

Report To:	ANNUAL COUNCIL
Date:	26 MAY 2022
Heading:	CHANGES TO COMMITTEES, PANELS AND WORKING GROUPS - POLITICAL BALANCE AND COMMITTEE MEMBERSHIP
Portfolio Holder:	
Ward/s:	ALL
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To consider the consequential impact of political proportionality following the time limited Covid-19 Scrutiny Recovery Panel cessation and the Local Plan Working Group being established as the Local Plan Development Panel.

Recommendation(s)

That the Council;

- (a) Approve the cessation of the Covid-19 Recovery Scrutiny Panel
- (b) Approve the Local Plan Working Group becoming a formal Panel and renamed the Local Plan Development Panel.
- (c) To confirm the positions of Chair and Vice-Chair of the Local Plan Development Panel are to receive the same Special Responsibility Allowance as the Scrutiny Panel Chairs and Vice-Chairs (£6,226.42, Chair and £1,764.15, Vice Chair respectively), subject to having consulted with the Independent Remuneration Panel.
- (d) Note the overall allocation of seats by group as detailed in Table A.
- (e) Note the allocation of seats on Committees as detailed in Table B.
- (f) Approve the appropriate membership changes to the Licensing Committee as detailed in Table B.

Reasons for Recommendation(s)

To comply with the provisions of the Local Government & Housing Act 1989, requiring the Council to allocate seats on its Committees in a politically proportional way.

Alternative Options Considered

(with reasons why not adopted)

Maintain the Covid-19 Recovery Panel and its associated Special Responsibility Allowances and make no changes to the Local Plan Working Group. However, in light of current circumstances these options were not deemed appropriate.

No other options were considered with respect to the consequential impact on seats on Committees/Panels as the Council is required to allocate places on its committees in a politically proportional way, in accordance with the Local Government & Housing Act 1989.

Detailed Information

Covid-19 Recovery Scrutiny Panel

The Covid Response and Recovery Scrutiny Panel was established at Council on the 9 July 2020, with the responsibility of reviewing the Council's response to the COVID-19 pandemic and taking an active role in respect of the Council's recovery plans as requested by the Executive or as agreed by the Overview and Scrutiny Committee as part of the Scrutiny Workplan.

After reviewing the current national and global situation regarding Covid-19, Council is now asked to consider the cessation of this Panel. Members of the Panel have played a pivotal role in Ashfield District Council's response to the pandemic over the last two years including engaging local businesses, key community leaders and partner agencies. However now, in accordance with national legislation and the evolving nature of local and global responses to the issues, the role of the Panel is no longer viewed as necessary.

Accordingly, the associated Special Responsibility Allowance for the roles of Chair and Vice Chair will cease.

Local Plan Development Panel

The Local Plan Working Group is not presently a public meeting of the Council. Whilst the group is politically balanced and appointed to by Council, meetings are held in private due to it not being a formal Panel. In recent months, Members from all Political groups, have discussed how the meetings can become more transparent as a result of increasing public interest in the development of the Local Plan.

In considering the establishment of the Local Plan Working Group as a Panel, consultation has been sought from the Council's Independent Remuneration Panel. If approved, the current Local Plan Working Group would become the Local Plan Development Panel.

It is recommended that the Panel be made up of 7 Members who are appointed in accordance with the requirements of political balance (Section 15 of the Local Government and Housing Act 1989).

Council is also asked to approve Special Responsibility Allowances for the roles of Chair and Vice Chair of the Panel, which it is expected will be aligned with those of the existing Scrutiny Panels' SRA's of £6,226.42 (Chair) and £1,764.15 (Vice Chair) respectively, subject to consultation with the Independent Remuneration Panel.

The Local Plan Development Panel's purpose is to inform and advise the Cabinet on any decisions they may have to make in moving forward planning policy. The Panel has no decision making powers.

The Terms of Reference of the Panel are to:

- Oversee the preparation of the Local Plan;
- Oversee the project management of work streams;
- Give elected Member views to the officer working group;
- Provide advice on issues that affect businesses and residents;
- Ensure integration / complementary of the vision, objectives and policies of the Local Plan with other Corporate / Partners' regional plans;
- Advise on other key decisions on matters relating to Local Plan production including: resources, scope of documents, evidence base, identification of alternative development options, content of the local development scheme, sustainability appraisal / appropriate assessment, consultation methods, engagement and relationships with the sub-regional context.
- Provide a forum for discussion of progress; and
- Guide the development of recommendations for further work.

The Panel is politically balanced and comprised of Councillors which may include the Portfolio Holder and the Chairman of the Planning Committee. Appropriate officers also attend to facilitate the work of the Panel.

POLITICAL PROPORTIONALITY

The Council is required by law to ensure that it allocates places on its Committees in a politically proportionate way. It does not apply to the Council's Executive, the Cabinet.

At the start of the year the Council is asked to allocate places on the relevant Committees in a politically proportionate way. There are 76 such places in total. Council is asked to make amendments to these allocations during the course of the year, as required to reflect any changes to its overall political composition.

In order to restore as far as possible political proportionality on the Council (for practical purposes some element of 'rounding up' of the figures is required) the number of places allocated to the Ashfield Independents is to be reduced by 5 seats and the number of seats allocated to the Labour Group and non-aligned is reduced by 1 each respectively.

Councillors that are not members of political groups have no entitlement to an allocation of seats on Committees. Political groups are entitled to their proportion of seats and once their entitlement has been reached, the remaining seats may be filled by Councillors not belonging to a political group.

This current allocation of politically proportional places on the Council are as follows:

Table A – Overall Allocation of Seats

Group	Seats on Council (35)	Allocation of the 76 places subject to political proportionality
Ashfield Independents	28	61
Conservative	3	7
Labour	2	4
Non-Aligned	2	4

Table B – Allocation of Seats on Committees

	Ashfield Independents	Conservative	Labour	Non-Aligned
Planning	7	1	1	0
Licensing	7	1(+1)	0(-1)	1
Standards and Personnel	5	1	0	1
Local Plan Development Panel	7	1	1	0
Overview and Scrutiny	6	1	0	0
Scrutiny Panel A	6	0	1	0
Scrutiny Panel B	6	0	0	1
Chief Officers Employment Committee	6	1	0	0
Charities	5	0	1	1
Audit	6	1	0	0
Total Seats	61	7	4	4

The table above demonstrates total number of seats available on each Committee for each group. It also indicates where the deductions in group seats have been made as a consequence of reducing the overall allocated seats due to the Covid-19 Recovery Scrutiny Panel ending.

Implications

Corporate Plan:

There are no implications in respect of the Corporate Plan

Legal: [RLD 17/05/2022]

The Local Government & Housing Act 1989 requires local authorities to allocate places on its committees in a politically proportional way.

Finance: [PH 17/05/2022]

The cessation of the Covid-19 Recovery Panel gives rise to its associated special responsibility allowances for the Chair and Vice Chair no longer being payable. The Independent Remuneration Panel have been consulted on the establishment of the Local Plan Development Panel and its proposed associated Special Responsibility Allowances.

Budget Area	Implication
General Fund – Revenue Budget	Subject to the cessation of the Covid-19 Recovery Scrutiny Panel and its associated Special Responsibility Allowances and with the consultation feedback of the IRP regarding the Special Responsibility Allowance for the proposed Chair and Vice-Chair of the Local Plan Development Panel (£7,990.57 full year effect), the Proposed Panel is to be funded from the General Fund.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
<p>Should the changes not be made to allocated seats and political proportionality the Council would be contravening the Local Government & Housing Act 1989 (which requires local authorities to allocate places on their committees in a politically proportionate way).</p> <p>The present Local Plan Working Group is not a formal meeting and not open to the public.</p>	<p>Committee Membership and Political Balance be altered accordingly.</p> <p>Establishing the Local Plan Development Panel (currently the Local Plan Working Group) as a recognised Panel enables openness and transparency for the Panel.</p>

Human Resources:

There are no Human Resources implications arising from this report.

Environmental/Sustainability

There are no Environmental / Sustainability implications arising from this report.

Equalities:

There are no Equality implications arising from this report.

Other Implications:

(if applicable)

None

Reason(s) for Urgency

(if applicable)

None

Reason(s) for Exemption

(if applicable)

None

Background Papers

(if applicable)

None

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