

Report to: **Governance Committee**

Date: **25 January 2022**

By: **Assistant Chief Executive**

Title of report: **Consideration of whether to change the size of the Planning Committee**

Purpose of report: **To consider whether to recommend a change in the number of councillors appointed to the Planning Committee.**

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## **RECOMMENDATIONS:**

**The Governance Committee is recommended to consider whether to recommend to the County Council any changes in the size of the Planning Committee and, if so, what size the Committee should be.**

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### **1. Supporting Information**

1.1 At its meeting in May 2021 the Committee agreed to a review being undertaken regarding the number of places on the Planning Committee. In appointing members to committees 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.

### **2. Size of Planning Committees at other authorities**

2.1 As part of the review, officers have considered the size of Planning Committees at other authorities and the results of the research are set out below:

| <b>County Council</b> | <b>Committee Name</b>                             | <b>No. of members</b> | <b>%</b> |
|-----------------------|---|-----------------------|----------|
| Cambridgeshire        | Planning Committee                                | 9 members of 61       | 15%      |
| Cumbria               | Development Control and Regulation Committee      | 17 members of 84      | 20%      |
| Derbyshire            | Planning Committee                                | 10 members of 64      | 16%      |
| East Sussex           | Planning Committee                                | 7 members of 50       | 14%      |
| Essex                 | Development and Regulation Committee              | 12 members of 75      | 16%      |
| Gloucestershire       | Planning Committee                                | 15 members of 53      | 28%      |
| Hampshire             | Regulatory Committee                              | 16 members of 78      | 21%      |
| Hertfordshire         | Growth, Infrastructure and Planning Cabinet Panel | 11 members of 78      | 14%      |
| Kent                  | Regulation Committee                              | 15 members of 81      | 19%      |
| Lancashire            | Development Control Committee                     | 12 members of 84      | 14%      |
| Leicestershire        | Development Control and Regulatory Board          | 11 members of 55      | 20%      |
| Lincolnshire          | Planning and Regulation Committee                 | 15 members of 70      | 21%      |
| Norfolk               | Planning Committee                                | 12 members of 84      | 14%      |
| North Yorkshire       | Planning and Regulatory Functions Committee       | 11 members of 72      | 15%      |
| Nottinghamshire       | Planning and Rights of Way Committee              | 13 members of 66      | 20%      |
| Oxfordshire           | Planning and Regulation Committee                 | 12 members of 63      | 19%      |
| Somerset              | Regulation Committee                              | 8 members of 55       | 15%      |
| Staffordshire         | Planning Committee                                | 15 members of 62      | 24%      |
| Suffolk               | Development and Regulation Committee              | 12 members of 75      | 16%      |
| Surrey                | Planning and Regulatory Committee                 | 11 members of 81      | 14%      |
| Warwickshire          | Planning Regulatory Committee                     | 12 members of 57      | 21%      |
| West Sussex           | Planning and Rights of Way Committee              | 13 members of 70      | 19%      |
| Worcestershire        | Planning and Regulatory Committee                 | 15 members of 57      | 26%      |
| Average - 18%         |   |                       |          |

2.2 As can be seen from the table, ESCC is currently at the lower end but not significantly different from other authorities in terms of the number of councillors on the Planning Committee. It should also be noted that the Committees at each authority will have different terms of reference and it is therefore not possible to make direct like for like comparisons.

### **3. Increasing the Size of the Planning Committee**

3.1 Currently the Planning Committee consists of 7 Councillors and the current allocation of seat is 4 Conservative, 2 Liberal Democrat and 1 Labour as set out in Appendix 1. Increasing the size of the Committee will impact on the allocation of places more generally. In reviewing the size of the Committee options have been produced for a Committee size of 8, 9, 10 and 11 councillors and details of each option are set out in Appendix 2. A summary of the impact of each option on the allocation of seats to Groups is set out below:

### Planning Committee of 8 Members

3.2 As the majority Group have to have a majority on all committees the Conservative Group would be allocated the additional place giving that Group 5 places on the Committee. The allocations to other Groups would remain the same.

### Planning Committee of 9 Members

3.3 The Conservative Group would be allocated one additional place on the Planning Committee. The Green Group would be allocated a place on Planning. However, the total allocation of seats to the Green Group would be 6.53 seats and the Liberal Democrat allocation would increase to 17.96 seats. Having regard to the proximity of the nearest whole place, this would mean that the Liberal Democrat Group total allocation of seats on committees would increase from 17 to 18. This would mean that the Green Group allocation would remain at 6 seats and in view of the proposed allocation of a seat on the Planning Committee the Green Group would be required to give up a seat on another Committee.

### Planning Committee of 10 Members

3.4 The Conservative Group would be allocated 2 additional seats on the Committee (making 6 in total). The Green Group would be allocated a seat on the Committee. The total allocation of seats to the Liberal Democrats would increase to 18. The total allocation of seats to the Green Party would remain at 6.

### Planning Committee of 11 Members

3.5 The Conservative Group would be allocated 2 additional seats on the Committee (making 6 in total). The Green Group would be allocated a seat and the Liberal Democrats would be allocated an additional seat on the Committee. Allocations to other Groups and to other Committees would remain unchanged. The number of places on committees allocated to the Conservative Group would increase by 2 to 46, the Liberal Democrat allocation would increase by 1 to 18, the Green Group by 1 to 7 and the other Groups would remain unchanged.

## **4. Conclusion**

4.1 The current allocation of places on committees to groups is attached at Appendix 1 and the proposed allocation of places to groups based on an increase in the size of the Planning Committee is set out in Appendix 2.

4.2 The Committee is asked to consider whether to recommend to the County Council any change in the size of the Planning Committee and, if so, what size of Committee is to be recommended.

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Local Member: All

Background Documents: None

## Appendix 1

### Current Allocation

| <b>Group</b>                      | <b>Number of Councillors</b> | <b>%</b>    | <b>Number of seats</b> |
|-----------------------------------|------------------------------|-------------|------------------------|
| <b>Conservative</b>               | <b>27</b>                    | <b>55</b>   | <b>44</b>              |
| <b>Liberal Democrat</b>           | <b>11</b>                    | <b>23</b>   | <b>17</b>              |
| <b>Labour</b>                     | <b>5</b>                     | <b>10</b>   | <b>8</b>               |
| <b>Green</b>                      | <b>4</b>                     | <b>8</b>    | <b>6</b>               |
| <b>Independent Democrat Group</b> | <b>2</b>                     | <b>4</b>    | <b>3</b>               |
| <b>Independent</b>                | <b>1</b>                     | <b>0</b>    | <b>0</b>               |
|                                   |                              |             |                        |
| <b>Total</b>                      | <b>50</b>                    | <b>100%</b> | <b>78</b>              |

## Appendix 2

### Allocation Based on Planning Committee of 8 Councillors

| <b>Group</b>                      | <b>Number of Councillors</b> | <b>%</b>    | <b>Number of seats</b> |
|-----------------------------------|------------------------------|-------------|------------------------|
| <b>Conservative</b>               | <b>27</b>                    | <b>55</b>   | <b>45</b>              |
| <b>Liberal Democrat</b>           | <b>11</b>                    | <b>23</b>   | <b>17</b>              |
| <b>Labour</b>                     | <b>5</b>                     | <b>10</b>   | <b>8</b>               |
| <b>Green</b>                      | <b>4</b>                     | <b>8</b>    | <b>6</b>               |
| <b>Independent Democrat Group</b> | <b>2</b>                     | <b>4</b>    | <b>3</b>               |
| <b>Independent</b>                | <b>1</b>                     | <b>0</b>    | <b>0</b>               |
|                                   |                              |             |                        |
| <b>Total</b>                      | <b>50</b>                    | <b>100%</b> | <b>79</b>              |

### Allocation Based on Planning Committee of 9 Councillors

| <b>Group</b>                      | <b>Number of Councillors</b> | <b>%</b>    | <b>Number of seats</b> |
|-----------------------------------|------------------------------|-------------|------------------------|
| <b>Conservative</b>               | <b>27</b>                    | <b>55</b>   | <b>45</b>              |
| <b>Liberal Democrat</b>           | <b>11</b>                    | <b>23</b>   | <b>18</b>              |
| <b>Labour</b>                     | <b>5</b>                     | <b>10</b>   | <b>8</b>               |
| <b>Green</b>                      | <b>4</b>                     | <b>8</b>    | <b>6</b>               |
| <b>Independent Democrat Group</b> | <b>2</b>                     | <b>4</b>    | <b>3</b>               |
| <b>Independent</b>                | <b>1</b>                     | <b>0</b>    | <b>0</b>               |
|                                   |                              |             |                        |
| <b>Total</b>                      | <b>50</b>                    | <b>100%</b> | <b>80</b>              |

**Allocation Based on Planning Committee of 10 Councillors**

| <b>Group</b>                      | <b>Number of Councillors</b> | <b>%</b>    | <b>Number of seats</b> |
|-----------------------------------|------------------------------|-------------|------------------------|
| <b>Conservative</b>               | <b>27</b>                    | <b>55</b>   | <b>46</b>              |
| <b>Liberal Democrat</b>           | <b>11</b>                    | <b>23</b>   | <b>18</b>              |
| <b>Labour</b>                     | <b>5</b>                     | <b>10</b>   | <b>8</b>               |
| <b>Green</b>                      | <b>4</b>                     | <b>8</b>    | <b>6</b>               |
| <b>Independent Democrat Group</b> | <b>2</b>                     | <b>4</b>    | <b>3</b>               |
| <b>Independent</b>                | <b>1</b>                     | <b>0</b>    | <b>0</b>               |
|                                   |                              |             |                        |
| <b>Total</b>                      | <b>50</b>                    | <b>100%</b> | <b>81</b>              |

**Allocation Based on Planning Committee of 11 Councillors**

| <b>Group</b>                      | <b>Number of Councillors</b> | <b>%</b>    | <b>Number of seats</b> |
|-----------------------------------|------------------------------|-------------|------------------------|
| <b>Conservative</b>               | <b>27</b>                    | <b>55</b>   | <b>46</b>              |
| <b>Liberal Democrat</b>           | <b>11</b>                    | <b>23</b>   | <b>18</b>              |
| <b>Labour</b>                     | <b>5</b>                     | <b>10</b>   | <b>8</b>               |
| <b>Green</b>                      | <b>4</b>                     | <b>8</b>    | <b>7</b>               |
| <b>Independent Democrat Group</b> | <b>2</b>                     | <b>4</b>    | <b>3</b>               |
| <b>Independent</b>                | <b>1</b>                     | <b>0</b>    | <b>0</b>               |
|                                   |                              |             |                        |
| <b>Total</b>                      | <b>50</b>                    | <b>100%</b> | <b>82</b>              |