



**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**REPORT COVER SHEET**

<b>Title of Report:</b>	Appointment to Committees (Sept 2024)	To be marked with an 'X' by Democratic Services after report has been presented
<b>Meeting of:</b>	Council 23 <sup>rd</sup> September 2024	

<b>Is this an Executive Decision:</b>	NO	<b>Is this a Key Decision:</b>	NO
<b>Is this in the Forward Plan:</b>	NO	<b>Does this report contain Confidential or Exempt Information:</b>	NO



	<b>If the report Contains Confidential Information, please provide reason.</b>	N/A
	<b>If the report contains Exempt Information, please state relevant paragraph from Schedule 12A LGA 1972:</b>	N/A

**Essential Signatories:**

**ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE**

Monitoring Officer: **John Teasdale**

Date ...09/09/2024..... Signature ...approval by email.....

Chief Finance Officer: **Lloyd Haynes**

Date ...09/09/2024..... Signature ...approval by email.....

**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**Report to Council**

**23<sup>rd</sup> September 2024**

**REPORT TITLE:** Appointment to Committees  
**PORTFOLIO:** Leader of the Council  
**HEAD OF SERVICE:** Mark Rizk  
**CONTACT OFFICER:** James Abbott Ext. No. 1244  
**WARD(S) AFFECTED:** None specific

**1. Purpose of the Report**

- 1.1 For the Council to approve the number and allocation of Councillors to serve on Committees, to receive nominations to those committees from the political groups and to appoint to those committees.

**2. Background**

- 2.1. In accordance with provisions set out in Section 15 of the Local Government and Housing Act 1989, the Council is required to review the representation of the different political groups on bodies appointed by the Council as soon as practicable following notification of a change of membership of any political group.
- 2.2. Should the item shown earlier on the agenda for this meeting “Amendment of the Constitution – Part 3Ha, Development Plan Committee” be approved, the Council will be required to review the allocation of Committee seats to the political groups following the change in the number of seats on the Development Plan Committee.

**3. Contribution to Corporate Priorities**

- 3.1. All committees and panels of the Council play an important role in implementing all the Corporate Priorities.

#### 4. **Appointment of Committees**

4.1. Section 15 of the Local Government and Housing Act 1989 sets out the principles to be followed when determining the allocation of seats to political groups. The main principles, which must be satisfied sequentially, include:

(a) That the number of seats on ordinary Committees/Bodies..... which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of the TOTAL number of seats available must mirror the political make-up of the Authority).

(b) That the number of seats on the Body (Committee, etc.), 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 (i.e. the allocation of seats on INDIVIDUAL Committees must mirror the political make-up of the Authority).

4.2. The two political groups have the following political share:

- The Labour Group has a 58.33% share of the seats; this is based on 21 out of 36 seats;
- The Conservative Group has a 38.89% share of the seats, this is based on 14 out of 36 seats:

4.3. There is one seat which does not fall within a group.

#### 5. **Composition of Committees and Panels**

5.1. The total number of Committee seats available is 94. The Council has the following non-executive Committees and Panels, as detailed in the table below, including the associated number of seats available on each Committee / Panel:

<b>Committee / Panel</b>	<b>Total Membership</b>
Appeals Panel	3
Audit (Approval of Statement of Accounts) Committee	8
Audit Committee	8
Chief Officer Standards Committee	5
Complaints Panel	3
Development Plan Committee	8
Licensing Committee	11
Planning Committee	11
Scrutiny (Climate Change and Environment) Committee	8
Scrutiny (Health & Well Being) Committee	8
Scrutiny (Regeneration, Development and Market Hall) Committee	8
Scrutiny (Value for Money Council) Committee	8
Standards Committee	5
<b>Total Committee Seats</b>	<b>94</b>

- 5.2. The entitlement for each political group is calculated based on the political balance shown at section 4.2 of the report and the total number of Committee seats available (91) is indicated in the table shown at section 5.1. The Council also has the discretion to take into account Councillor wishes insofar as it does not breach the rules shown at section 4.1 of the report.
- 5.3. Any residual Committee seat(s) are then allocated to any Councillor(s) who are not part of a group.
- 5.4. The political groups have been allocated their Committee seats, and the residual seats allocated to the Independent Member (ungrouped), following the application of the political balance calculations and appropriate correspondence with Group Leaders as necessary as shown in the table below:

<b>Committee</b>	<b>Labour</b>	<b>Conservative</b>	<b>Ungrouped</b>	<b>Total</b>
Licensing Committee*	6	4	1*	<b>11</b>
Planning Committee*	6	4	1*	<b>11</b>
Audit (Statement of Accounts) Committee	5	3	-	<b>8</b>
Audit Committee	5	3	-	<b>8</b>
Scrutiny (Climate Change and Environment) Committee	5	3	-	<b>8</b>
Scrutiny (Health and Well Being) Committee	5	3	-	<b>8</b>
Scrutiny (Regeneration, Development and Market Hall) Committee	5	3	-	<b>8</b>
Scrutiny (Value for Money Council) Committee	5	3	-	<b>8</b>
Development Plan Committee	5	3	-	<b>8</b>
Chief Officer Standards Committee	3	2	-	<b>5</b>
Standards Committee	3	2	-	<b>5</b>
Appeals Panel	2	1	-	<b>3</b>
Complaints Panel	2	1	-	<b>3</b>
<b>Total</b>	<b>57</b>	<b>35</b>	<b>2</b>	<b>94</b>

\*Residual seats allocated to ungrouped Member.

- 5.5. N.B. the application of the political balance calculations based on the current membership has resulted in no change to the allocation of seats.

- 5.6. The Council is asked to approve the number and allocation of Councillors to serve on the Committees and Panels, to receive nominations to those Committees and Panels from the political groups and to appoint those Committees and Panels. Further detail on the nominations is included in Appendix 1.

## **6. Financial Considerations**

*This section has been approved by the following member of the Financial Management Unit: [Lloyd Haynes]*

- 6.1. There are no financial issues arising from this Report

## **7. Risk Assessment and Management**

- 7.1. The main risks to this Report and the Council achieving its objectives are as follows:

### **7.2. Positive (Opportunities/Benefits):**

7.2.1. The Council will have an adequate number of Members involved in matters which are appropriate for them to consider.

7.2.2. The Members of the Committee will be validly appointed.

### **7.3. Negative (Threats):**

7.3.1. If insufficient Members are appointed, or appointments are not made lawfully, this may have an impact on the ability of the Council to conduct its business.

- 7.4. The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

## **8. Legal Considerations**

*This section has been approved by the following member of the Legal Team: [John Teasdale]*

- 8.1. The main legal issues arising from this Report are as follows.

8.1.1. The proposals set out above comply with the requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

8.1.2. Failure to apply the legislative requirements of political proportionality could mean a committee or body being unlawfully constituted. This would mean any decision taken by that committee could be seen as unlawful and open to challenge.

## **9. Equalities and Health**

- 9.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.
- 9.2. **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed. An equality and health impact assessment is not required.

## **10. Data Protection Implications – Data Protection Impact Assessment (DPIA)**

- 10.1. A DPIA must be completed where there are plans to:
- use systematic and extensive profiling with significant effects;
  - process special category or criminal offence data on a large scale; or
  - systematically monitor publicly accessible places on a large scale
  - use new technologies;
  - use profiling or special category data to decide on access to services;
  - profile individuals on a large scale;
  - process biometric data;
  - process genetic data;
  - match data or combine datasets from different sources;
  - collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing');
  - track individuals' location or behaviour;
  - profile children or target marketing or online services at them; or
  - process data that might endanger the individual's physical health or safety in the event of a security breach
- 10.2 Following consideration of the above, there are no Data Protection implications arising from this report which would require a DPIA.

## **11. Human Rights**

- 11.1. There are no Human Rights issues arising from this Report.

## **12. Sustainability (including climate change and change adaptation measures)**

- 12.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) **N/A**

## **13. Recommendation(s)**

- 13.1. That the Council agree to the number and allocation of Councillors serving on each Committee and Panel as set out in Paragraph 5.4 of this report.

13.2. That, subject to Recommendation 13.1, the Council approve the appointment of Councillors to serve on each Committee and Panel, including appointing the ungrouped Independent Member to the residual seats on Planning Committee and the Licensing Committee.

**14. Background Papers**

14.1. None

**15. Appendices**

Appendix 1: Members Nominated to Serve on Committees and Panels (Sept 2024) (to follow)