 of the Local Government Act 1989 and subsequent Regulations. These provide that places on committees must be allocated to political groups in proportion to the number of seats on the Council held by each group, unless there is agreement, without dissent, that the provisions of the Act should not be applied.

1.2 The allocation of places to party groups must, so far as is reasonably practicable, give effect to the following principles:

- (a) not all of the seats on the body can be allocated to the same political group;
- (b) where more than half the members of the Council belong to one political group, that group shall have a majority on all committees, sub-committees, etc;
- (c) subject to (a) and (b) above, the total number of seats on the ordinary committees (including sub-committees) allocated to a political group reflects that group's proportion of the members of the Council;
- (d) subject to (a), (b) and (c) above, the number of seats on each body allocated to a political group reflects the proportion of the seats on the Council held by the group.

1.3 The rules require seats to be allocated on a proportional basis "so far as practicable" and inevitably there must be some rounding up and rounding down. It is open to the Council to review the size and number of committees and sub-committees at any time.

1.4 Members of the Cabinet may not serve on the Scrutiny Committees or the Regulatory Committee and the Leader and Deputy Leader of the Council may not serve on the Standards Committee.

1.5 The Leader of the Council appoints the Cabinet and allocates portfolios to those Cabinet Members. Political balance provisions do not apply to the Cabinet

1.6 The principle in paragraph 1.2 (c) above applies to appointments to ordinary committees (including sub-committees). Accordingly, before considering the allocation of places to political groups the Committee will need to consider whether it wishes to recommend any changes in committees, including their size.

1.7 Following the Committee's meeting, the party group leaders and independent members will be asked to let the Assistant Chief Executive have nominations to fill the places on committees, sub-committees, panels and other bodies covered in this report provisionally allocated to their group. The nominations received will be circulated to members of the County Council on the day of the annual council meeting, for approval by the Council.

2. Allocation of seats

2.1 The Table in Appendix 1 outlines proposals in relation to the ordinary committees and sub-committees, their total membership and the number of seats on each to which the groups will be entitled following the principles set out in paragraph 1.2 above.

2.2 The allocation of seats to the Governance Committee has been proposed to take into account the importance of having one member from each of the main political groups. Membership of this Committee normally includes the Group Leaders.

2.3 The Committee is asked to consider the allocations in Appendix 1 and to make a recommendation to the County Council as to number of places on each committee to be allocated to each group or independent members.

3. Other Committees and Panels

3.1 There is no obligation in relation to other committees and panels to aggregate the total number of places and to adjust allocations so that the total number of places allocated to each group reflects its proportion of the members of the Council. It is proposed that places should be allocated on a proportionate basis, unless the Council agrees to waive the political balance provisions which has been the custom for certain panels over many years.

3.2 The practical effect of the proportionality rules for a committee, panel or group of members of any given size from 3 to 12 is set out in Appendix 2, together with the list of current committees and panels to which appointments will need to be made and their membership. Their terms of reference are set out in the Constitution.

3.3 The Committee is asked to recommend to County Council the number of places on the Committees and Panels listed in Appendix 2.

4. Chairs and Vice Chairs of Scrutiny Committees

4.1 The Council's Constitution provides that the Chairs and Vice Chairs of Scrutiny Committees should be added together and the positions then allocated to groups in accordance to the number of seats they have on the Council. Within this allocation the Chair of the Audit, Best Value and Community Services Scrutiny Committee shall be appointed from the members of the largest Group not represented on the Council. On this basis the allocation of the 10 places would be as follows:

Conservative – 6
 Liberal Democrat – 2
 Labour – 1
 Independent Group - 1
 Independent Democrat - 0

The proposed list of Chairs and Vice Chairs to be appointed by the County Council is:

Committee	Chair	Vice-Chair
Regulatory	?	
Adult Social Care and Community Safety Scrutiny Committee	Conservative	Labour
Audit, Best Value and Community Services Scrutiny Committee	Liberal Democrat	Conservative
Children’s Services Scrutiny Committee	Conservative	Liberal Democrat
Health Overview and Scrutiny Committee	Conservative	Independent Group
Economy, Transport and Environment Scrutiny Committee	Conservative	Conservative
Governance Committee	?	
Planning Committee	?	?
Pension Committee	?	
Standards Committee	?	

5. East Sussex Fire Authority

5.1 Responsibility for the Fire Service in East Sussex rests with East Sussex Fire Authority comprising 12 members of the County Council and 6 members of Brighton & Hove City Council. The political balance provisions apply to appointments to the Authority and the entitlement of each group will be as set out below:

Conservative – 7
 Liberal Democrat – 3
 Labour – 1
 Independent Group - 1
 Independent Democrat - 0

5.2 The Committee is asked to recommend the County Council to approve the allocation of places to political groups in accordance with the above table and the appointment of 12 councillors to the East Sussex Fire Authority.

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Local Member: All

Background Documents: None

Appendix 1

Group	Number of Councillors	%	Number of seats
Conservative	30	60	48
Liberal Democrat	11	22	17
Labour	4	8	6
Independent Democrat Group	2	4	3
Independent	3	6	5
Total	50	100%	79

COMMITTEE	Conservative	Liberal Democrat	Labour	Independent Democrat Group	Independent Group
Number of councillors	30	11	4	2	3
Regulatory (18)	10.80 (11)	3.96 (4)	1.44 (1)	0.72 (1)	1.08 (1)
Planning (7)	4.20 (4)	1.54 (2)	0.56 (1)	0.28 (0)	0.42 (0)
Governance (5)	3.00 (3)	1.10 (1)	0.40 (1)	0.20 (0)	0.30 (0)
Standards Committee (7)	4.20 (4)	1.54 (1)	0.56 (0)	0.28 (1)	0.42 (1)
Pension Committee (5)	3.00 (3)	1.10 (1)	0.40 (0)	0.20 (0)	0.30 (1)
Scrutiny Committees:					
Audit, Best Value and Community Services(7)	4.20 (5)	1.54 (2)	0.56 (0)	0.28 (0)	0.42 (0)
Children's Services (9)	5.40 (5)	1.98 (2)	0.72 (1)	0.36 (1)	0.54 (0)
Health Overview & Scrutiny (7)	4.20 (5)	1.54 (1)	0.56 (0)	0.28 (0)	0.42 (1)
Adult Social Care & Community Safety (7)	4.20 (4)	1.54 (1)	0.56 (1)	0.28 (0)	0.42 (1)
Economy, Transport and Environment (7)	4.20 (4)	1.54 (2)	0.56 (1)	0.28 (0)	0.42 (0)
TOTALS (79)	48	17	6	3	5

Appendix 2

Recommended allocation of seats for Committees and Panels of between 3 and 12 seats

Committee size	Conservative	Liberal Democrat	Labour	Independent Democratic Group	Independents
3	1.80 (2)	0.66 (1)	0.24 (0)	0.12 (0)	0.18 (0)
4	2.40 (3)	0.88 (1)	0.32 (0)	0.16 (0)	0.24 (0)
5	3.00 (3)	1.10 (1)	0.40 (1)	0.20 (0)	0.30 (0)
6	3.60 (4)	1.32 (1)	0.48 (1)	0.24 (0)	0.36 (0)
7	4.20 (4)	1.54 (2)	0.56 (1)	0.28 (0)	0.42 (0)
8	4.80 (5)	1.76 (2)	0.64 (1)	0.32 (0)	0.48 (0)
9	5.40 (5)	1.98 (2)	0.72 (1)	0.36 (0)	0.54 (1)
10	6.00 (6)	2.20 (2)	0.80 (1)	0.40 (0)	0.60 (1)
11	6.60 (7)	2.42 (2)	0.88 (1)	0.44 (0)	0.66 (1)
12	7.20 (7)	2.64 (3)	0.96 (1)	0.48 (0)	0.72 (1)

*Seat to be allocated to either the Labour Group or UKIP

This allocation relates to the following Committees and Panels

(a) East Sussex Music Service Management Committee (5 members of the County Council)

(b) County Joint Consultative Committee (5 members of the County Council)

(c) Governors Panel (7 members of the County Council)

(d) County Consultative Committee Governors (5 Members of the County Council, one of whom should be the Lead Cabinet Member for Learning and School Effectiveness who chairs the Committee).

(e) Joint Advisory Committee (Schools) (5 Members of the County Council of whom one should be the Lead Cabinet Member for Learning and School Effectiveness, and another should be a member of the Cabinet.

(f) Corporate Parenting Panel (7 Members of the County Council)

(g) Standing Advisory Council for Religious Education (5 members of the County Council)

(h) Transport and Student Support Panel (3 Members of the County Council). The County Council has a custom of agreeing to waive the political balance provisions in relation to this Panel.

(i) Education Performance Panel (the Chair of the appropriate Scrutiny Committee, the Lead Member with responsibility for Education, representatives of each group on the Council. The County Council has a custom of agreeing to waive the political balance provisions in relation to this Panel.