

# WEST NORTHAMPTONSHIRE COUNCIL ANNUAL MEETING

16 May 2024

## Report by the Monitoring Officer

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**Report Title**                      **Committee Proportionality and Appointment of Members to Committees and other bodies**

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### Contributors/Checkers/Approvers

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### List of Appendices

#### **Appendix A – Appointment of Committee Chairs, Deputy Chairs and Members to Committees (to follow)**

##### **1. Purpose of Report**

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1.1 This report invites Council to constitute and decide on the allocation of places on Committees between the political groups in accordance with the political balance requirements of the Local Government and Housing Act 1989 and to confirm the appointment of Committee Chairs, Deputy Chairs and members. It also invites Council to note the names of the Leaders and Deputy Leaders of the political groups and to note the members of the Cabinet.

##### **2. Executive Summary**

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2.1 It is a requirement of the Constitution that the Council, at its annual meetings:

- a) Approves the allocation of seats to political groups in accordance with the political balance rules; and
- b) Appoints at least one Overview and Scrutiny Committee, a Standards Committee, an Audit Committee and such other committees as required;
- c) Notes the appointments to the role of Deputy Leader and the Cabinet;
- d) Delegates to the Monitoring Officer the power to appoint Councillors to Committees and sub-Committees in accordance with the wishes of the Group Leaders except where appointments to those bodies is exercisable only by the Cabinet.

### **3. Recommendations**

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3.1 It is recommended that Council:

- a) Receives the names of the Leaders and Deputy Leaders of the political groups as set out at Appendix A.
- b) Notes the members of the Cabinet set out at Appendix A.
- c) Agrees to constitute and decide on the allocation of places on committees between the political groups in accordance with the political balance requirements of the Local Government and Housing Act 1989, as set out in section 5.
- d) Confirms the appointment of Committee Chairs, Deputy Chairs and members to the various Committees and Joint Committees as set out at Appendix A.
- e) Delegates to the Monitoring Officer the power to appoint Councillors and substitute Councillors to Committees and sub-Committees in accordance with the wishes of the Group Leaders except where appointments to those bodies is exercisable only by the Cabinet.

### **4. Reason for Recommendations**

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4.1 Adopting the recommendations set out above is a requirement of the Council's constitution and relevant statute.

### **5. Report Background**

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5.1 In accordance with the provisions set out within the Local Government and Housing Act 1989, the Council is required to allocate seats on committees and sub-committees to political groups to give effect, as far as possible, to the following principles:

- a) not all the seats on the Committee or sub-Committee are allocated to the same political group (if the rules apply to that body);
- b) that the political group having a majority of seats on the Council should have a majority on each Committee and sub-Committee;
- c) that, subject to paragraphs (a) and (b) above, the number of seats on the Council's Committees and sub-Committees allocated to each political group bears the same proportion to the total number of such Committee seats as the number of members of that group bears to the membership of the full Council; and
- d) that, subject to paragraphs (a) to (c) above, seats are allocated on each Committee and sub-Committee in the same ratio as exists on the authority.

This report sets out the allocation of seats which the Monitoring Officer considers would best meet the requirements of the Local Government and Housing Act 1989.

- 5.2 The Council is the only body that can allocate the number of seats on committees to political groups, although the individuals who are to sit on committees can be agreed outside the meeting, subject to recommendation e). A list of the Council's committees is set out at Appendix A to this report (to follow).
- 5.3 The Council may only depart from the principles set out above by passing a resolution with no member voting against. Council will note that the political balance provisions only apply directly to committees and sub-committees and do not apply to the Cabinet, Cabinet sub-Committees, joint Committees that exercised functions of the Cabinet and the Health and Wellbeing Board.
- 5.4 In addition to the requirements of the Local Government and Housing Act 1989, the Council's constitution provides that the Council will also undertake a number of other functions at its annual meeting, including appointing chairs and vice-chairs to Committees and the other functions listed above.
- 5.5 There are a number of committees and other bodies to which the provisions of the Local Government and Housing Act 1989 do not apply.
  - 5.5.1 The Planning Policy Committee is a sub-committee of Cabinet and as such is not a counting committee for the purposes of political balance, although its membership does reflect the balance of the authority as far as possible. The membership is set out in Appendix A.
  - 5.5.2 In accordance with the relevant statutory provisions, appointments to the West Northamptonshire Health and Wellbeing Board are not distributed according to political balance requirements.
  - 5.5.3 The Northamptonshire Police, Fire & Crime Panel (NPF&CP) is a joint Committee between the two Local Authorities (North Northamptonshire Council (NNC) and West Northamptonshire Council (WNC)) in the Northamptonshire Police area and consists of five WNC councillor members, five NNC councillor members and three independent lay co-opted members. The Councillor membership of the Panel when taken together is required, as far as is reasonably practicable, to represent all parts of Northamptonshire; to represent the proportion of councillors from each political party across the county; and to have the skills, knowledge and experience necessary for the NPF&CP to discharge its functions effectively.
  - 5.5.4 Both of the Northamptonshire Councils each appoint three executive members as members of the Shared Services Joint Committee (Between West Northamptonshire and North Northamptonshire). Membership of this joint Committee is solely executive in nature and therefore Cabinet will appoint its members to the Committee. The same provision applies to the Children's Trust Joint Committee.
  - 5.5.5 The Council appoints one member to the PATROL Adjudication Joint Committee.

5.5.6 The Council appoints two members to the Standing Advisory Committee for Religious Education (SACRE). Again, this is not a formal counting committee for the purposes of political balance.

5.6 Excluding the bodies to which political balance requirements do not apply, there are 141 Committee places to allocate. Following recent changes to the political balance of the Council these must be allocated as follows: 93 Conservative, 31 Labour, 10 Liberal Democrat, 6 Independent group and 1 for non-aligned independent councillors. It should be noted that non-aligned independent councillors would have been allocated three seats but have declined to take two of these up, so they have been allocated to the groups with the next largest share of a seat.

5.7 The allocation of seats between the Committees is as follows:

\* both Committees share the same membership.

Committee	Conservative	Labour	Liberal Democrats	Independent Group	Un-grouped Independent	Total
Alcohol & Gambling Licensing Committee*	10	3	1	1	0	15
Taxi & General Licensing Committee*	10	3	1	1	0	15
Strategic Planning Committee	8 (was 9)	3	1	1 (was 0)	0	13
Planning Committee (North)	7 (was 8)	3 (was 2)	1	0	0	11
Planning Committee (South)	8	2	0	1	0	11
ASC & Health Scrutiny Committee	7	2 (was 3)	1 (was 0)	0	1	11
Corporate Scrutiny Committee	7	2	1	1	0	11
Children's Scrutiny Committee	7 (was 8)	3 (was 2)	1	0	0	11
Place Scrutiny Committee	7	2	1	1	0	11
Senior Appointments	5	2	0	0	0	7
Audit and Governance	6	2	1	0	0	9
Democracy and Standards	6	2	1	0	0	9
Pensions Committee	5	2	0	0	0	7
<b>Total</b>	<b>93</b>	<b>31</b>	<b>10</b>	<b>6</b>	<b>1</b>	<b>141</b>

## **6. Issues and Choices**

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6.1 The Council has elected to adopt a structure of Committees and the recommendations set out in this report are necessary to ensure this structure is able to function effectively and lawfully.

## **7. Implications (including financial implications)**

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### **7.1 Resources and Financial**

7.1.1 There are no resources or financial implications arising from the proposals. The overall budget for members' allowances is unchanged by these proposals.

### **7.2 Legal**

7.2.1 There are no legal implications arising from the proposals. The Council is bound to make appointments to committees in accordance with the provisions of the Local Government and Housing Act 1989.

### **7.3 Risk**

7.3.1 There are no significant risks arising from the proposed recommendations in this report.

### **7.4 Consultation**

7.4.1 Political Groups have previously been consulted on Committee membership.

### **7.5 Consideration by Overview and Scrutiny**

7.5.1 None.

### **7.6 Climate Impact**

7.6.1 None.

### **7.7 Community Impact**

7.7.1 None.

### **7.8 Communications**

7.8.1 None.

## **8. Background Papers**

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8.1 None.