



## SHEFFIELD CITY COUNCIL Report to Council

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**Report of:** Interim General Counsel (and Monitoring Officer)

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**Date:** 17<sup>th</sup> May 2023

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**Subject:** Establishment of Council Committees in 2023/24 and Appointment of Members to Serve on those Committees

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**Author of Report:** Jason Dietsch, Head of Democratic Services

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### **Purpose of Report:**

This report outlines the requirements set out in the Local Government and Housing Act 1989 to allocate seats on Council Committees to political groups on a politically proportionate basis. The report asks Council to establish, and approve the terms of reference of, its committees for the municipal year 2023/24; to agree the size of the committees and the proportionate allocation of committee seats; and to appoint named Members to serve on those committees to reflect the wishes of each of the political groups. Alternative arrangements which depart entirely from political proportionality could only be put in place provided the Council votes for this without any Member voting against.

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### **Recommendations**

That the Council:-

- (a) notes the information set out in the report;
- (b) agrees that the terms of reference of the Council's Committees for 2023/24, be as currently set out in the Council's Constitution, but with the incorporation of the changes outlined in paragraphs 3.1.6 and 3.2.1 of this report (relating to the Policy Committees and to the Governance Committee, respectively), and authorises the Monitoring Officer to amend the Constitution accordingly;
- (c) agrees:-

- (i) the sizes of individual committees to be subject to proportional balance and the proportional allocation of seats, as set out in the schedule to be circulated at or before the meeting; and
  - (iii) the appointment of Members to committees to reflect the wishes of the political groups, in accordance with the schedule to be circulated at or before the meeting and including substitutes where appropriate;
  - (d) agrees to continue to disapply proportionality to the Senior Officer Employment Sub-Committees and the Appeals and Collective Disputes Sub-Committees (for the reasons set out in paragraph 3.2.3 of the report); and
  - (e) notes that in the event of any changes to the political composition of the Council occurring during the course of the municipal year, political proportionality will be reviewed by the Council as soon as practicable thereafter.
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**Background Papers:**

1. Constitution of Sheffield City Council.
  2. Six-Month Review of Governance Arrangements – Report submitted to the Governance Committee on 6<sup>th</sup> April 2023.
  3. Committee System Structure – Report submitted to the extraordinary meeting of the Council on 23<sup>rd</sup> March 2022.
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**Category of Report:** OPEN

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## Statutory and Council Policy Checklist

<b>Financial &amp; Commercial implications</b>
YES – Cleared by Matthew Ardern
<b>Legal implications</b>
YES – Cleared by Andrea Simpson
<b>Equality of Opportunity implications</b>
NO
<b>Climate impact</b>
NO
<b>Tackling Health Inequalities implications</b>
NO
<b>Human Rights implications</b>
NO
<b>Economic impact</b>
NO
<b>Community Safety implications</b>
NO
<b>Human Resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
NONE
<b>Is the item a matter which is reserved for approval by the City Council?</b>
YES
<b>Press release</b>
NO

# **Establishment of Council Committees for the Municipal Year 2023-24 and Appointment of Members to Serve on those Committees**

## **1. INTRODUCTION**

- 1.1 This report outlines the requirements set out in the Local Government and Housing Act 1989 to allocate seats on Council Committees to political groups on a politically proportionate basis, and provides details of the updated political composition of the Council resulting from the municipal elections held on 4<sup>th</sup> May 2023. The report also sets out the political proportionality framework for 2023/24, based on the committee system of governance for the Council which was operated in the 2022/23 municipal year, but with the Finance Sub-Committee being established as a separate Committee in 2023/24 for the reasons outlined in paragraph 3.1.6 of this report.
- 1.2 Alternative arrangements which depart entirely from political proportionality can be put in place provided the Council votes for this without any Member voting against. In practice, arrangements will never be perfectly politically proportionate, due to the need to appoint whole people to committees. The legislation allows for this within the boundaries of what is 'reasonably practicable' without requiring an unopposed vote.
- 1.3 The report also asks the Council to agree that the existing terms of reference of all Committees/Sub-Committees and other bodies be as specified in the Council's Constitution, but with the incorporation of (a) the changes outlined in paragraphs 3.1.6 and 3.2.1 of this report (relating to the Policy Committees and to the Governance Committee, respectively), which were recommended by the Governance Committee following its six-month review of the operation of the new governance arrangements (there is a separate item of business on the agenda for this annual meeting of the Council relating to that six-month review of the governance arrangements) and (b) the conversion of the standing Finance Sub-Committee into a separate Committee for the reasons also outlined in paragraph 3.1.6 of the report.

## **2. POLITICAL BALANCE**

- 2.1 The political balance requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 apply, with some limited exceptions, to any committees and sub-committees established under the Constitution. The allocation of seats on committees must be in the same proportion as the number of members of the group bears to the membership of the Authority as a whole. The political balance rules do not apply to a statutory Licensing Committee established under the Licensing Act 2003 but do apply to a Licensing Committee discharging other regulatory functions. In addition, the Regulations provide that the political balance rules do not apply to an Area Committee whose voting members are all Members of the Council elected

for the electoral wards within the area of the committee and which discharges functions only in respect of that area.

2.2 The Council has a duty when allocating or reviewing the allocation of seats on committees to give effect, so far as is reasonably practicable, to the following four principles:-

- (i) that not all the seats on the committee are allocated to the same political group;
- (ii) that the majority of the seats on the committee is allocated to a particular political group if the number of persons belonging to that group is a majority of the Authority's membership (no group on Sheffield City Council currently satisfies this criterion);
- (iii) subject to the above two principles, that the total number of seats on the ordinary committees of the Authority are allocated to each political group in the same proportion as the group's membership of the Authority; and
- (iv) subject to the above three principles, the number of seats on each committee are allocated to each political group in the same proportion as the group's membership of the Authority.

2.3 Following the municipal elections held on 4<sup>th</sup> May, 2023, and on the assumption that newly elected Councillors will formally join their respective political groups on the Council, the composition of the Council remains unchanged from the position in 2022/23. The Council continues to have 3 political groups. The Labour Group has 39 Members (which includes 12 Labour and Co-operative Party Members), the Liberal Democrat Group has 29 Members, and the Green Group has 14 Members. There are also two Councillors who are not members of any group on the Council - Councillor Lewis Chinchen, a Conservative Party candidate who was elected in May 2021 in the Stocksbridge and Upper Don Ward, and Councillor Sophie Wilson, representing the Park and Arbourthorne Ward, who serves as an independent Member after having resigned as a member of the Labour Group on 1<sup>st</sup> March 2022. The total number of Members on the Council is 84.

2.4 This means that the percentage allocation is as follows:-

Labour Group	$39 \div 84 \times 100$	=	46.43%
Liberal Democrat Group:	$29 \div 84 \times 100$	=	34.52%
Green Group	$14 \div 84 \times 100$	=	16.67%
Lewis Chinchen	$1 \div 84 \times 100$	=	1.19%
Sophie Wilson	$1 \div 84 \times 100$	=	1.19%

2.5 This is the percentage allocation that has to be applied in order to address the requirements of the third and fourth principles set out in (iii) and (iv) of paragraph 2.2 above.

2.6 In order to address those requirements in the correct priority order, it is necessary to determine the total number of seats to be included in the overall calculation. The percentage allocation set out in paragraph 2.4 is then applied to that total number of seats, resulting in total overall seat allocations being awarded to each political group and to any individual Councillors who are not a member of a group. In relation to the committee system of governance for the Council which was operated in the 2022/23 municipal year:-

- The committees included in the overall proportionality calculations were the eight Policy Committees and their three standing Sub-Committees, the two Regulatory Committees (Planning & Highways Committee and the [Regulatory] Licensing Committee), Audit & Standards Committee, Governance Committee, Admissions Committee, Senior Officer Employment Committee and the Appeals and Collective Disputes Committee. Further detail about the functions and sizes of these Committees is set out in section 3 of this report.
- There is no requirement for the Council’s Local Area Committees to be politically balanced, so these are discounted from the calculation.
- The Urgency Sub-Committees in the committee structure (one for each of the Policy Committees) are convened as-and-when required to meet. These were established on a politically proportionate basis, but were not considered in the overall proportionality calculations (see paragraph 3.1.4 below, for further details).

2.7 In relation to the fourth principle (the number of seats on each committee are allocated to each political group in the same proportion as the group’s membership of the Authority), for each individual committee, the number of seats on the committee are initially allocated in the same proportion as the group’s representation on the Council. For example, on a committee with 13 seats available for allocation this would be calculated as follows:-

Divide the number of seats available on the committee between the groups in the same proportion as the number of seats a group has on the Council:-

Labour	$39 \div 84 \times 13 = 6.04$
Liberal Democrat	$29 \div 84 \times 13 = 4.49$
Greens	$14 \div 84 \times 13 = 2.17$
Lewis Chinchin	$1 \div 84 \times 13 = 0.15$
Sophie Wilson	$1 \div 84 \times 13 = 0.15$

This shows that 12 seats are allocated - 6 to the Labour Group, 4 to the Liberal Democrat Group and 2 to the Green Group. 1 seat remains for allocation and is awarded on the highest decimal part claim, i.e. to the Liberal Democrat Group (0.49), giving an overall allocation of 6 : 5 : 2 : 0 : 0 seats (Labour : Liberal Democrat : Green : Chinchin : Wilson), being the total of 13 available for allocation.

- 2.8 The basis of the mathematical calculation on differing sized committees is shown at Appendix 2. Once the initial allocation of seats has been applied to each of the Committees to be included in the overall proportionality calculations, the total number of seats allocated via this process to each political group and to any individual Councillors who are not a member of a group, is calculated. These total initial seat allocations are then compared with the total allocations awarded under the calculation made on the total number of seats (in relation to the third principle), and appropriate adjustments made to the allocations on individual committees to ensure that the third principle is met (i.e. that the total number of seats on the ordinary committees of the Authority are allocated to each political group in the same proportion as the group's membership of the Authority).
- 2.9 One further consideration when determining the sizes of committees and calculation of overall seat allocations to political groups, is that Council Procedure Rule 25.6 specifies that every Member of the Council shall be appointed a member of at least one Policy Committee or Regulatory Committee. The current sizes of the Policy Committees (nine seats) and Regulatory Committees (Licensing Committee and Planning and Highways Committee, with 15 seats and 13 seats, respectively), in 2022/23, do provide sufficient seats to enable each Member of the Council to be appointed to one of those Committees, in accordance with that Rule.

### **3. THE ESTABLISHMENT OF COMMITTEES/SUB-COMMITTEES UNDER THE CONSTITUTION**

#### **3.1 Policy Committees**

- 3.1.1 The new committee system of governance for Sheffield City Council, which was approved at the extraordinary meeting of the Council held on 23<sup>rd</sup> March 2022, and implemented at the annual meeting of the Council on 18<sup>th</sup> May 2022, included the establishment of politically proportionate decision-making committees, organised by themes, called Policy Committees, plus three standing Sub-Committees. The number of seats on Policy Committees is defined by the Council's Constitution as being between 8 and 11, with the actual size of the Committees being determined by full Council at each annual meeting, based on best fit to political proportionality (see paragraph 3.1.10 below).
- 3.1.2 Seven themed Policy Committees, closely aligned to the functions of the Council, were established in 2022/23, each with a committee size of 9 seats. Three standing Sub-Committees (Finance, Charity Trustee and Health Scrutiny) were established with 9 seats, 5 seats and 9 seats, respectively. In addition, a Strategy and Resources Policy Committee was established, chaired by the Leader of the Council, and with its membership including all Policy Committee Chairs and the Chair of the standing Finance Sub-Committee, plus such other Members as necessary to achieve proportionality and to ensure an odd number of Members. This Committee was operated with 11 seats in 2022/23.

- 3.1.3 The powers and responsibilities of the Policy Committees are set out in Article 7 of the Council's Constitution and their terms of reference, and those of their standing Sub-Committees, are set out in Part 3 of the Constitution.
- 3.1.4 In addition, Part 3.3.2 of the Constitution provides for an Urgency Sub-Committee to be established for each Policy Committee, with a quorum of three members (to include the Chair and Deputy Chair), and that all members of the parent committee and their named substitutes (where applicable) may act as substitute members of an Urgency Sub-Committee. A meeting of an Urgency Sub-Committee may be convened to take any urgent decision reserved to the parent Policy Committee – provided that the Monitoring Officer, in consultation with the Chair, has confirmed that the decision could not have been foreseen and to delay taking the decision until the next scheduled meeting of the Policy Committee would seriously prejudice either the Council's or the public's interests. In 2022/23, the Urgency Sub-Committees were established with five seats, with membership based on the proportional seat allocation for a committee of 5 seats. However, as mentioned in paragraph 2.6, the Urgency Sub-Committees were not included in the overall proportionality calculation for the reason that they are only convened on an as and when basis.
- 3.1.5 The Council has resolved not to have an overview and scrutiny committee appointed under section 9JA of the Local Government Act 2000. The Council instead exercises its statutory scrutiny functions through the appropriate Policy Committees, or sub-committees established for the purpose (whose members may, if necessary, include members of other Policy Committees), in accordance with the Terms of Reference set out in Part 3 of the Constitution. In particular:-
- the Health Scrutiny Sub-Committee (of the Adult Health and Social Care Policy Committee) has the responsibility for the review and scrutiny of the planning, provision and operation of local health services, including the power of referral to the Secretary of State for Health and Social Care, under Section 244 of the National Health Service Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013;
  - the Communities, Parks and Leisure Policy Committee is the Council's Crime and Disorder Committee and exercises the functions under Section 19 of the Police and Justice Act 2006; and
  - the Transport, Regeneration and Climate Policy Committee has the responsibility for the review and scrutiny of the exercise by risk management authorities of flood risk management functions under Section 9JB of the Local Government Act 2000.
- 3.1.6 For 2023/24, it is proposed to retain the eight Policy Committees but with the following changes:-
- **convert the standing Finance Sub-Committee into an additional Committee alongside the Policy Committees** - currently, decisions on various Finance and Property matters may



be taken both by the Strategy and Resources Policy Committee and by the Finance Sub-Committee. In practice, the Finance Sub-Committee has been operating as an ordinary committee of the Council in 2022/23 - being the size of a Policy Committee; having most of its Members not drawn from its parent committee (Strategy and Resources Policy Committee); having a Chair that is on Strategy and Resources Policy Committee by virtue of being the Finance Chair; and having its own Urgency Sub-Committee. It is proposed that this is established as a committee in its own right in 2023/24, with responsibility for decision making on the various Finance and Property matters within its remit. Strategy and Resources Policy Committee will be able to take decisions on any matter reserved to the Finance Committee, consistent with its existing power to exercise the functions of any Policy Committee.

- **amend the remit of the Education, Children and Families Policy Committee** - to make it clear that the Committee has oversight of the statutory functions of the Director of Children's Services, to ensure there is robust political accountability via the Chair of that Policy Committee, as designated Lead Member for Children's Services. This proposal was recommended by the Council's Governance Committee following its six-month review of the new governance arrangements.
- **permit substitutes at meetings of the Strategy and Resources Policy Committee** – on the basis that the Committee was largely to comprise a representative (namely the Chair or a Co-Chair) of each of the other Policy Committees, the facility for substitution was not permitted when the Committee was first established in 2022-23. Following its six-month review of the new governance arrangements, the Governance Committee recommended that substitutes should now be permitted and where the committee member is the chair of a Policy or Finance Committee, the substitute member must have sufficient knowledge of their committee's work, and political proportionality must be maintained.
- **several changes to the terms of reference of the Policy Committees** – as recommended by the Governance Committee following its six-month review of the new governance arrangements, and to be approved under a separate item of business on the agenda for this annual meeting of the Council.

3.1.7 Accordingly, it is proposed that the remits and terms of reference of the Policy Committees be re-affirmed and operated for 2023/24 - subject to being amended to account for the changes outlined in paragraph 3.1.6 above - and that the Committees be established with a number of seats as set out in the schedule to be distributed at or before the meeting. The Strategy and Resources Policy Committee is again to comprise the Chairs of the other Policy Committees (plus the new Finance Committee), plus additional members in order to secure proportionality, and will therefore be

established with a number of seats as set out in the schedule to be distributed at or before the annual meeting of the Council.

3.1.8 By virtue of section 101 of the Local Government Act 1972, only committees have the power to appoint their sub-committees. Accordingly, it will be for (a) the Strategy and Resources Policy Committee to establish the standing Charity Trustee Sub-Committee and appoint Members to serve on it and (b) the Adult Health and Social Care Policy Committee to establish the standing Health Scrutiny Sub-Committee (for the sole purpose of exercising statutory health scrutiny functions, as set out in paragraph 3.1.5 above and in Article 7 of the Council’s Constitution) and appoint Members to serve on it. In the case of the Health Scrutiny Sub-Committee, its membership is to comprise councillors from the parent Committee and the Education, Children and Families Policy Committee. Although both of these standing Sub-Committees are to be formally established at the first meeting of their parent committee in 2023/24, they are included in the overall proportionality calculations, and therefore will need to be established with a number of seats as set out in the schedule to be distributed at or before the annual meeting of the Council.

3.1.9 It is also proposed that the Urgency Sub-Committees be again established on a politically proportionate basis, with five seats, in 2023/24, but that they are not considered in the overall proportionality calculations. These Sub-Committees also need to be formally established by their parent committee (by virtue of section 101 of the Local Government Act 1972) and this will be undertaken at the first meeting of each parent Policy Committee in 2023/24.

3.1.10 There are three main considerations when the Council is considering the size of Policy Committees to adopt, out of the 8-11 range previously agreed by Full Council:-

(a) Proportionality

There is no explicit legal requirement for the sizes of committees to be defined by proportionality, however when the current sizes of political groups are applied proportionately to a single policy committee of 8, 9, 10 or 11 seats there is a variance in the degree to which the percentage entitlements set out at paragraph 2.4 fit neatly into whole seats. The lower the variance across all the seat entitlements on the committee, the more ‘fair’ the calculation is. Appendix 2 shows the difference in proportionality available at the level of individual committees at different committee sizes. In summary the total variation from proportionality is as follows:-

Number of seats on Committee	Total variance from perfect proportionality on an individual committee in isolation <i>(lower numbers mean more proportionate)</i>
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8	1.06 seats
9	1.01 seats
10	1.38 seats
11	0.74 seats

A committee of 11 is the fairest in terms of the strict application of proportionality, however an alternative size, if it is able to be agreed by full Council as part of a politically proportionate scheme, is also likely to be acceptable.

(b) Councillor Workload

When undertaking its inquiry during 2021-22 in order to design the new committee system, the Governance Committee heard various representations from witnesses about the importance of making sure that the new system did not add undue extra workload to Councillors who were already extremely busy working at a local level to support and represent their constituents. Concerns were expressed about raising the number of Town Hall meetings which each individual councillor needed to attend, pulling them out of their local wards and potentially making it harder for individuals who are parents, carers or in work to become – or remain – councillors.

Data included in the report on establishment of Council Committees which was submitted to last year’s annual meeting of the Council, suggested that the average number of committee seats per councillor in the new committee system – where the Policy Committees were established with 9 seats – was 3.06, compared with an average of 3.27 seats per councillor in the previous Executive model of governance.

The new committee system of governance has now been reviewed by the Governance Committee (there is a separate item of business on the agenda for this annual meeting of the Council relating to that six-month review). Councillors’ workloads was not raised as an issue of concern during that review, although a focus was given on ways to create capacity in the system for the Policy Committees to undertake more policy development work. The Governance Committee have made no recommendations to change the number or size of the Policy Committees, but have recommended that “*Policy Committees should continue to meet formally 6 times a year, with informal space diarised on the month where no formal meetings take place. This should enable Committees to carry out policy development activities as per their work programmes. This should not add to Member and Officer workloads, but reduce the need for additional, ad hoc briefing sessions and workshops*”.

(c) Political and Practical Expediency

Different Policy Committee sizes lead to different allocations of seats when proportionality is strictly applied to them as individual committees (remembering that this may need to be altered on some committees in order to prioritise the rule about overall allocation in paragraph 2.2 (iii) above). This is illustrated at Appendix 2. The associated variations in balance between groups may be of particular practical significance when the electoral balance on a Council is very close or if there is no overall control.

Because committees conduct their business through the achievement of a majority vote on each decision, it is often considered pragmatic to ensure that committees have odd numbers of seats, however this is not a strict necessity; if a deadlock of votes is reached in any circumstance the chair of the committee will have a casting vote.

## **3.2 Regulatory and Other Council Committees**

3.2.1 The Constitution provides for certain functions to be delegated to Committees, with terms of reference set out in Part 3 of the Constitution. In 2022/23, these Committees (and their membership sizes) were as follows:-

Planning and Highways Committee	(13)
Licensing Committee	(15)
Audit & Standards Committee	( 7)
<i>(comprising 7 Members of the Council, plus a maximum of 3 non-voting co-opted members)</i>	
Governance Committee	(11)
Admissions Committee	( 7)
Senior Officer Employment Committee	(15)
Appeals and Collective Disputes Committee	(15)

It is proposed to retain all these Committees (and their sizes) in 2023/24, but with a change to the terms of reference of the Governance Committee to reflect its future role now that it has completed its six-month review of the new governance arrangements - as recommended by the Governance Committee following that review, and which is to be approved under a separate item of business on the agenda for this annual meeting of the Council.

3.2.2 The Licensing Committee, when meeting as the Statutory Licensing Committee under the Licensing Act 2003, can have a minimum of 10 and no more than 15 members. Whilst technically this Committee is not required to be politically balanced, its membership also meets as the Regulatory Licensing Committee which is required to be politically balanced. It is proposed to retain this Committee with a membership of 15 seats.

The appointment of Licensing Sub-Committees to review cases under Section 10 of the Licensing Act 2003, is a statutory function reserved by

the Act to the Statutory Licensing Committee. Accordingly, it is a matter for the Licensing Committee to appoint these Sub-Committees and the custom and practice has been for any 3 Members of the Committee to be called to hear individual cases. The terms of reference of the Regulatory Licensing Committee provide for its functions to be exercised through a Sub-Committee and it is proposed that the same arrangements, of any 3 Members of the Committee being called to hear individual cases, be applied.

- 3.2.3 The Senior Officer Employment Committee and the Appeals and Collective Disputes Committee, with terms of reference set out in Part 3 of the Constitution, are established as politically proportionate committees of 15 Members. However, built into the terms of reference of both Committees is the facility to establish Sub-Committees to undertake their functions. The custom has been to disapply proportionality to these Sub-Committees and for any 3 Members of the parent Committee to be called to hear individual matters. It is proposed that this approach be continued.

### **3.3 Health and Wellbeing Board**

- 3.3.1 The Council has established, as a statutory committee, a Sheffield Health and Wellbeing Board under the Health and Social Care Act 2012. The membership and powers and responsibilities of the Board are set out in Article 10 of the Constitution and its terms of reference are set out in Part 3 of the Constitution. The political balance rules do not apply to the Board.

- 3.3.2 Its membership includes the chairs of three of the Policy Committees – namely, the Adult Health and Social Care Policy Committee, the Education, Children and Families Policy Committee and the Housing Policy Committee – as the Council’s three Members to be appointed to serve on the Board. It is proposed that existing arrangements for the Board be continued in 2023/24.

### **3.4 Area Committees**

- 3.4.1 Seven Local Area Committees were established in 2021/22, and their membership and powers and responsibilities are set out in Article 11 of the Constitution and their terms of reference are set out in Part 3 of the Constitution. They operate in accordance with Area Committee Procedure Rules set out in Part 4 of the Constitution. The political balance rules do not apply to Area Committees.

- 3.4.2 It is proposed to continue to operate these Local Area Committees, unchanged (for now), in 2023/24. However, one of the recommendations made by the Governance Committee, following its six-month review of the new governance arrangements, was that, as part of ongoing work to develop the role of the Local Area Committees, consideration should be given to devolving decisions and budgets on minor local transport and highways issues to those Committees. Further work will be undertaken on this, and any proposed changes, including to the relevant delegations and

terms of reference, will be the subject of a separate report to a future Council meeting.

#### 4. FINANCIAL IMPLICATIONS

4.1 Under the Council's Members' Allowances Scheme, special responsibility allowances (SRAs) are paid for certain roles, such as being a Chair or Deputy Chair of a Policy or Regulatory Committee. The special responsibilities in respect of which special responsibility allowances are currently payable and the current amounts of those allowances, are set out below.

	<b>£ per annum</b>
<b>Leader</b>	26,010.00
<b>Band A</b> Deputy Leader Policy Committee Chairs Finance Sub-Committee Chair	13,005.00
<b>Band B</b> Leader of Opposition Groups with more than 20% of the membership of the Council	10,404.00
<b>Band C</b> Chair of Planning and Highways Committee Chair of Licensing Committee Chairs of Local Area Committees Chairs of Audit and Standards Committee Chairs of Sub-Committees of Policy Committees ( <i>excepting Finance Sub-Committee</i> )	7,803.00
<b>Band D</b> Deputy Chair of Licensing Committee Deputy Chairs of Local Area Committees Deputy Chairs of Policy Committees/Finance Sub-Committee Deputy Chair of Planning and Highways Committee	5,202.00

(NOTE: The special responsibility allowances set out above were approved at the annual meeting of the Council held on 18<sup>th</sup> May 2022, except for the allowance for Chairs of Sub-Committees of Policy Committees which was approved at the meeting of the Council held on 1<sup>st</sup> March 2023.)

- 4.2 Therefore, any structural or operational changes made in respect of the Council's Committees do have the potential to impact on the SRAs associated with those Committees. The proposal to convert the standing Finance Sub-Committee into an additional Committee alongside the Policy Committees (as outlined in paragraph 3.1.6) will not, however, have a financial impact due to the fact that the Finance Sub-Committee Chair and the Policy Committee Chairs receive the same (Band B) Special Responsibility Allowance. This also applies to the Deputy Chair position, paid at Band D level.
- 4.3 An SRA at Band B level (currently £10,404.00 per annum) is available for the Leader of any Opposition Group with more than 20% of the membership of the Council. In the municipal year 2022/23, an SRA was paid to the Leader of the Liberal Democrat Group, which had 34.52% of the membership of the Council. Following the municipal elections held on 4<sup>th</sup> May 2023, the political composition of the Council remains at 39 : 29 : 14 : 1 : 1 [Labour : Lib Dem : Green : Other (Cons) : Other (Ind), respectively], which equates to a percentage allocation of 46.43% : 34.52% : 16.67% : 1.19% : 1.19%, respectively. This membership size entitles the Leader of the Liberal Democrat Group to retain his/her SRA. This has a cost neutral effect compared to the current position. If an Opposition Group Leader also holds another position which attracts an SRA, as usual only one SRA (whichever is larger) is payable.
- 4.4 The new committee system of governance for the Council, which was introduced in the 2022/23 municipal year, to replace the previous Executive form of governance, was approved at the annual meeting of the Council held on 18<sup>th</sup> May 2022. At the same meeting, the Council also approved its new Members' Allowances Scheme, based on that new committee system of governance, which had been recommended by the Council's Independent Remuneration Panel, and also requested that the Independent Remuneration Panel conduct a further review of the Members' Allowances Scheme in approximately twelve months, when the committee system has been in operation for a period of time. This further review will be undertaken in the early part of the new municipal year and be reported to a future meeting of the Council. The financial implications of any changes that may be recommended to be made to the Scheme will be included as part of that report.
- 4.5 The financial implications of the appointments of Members to positions of Special Responsibility in the municipal year 2023/24, will be outlined at the Council's annual meeting.

## **5. LEGAL IMPLICATIONS**

- 5.1 The legal implications are set out in the body of this report.

## **6. EQUALITY OF OPPORTUNITY IMPLICATIONS**

- 6.1 There are no direct equalities implications associated with the Council establishing its committees for the municipal year ahead. However, it is

worth noting that within the terms of reference of the Council's Policy Committees (set out in Part 3.3 of the Council's Constitution – Matters Delegated to Committees and Sub-Committees), when devising policy, evaluating service delivery and taking decisions, the Committees must consider - public engagement in informing its work; equality, diversity and inclusion implications; and climate and bio-diversity.

## **7. ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 Alternative arrangements which depart entirely from political proportionality could only be put in place provided the Council votes for this without any Member voting against. No such alternative arrangements are being proposed.
- 7.2 The Council could make more substantial changes to the remits, and names, of the Policy Committees, over and above the change (recommended by the Governance Committee and mentioned in paragraph 3.1.6 of this report) to the remit of the Education, Children and Families Policy Committee, relating to the statutory functions of the Director of Children's Services. However, the report of the Governance Committee on its six-month review of the new governance arrangements, states that it is not minded to recommend changes to the current remits at this point, seeing the advantage to letting the Committee System 'bed-in' further. The Governance Committee will take a holistic approach to reviewing Committee remits over 2023/24, taking into account the impact of the review's recommendations, any changes that may develop through the development of Local Area Committees and changes to the Council's management structure.

## **8. REASONS FOR RECOMMENDATIONS**

- 8.1 The Council, by virtue of the requirements set out in the Local Government and Housing Act 1989, is required to allocate seats on Council Committees to political groups on a politically proportionate basis. The recommendations in the report enable the Council to comply with those requirements.

## **9. APPENDICES**

- 9.1 **Appendix 1 – Template for proposed membership of politically proportionate council bodies 2023/24** - to support the creation of schedules to be published at or before the annual meeting showing:-

- Proposed committee seat allocation between groups
- Proposed membership of each committee

(NB agreement of chairs of committees will take place under a separate item on the agenda for the annual meeting. Sub-Committees of Policy Committees will be formally established at the first meetings of the Policy Committees which are to be held at the conclusion of the annual meeting.)



**Appendix 2 – Calculation of proportional seat allocation on committees, by committee size (illustrative).**

David Hollis  
Interim General Counsel (and Monitoring Officer)

**TEMPLATE FOR PROPOSED MEMBERSHIP OF POLITICALLY  
PROPORTIONATE COUNCIL BODIES 2023/24**

**(Schedule of named Councillor appointees to be tabled at the meeting)**

**Policy Committees**

(Committee size to be between 8 and 11 Members [9 seats in 2022/23], except for  
Strategy & Resources Policy Committee [11 seats in 2022/23])

**Strategy and Resources** - *membership includes the Leader  
of the Council, plus the Chairs of the other Policy  
Committees and the Finance Committee, and such other  
Members as are necessary for political proportionality, and to  
ensure an odd number of Members*

**Adult Health and Social Care**

**Communities, Parks and Leisure**

**Education, Children and Families**

**Economic Development and Skills**

**Housing**

**Transport, Regeneration and Climate**

**Waste and Street Scene**

Pool of Policy  
Committee  
Substitutes

**Finance Committee**

(Committee size to be between 8 and 11 Members [9 seats  
in 2022/23 – when it was the Finance Sub-Committee])

Pool of Committee  
Substitutes

**Standing Sub-Committees of Policy Committees** *(to be formally established by  
their parent Committee)*

**Charity Trustee Sub-Committee** *(of the Strategy and  
Resources Policy Committee) [5 seats in 2022/23]*

**Health Scrutiny Sub-Committee** *(of the Adult Health and  
Social Care Policy Committee) – membership to include  
Members from the parent Policy Committee and from the  
Education, Children and Families Policy Committee) [9 seats  
in 2022/23]*

Pool of Sub-  
Committee  
Substitutes (drawn  
from the parent  
Policy  
Committee/s)

**Urgency Sub-Committees of Policy Committees (5 seats each)** *(to be formally established by their parent Committee)*

These Sub-Committees have 5 seats, with membership to include the Chair and Deputy Chair of the parent Committee, plus 3 other Members of the Committee, with the remaining Members of the Committee and their named substitutes being able to act as substitute members of the Urgency Sub-Committee.

**Regulatory and Other Council Committees**

**Planning and Highways Committee (13)**

Pool of Planning  
Committee Substitutes

**Licensing Committee (15)**

**Audit and Standards Committee (7)**

**Governance Committee (11)**

**Admissions Committee (7)**

Pool of Admissions  
Committee Substitutes  
(Drawn from any  
Member of the Council)

**Senior Officer Employment Committee (15)**

**Appeals and Collective Disputes Committee (15)**

**MEMBERSHIP OF NON POLITICALLY PROPORTIONATE  
COUNCIL BODIES 2023/24**

**Local Area Committees (x7) (12 Members per Committee)**

Ward Member appointments based per each Local Area Committee geographical boundary.

**Health and Wellbeing Board**

Comprises 3 Members of the Council (being the Chairs of the Adult Health and Social Care Policy Committee, the Education, Children and Families Policy Committee and the Housing Policy Committee), plus additional membership as set out in its terms of reference in Part 3 of the Council's Constitution.

### **Licensing Sub-Committees**

Pool of 3 Members drawn from the Licensing Committee which is proportionally balanced.

### **Senior Officer Employment Sub-Committees**

Pool of 3 Members drawn from the Senior Officer Employment Committee which is proportionally balanced.

### **Appeals and Collective Disputes Sub-Committees**

Pool of 3 Members drawn from the Appeals and Collective Disputes Committee which is proportionally balanced.

**APPENDIX 2**

**CALCULATION OF PROPORTIONAL SEAT ALLOCATION  
OF COMMITTEES, BY COMMITTEE SIZE**

These hypothetical figures would be subject to the overall allocation of seats across the council (see paragraph 2.2 above) and therefore may legitimately differ from committee to committee once properly applied.

% Share of Council	46.43%	34.52%	16.67%	1.19%	1.19%
Number on Committee	Labour	Liberal Democrat	Green	Other (Cons)	Other (Ind)
3	1.392	1.036	0.500	0.036	0.036
4	1.857	1.381	0.666	0.048	0.048
5	2.321	1.726	0.833	0.060	0.060
6	2.786	2.071	1.000	0.071	0.071
7	3.250	2.416	1.167	0.083	0.083
8	3.714	2.762	1.334	0.095	0.095
9	4.179	3.107	1.500	0.107	0.107
10	4.643	3.452	1.667	0.119	0.119
11	5.107	3.798	1.833	0.131	0.131
12	5.571	4.143	2.000	0.143	0.143
13	6.035	4.488	2.167	0.155	0.155
14	6.500	4.833	2.333	0.167	0.167
15	6.964	5.178	2.500	0.179	0.179
16	7.429	5.524	2.667	0.190	0.190
17	7.893	5.869	2.834	0.202	0.202
18	8.357	6.214	3.001	0.214	0.214
19	8.821	6.560	3.167	0.226	0.226
20	9.286	6.904	3.334	0.238	0.238
21	9.750	7.250	3.500	0.250	0.250
22	10.214	7.595	3.667	0.262	0.262
23	10.678	7.940	3.834	0.274	0.274

	<b>Seats</b>	<b>%</b>
Labour	39	46.43
Lib Dem	29	34.52
Greens	14	16.67
Other	1	1.19
Other	1	1.19
	84	100%

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