



Report to Executive

Date: 21 April 2020

Title: Committee Appointments

This report will be taken under 'general exception'.

Relevant councillor(s): Martin Tett

Author and/or contact officer: Sarah Ashmead, Deputy Chief Executive


Ward(s) affected: All

Recommendations: That the Executive of Buckinghamshire Council: -

1. note the Regulations set out in Appendix 1;
2. Subject to these Regulations coming into force:
 - a. note the proportionality arrangements as set out at Appendix 2;
 - b. agree that, following discussion with the Group Leaders, the Executive should receive a further report at its next meeting to designate appointments to Council committees, and then confirm these on 11 May 2020;
 - c. note that the two Deputy Leaders on the Executive will be Cllr Katrina Wood and Cllr Angela Macpherson;
3. agree to delegate to the Monitoring Officer powers to vary the membership of a Committee at any point on a permanent or casual basis upon the written nomination of a Group Leader.

Reason for decision: The Government has laid regulations which make provisions for the governance of Buckinghamshire Council, following the postponement of the local elections on 7 May 2020. The regulations include provision for the Executive to make appointments to various committees established under the Council's constitution.

Background

- 1.1 This report seeks approval to the proportionality arrangements for committees of Buckinghamshire Council established in the constitution, and sets out next steps in appointing members to individual committees.
 - 1.2 In April 2019, the Buckinghamshire Structural Changes Order made provision for the establishment of the Shadow Authority and the Shadow Executive to implement the new unitary council in Buckinghamshire. The Order provided that, following the establishment of the unitary council on 1 April and the abolition of the predecessor councils, councillors would continue as members of the shadow authority until the elections in May 2020.
 - 1.3 Due to the emergency measures introduced following the outbreak of coronavirus, the local elections have been postponed until May 2021 and the legal requirement to have an Annual Meeting has been removed. The Government have laid the Local Government (Coronavirus)(Structural Changes)(Consequential Amendments)(England) Regulations 2020 to amend the Structural Changes Order and make provisions for the governance of the Council until the 2021 elections. A copy of the Regulations is attached at Appendix 1. As far as possible, the Regulations seek to support continuity, particularly during the current emergency situation, whilst also enabling the Council to introduce the arrangements set out in the Constitution agreed by the Shadow Authority on 27 February 2020.
 - 1.4 Key provisions within the Regulations to apply from 11 May 2020 until the May 2021 elections include:
 - members of Buckinghamshire Council (having been members of the shadow authority) continue to be the members of that council until May 2021;
 - members of the shadow executive continue to be members of the executive of Buckinghamshire Council until May 2021;
 - a quorum of 20 members for meetings of full Council will apply until May 2021;
 - the requirement to appoint substitutes to the Executive ceases to apply;
 - the leader of the executive is the person who is leader of the shadow executive immediately before the end of the shadow period
 - The executive is to have two deputy leaders who are to be (a) the person who is the deputy leader of the executive immediately before the end of the shadow period; and (b) one other person appointed by the leader at the first meeting of the executive from among the members of the executive.
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- 1.5 In addition, the Regulations provide that the Executive is responsible for making appointments to the following committees established in the constitution:
- Strategic Planning Committee and the Area Planning Committees
 - Licensing Committee
 - the Health and Wellbeing Board
 - the Pensions Committee
 - the Senior Appointments and Pay Committee
 - the Standards and General Purposes Committee
 - the Audit and Governance Committee
- 1.6 The appointment of members to the overview and scrutiny committees (within the Constitution called the Select Committees) is to be exercised by the head of paid service of the authority, following consultation with the leader of each political group.
- 1.7 The function of appointment of an independent person (codes of conduct) is to be exercised by the Chairman of the authority's Audit and Governance Committee, following consultation with the head of paid service.
- 1.8 The Regulations were laid before Parliament on 16 April 2020, will come into force on 8 May 2020 with the above provisions being applicable from 11 May 2020.

Content of report

Political Proportionality

- 1.9 The distribution of seats on Committees is governed by Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, which require the allocation to accord with the rules on proportionality. The Regulations state that seats on Committees must be allocated to each political group in the same proportion to the number of seats held by each of those groups on the Council (rules of aggregation as well as being in the correct proportions on each Committee individually, in so far as this may be practicable).
- 1.10 The political balance of the Council is currently 152 Conservatives, 18 Liberal Democrats, 9 Labour, 6 Independents, 4 Wycombe Independents, 2 Independent Conservatives, 2 Denham Conservatives, 1 Beaconsfield Conservative, 1 Buckinghamshire Residents Association, 1 Green and 1 Taplow Conservative. There

are 3 political groups comprising 152 (The Conservative Group), 28 (The Alliance Group) and 9 (Labour) Members. There are 8 ungrouped members and 5 vacant seats with effect from 30 April. Following the agreement of all political groups the final allocations proposed are listed below (Appendix 2 sets out the background calculations).

1.11 The allocation of total seats in line with political proportionality is as set out in Table 1 below.

Table 1 – Total Seats

Political Group	Seats on Council	% of whole	Seats actual	Seats rounded
Conservative	152	77.2%	165.89	166
Alliance	28	14.2%	30.56	31
Labour	9	4.6%	9.82	10
Ungrouped	8			8
Total	197	100%	215	215

1.12 The allocation of seats to committees in line with political proportionality is as set out in Table 2 and 3 below.

Table 2: Final allocations of Seats (figures in brackets indicate where adjustments have been made)

Committee	Size	Conservative	Alliance	Labour	Remainder
Pension Fund	7	5	1	0	1
Senior Appointments	7	5	1	0	1
Strategic Sites	12	9	2	0 (1)	1 (0)
Audit & Governance	12	9	2	1	0
Standards	14	11	2	0 (1)	1 (0)
Licensing	15	12	2	0 (1)	1 (0)
Area Planning North	12	9	2	1	0
Area Planning East	12	9	2	0 (1)	1 (0)

Area Planning West	12	9	2	1	0
Area Planning Central	12	9	2	1	0
Area Planning South	10	8	1	0	1
Select Committee – Health & Adult Social Care	15	12	2	1	0
Select Committee - Children & Education	15	12	2	1	0
Select Committee - Transport, Environment & Climate Change	15	12	2	1	0
Select Committee – Communities & Localism	15	12	2	1	0
Select Committee - Growth, Infrastructure & Housing	15	12	2	1	0
Select Committee – Finance & Resources	15	11 (12)	2	1	1 (0)
Total	215	166 (167)	31	10 (14)	8 (3)

Table 3: Fire Authority Seats

Committee	Size	Conservative	Alliance	Labour	Remainder
Fire Authority	11	8	2	1	0

Appointments

1.13 Discussions are currently taking place with Group Leaders about the proposed appointments to committees. It is proposed that a further report is brought to Cabinet later this month seeking agreement to designate members to individual committees. These appointments will then be confirmed on 11 May 2020 once the regulations come into force. By designating individuals to committees in advance, members can receive appropriate training and new committees can begin operating as soon as possible after 11 May 2020.

1.14 In the case of Community Boards, all Buckinghamshire Council councillors from the respective area are members of the Boards. Details of Board membership is included on the Council's website.

1.15 In the case of the High Wycombe Town Committee, membership consists of those councillors representing the following wards: Abbey; Booker, Cressex and Castlefield; Downley; Ryemead and Micklefield; Terriers and Amersham Hill; Totteridge and Bowerdean; Tylers Green and Loudwater; West Wycombe

Legal and financial implications

1.16 The legal implications are as detailed within the body of the report and will allow more effective preparations for governance and decision making to take place. Under the Regulations the appointments are an executive function and the designate appointments can therefore be confirmed on 11 May 2020.

Consultation and communication

1.17 Consultation on the proposed appointments is currently taking place with the Group Leaders, and with ungrouped members.

Next steps and review

1.16 A further report to designate members to committees will be presented to the next meeting of Cabinet. Once the Regulations come into force, members will be notified that the designated appointments are confirmed. Dates for committee meetings are set out in the calendar of meetings on the Council's website.

Background papers

The Buckinghamshire (Structural Changes) Order 2019

<https://www.legislation.gov.uk/ukdsi/2019/9780111183717>

Your questions and views (for key decisions)

If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email democracy@buckinghamshire.gov.uk

Table 4 – Committee size & model allocation of seats by Group

Size	Conservative	Alliance	Labour	Remainder
3	2	0	0	1
4	3	1	0	0
5	4	1	0	0
6	5	1	0	0
7	5	1	0	1
8	6	1	0	1
9	7	1	0	1
10	8	1	0	1
11	8	2	1	0
12	9	2	1	0
13	10	2	1	0
14	11	2	1	0
15	12	2	1	0
16	12	2	1	1

Table 5 – Initial calculations before adjustments

Committees	No	Conservative		Labour		Alliance		Total grouped	
		Strict	Rounded	Strict	Rounded	Strict	Rounded	Rounded	Remainder
Pension Fund	7	5.401	5	0.320	0	0.995	1	6	1
Senior Appointments	7	5.401	5	0.320	0	0.995	1	6	1
Strategic Sites	12	9.259	9	0.548	1	1.706	2	12	0
Audit & Governance	12	9.259	9	0.548	1	1.706	2	12	0
Standards	14	10.802	11	0.640	1	1.990	2	14	0
Licensing	15	11.574	12	0.685	1	2.132	2	15	0
Area Planning North	12	9.259	9	0.548	1	1.706	2	12	0
Area Planning East	12	9.259	9	0.548	1	1.706	2	12	0
Area Planning West	12	9.259	9	0.548	1	1.706	2	12	0
Area Planning Central	12	9.259	9	0.548	1	1.706	2	12	0
Area Planning South	10	7.716	8	0.457	0	1.421	1	9	1
Select Committee – Health & Adult Social Care	15	11.574	12	0.685	1	2.132	2	15	0
Select Committee - Children & Education	15	11.574	12	0.685	1	2.132	2	15	0
Select Committee - Transport, Environment & Climate Change	15	11.574	12	0.685	1	2.132	2	15	0
Select Committee – Communities & Localism	15	11.574	12	0.685	1	2.132	2	15	0
Select Committee - Growth, Infrastructure & Housing	15	11.574	12	0.685	1	2.132	2	15	0
Select Committee – Finance & Resources	15	11.574	12	0.685	1	2.132	2	15	0
Aggregate	215	165.888	167	9.822	14	30.558	31	212	3
Adjustment required			-1		-4		0		5