

Allerdale Borough Council

Council – 18 May 2022

Committee Memberships 2022-23

Portfolio holder	Councillor M Fitzgerald Portfolio Holder for Policy, Governance and People Resources
Report from	Sharon Sewell, Chief Officer Place & Governance
Wards affected	All wards
Is this a key decision	No

1.0 The reason for the decision

- 1.1 To receive nominations and appoint to the Council's Committees, Tribunals and Panels for 2022-23 and to confirm terms of reference, in line with the provisions of the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990.
- 1.2 A local by-election for Allerdale Borough Council was held on 5 May 2022 to fill a vacancy on St Michaels Ward, following which this report sets out the allocation of seats on Committees and Panels for 2022-23 and the nominations from the political groups to those seats.

2.0 Recommendations

- 2.1 That the allocation of seats set out in paragraph 5.3 of the report be agreed;
- 2.2 That the appointment of Members to the various Committees and Panels of the Council as nominated by Group Leaders and set out in Appendix A be noted;
- 2.3 That the Terms of Reference for Committees, Tribunals and Panels, as set out in Appendix B, be agreed.

3.0 Introduction

- 3.1 On 5 May 2022 a local by-election was held for the St Michaels Workington Ward, Labour candidate Barbara Cannon was successfully elected.

- 3.2 Following a by-election it is necessary for the Council to review the allocation of the seats on Council Committees and Panels so that they comply with the provisions of the Local Government and Housing Act 1989.
- 3.3 Due to the timing of the election and the date for the despatch of reports for the Annual Council Meeting it was not possible for the Group Leaders to consider the group allocations prior to sending the agenda pack to Members.
- 3.4 Members are also requested to consider and approve the Terms of Reference for each Committee, Tribunal and Panel as detailed in Appendix B of the report.

4.0 Content

- 4.1 The Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 make provision in respect of the allocation of places on its committees to political groups represented on the Council.
- 4.2 The legislation applies to committees of the Council and certain other bodies. It does not apply to Executive or working groups set up by the Council for the purposes of briefing members or advising Executive.
- 4.3 Where the legislation applies, it requires that places on committees are, as far as reasonably practicable, allocated to political groups to give effect to the principles set out below, which apply in the following order.
 - a. Not all seats may be allocated to the same political group (i.e. there are no single group committees)
 - b. The majority of seats on a body are allocated to a political group if the group has a majority on the Council. No group has a majority of seats on Allerdale Borough Council so this principle is not applied
 - c. The number of seats on each ordinary committee allocated to a political group bears the same proportion to the total of seats on all committees as is borne by the number of members of the group to the total number of members on the Council.
 - d. Without offending rules (a) and (c), the number of seats on each body to which the rules on political proportionality apply bears the same proportion to the number of all seats on the body as is borne by the number of members of the group to the number of members of the Council.
- 4.4 Appendix A sets out the committees and sub-committees to which the above principles apply and the proposed allocations to each group. The following proportions form the basis of the approach adopted.

5.0 Delivery Arrangements

- 5.1 As the successful candidate was a member of the Labour Group the political make-up of the Council remains as before the vacancy was declared; 16 Allerdale Conservatives, 15 Labour, 13 Allerdale Independents, 2 Moorclose, Westfield and Mossbay Independents, 1 St Michael's Independent and 2 non-aligned Independents.
- 5.2 The Moorclose, Westfield and Mossbay Independent Group, the St Michael's Independent and the two non-aligned Independent members have all previously confirmed they do not wish to hold any committee seats and are therefore not included in the allocation of seats calculations.
- 5.3 Based on the above, and with a total of 66 seats across committees, tribunal and panels, entitlement to seats is as follows:

Political Group	Seats on Council	Entitlement to Seats
Allerdale Conservatives	16	24
Labour	15	23
Allerdale Independents	13	19
Moorclose, Westfield and Mossbay Independents	2	0
St Michael's Independent	1	0
Non-aligned Independent	2	0
Total	49	66

- 5.4 At its annual meeting, the Council must appoint at least one Scrutiny Committee and a Standards Committee. The Council must appoint to any other committees which it considers appropriate to deal with those matters which are not reserved to Council itself or which are not functions of the executive (Executive and officer decisions).
- 5.5 There are a total of 66 seats across the Council's committees as shown:

Committee	Seats
Audit Committee	7
Chief Officer's Employment Panel	5
Development Panel	12
Discretionary Housing Payments Tribunal	3
Licensing Committee	15
Overview and Scrutiny Committee	12
Personnel Tribunal	5
Standards Committee	7
Total	66

5.6 The allocation across each of the committees and panels is as follows:

Committee	Size	Allerdale Conservatives	Labour	Allerdale Independents
Audit Committee	7	3	2	2
Chief Officers Employment Panel	5	2	2	1
Development Panel	12	4	4	4
Discretionary Housing Payments	3	1	1	1
Licensing Committee	15	5	5	5
Overview & Scrutiny Committee	12	4	4	4
Personnel Tribunal	5	2	2	1
Standards Committee	7	3	3	1
Total	66	24	23	19

5.7 Council is therefore requested to note the appointments as detailed in Appendix A and agree the Terms of Reference as detailed in Appendix B.

6.0 Implications and Impact

6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

Clearly defines roles/responsibilities and enhances accountability.

6.2 Finance/Resource implications

Travel / subsistence would be met from existing budget provision.

6.3 Legal and governance implications

Appointments to committees must be made in accordance with the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990.

6.4 Risk analysis

A scored and mitigated risk log

Risk	Consequence	Controls required	Mitigated score
Political membership not fully represented	Inability to hold meetings	Nominations provided by Group Leaders. Provision for substitute members where appropriate	1

- 6.5 **Increasing satisfaction and service**
None directly from this report
- 6.6 **Equality impacts**
The Equality duty has been considered
- 6.7 **Health and Safety impacts**
None directly from this report
- 6.8 **Health, wellbeing and community safety impacts**
None directly from this report
- 6.9 **Environmental/sustainability impacts**
None directly from this report
- 6.10 **Other significant implications**
None

Appendices attached to this report

Appendix number	Title of appendix
A	Nominations from Political Groups
B	Terms of Reference

Background documents available

Name of background document	Where it is available
N/A	

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