

Full Council

24 May 2022



Report of: Tim O’Gara, Director – Legal and Democratic Services

Title: **Allocation of Committee Seats and Appointment of Members to Serve on Committees**

Ward: Citywide

Recommendation

1. To review and approve the allocation of seats on committees in accordance with the statutory requirements concerning political balance and to approve the appointment of Members (and substitutes) to serve on committees (full recommendations set out at the end of this report).
2. To appoint Chairs to the Committees/Commissions as proposed.

Summary

As per above recommendation.

The significant issues in the report are:

As set out in the main report.



Policy

1. Not applicable

Consultation

2. **Internal**
Party Group Whips
3. **External**
Not applicable

Context

4. See proposal below.

Background / Proposal

5. Under Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) regulations, the Full Council has a duty to review the representation of different political groups at its annual meeting in respect of bodies to which the section applies (for example, the section applies to the Council's ordinary committees and Scrutiny Commissions). The section does not apply to the statutory Licensing Committee or the Health and Wellbeing Board and so the political balance rules are not applied to these. Section 15 of the Act provides that, in performing this duty, the Council has a duty to make only such determinations as give effect **so far as reasonably practicable** to the following principles:
 - a. That not all the seats on the body are allocated to the same political group.
 - b. That the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership.
 - c. Subject to a. and b. above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the authority as is borne by the number of Members of that group to the membership of the authority; and
 - d. Subject to a. to c. above, that the number of seats on the body 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 numbers of that group to the membership of the authority.
6. The current councillor membership of political groups represented on the City Council is set out below and the names of the councillors in each group are set out in Appendix A to this report:

Labour group	24 Members
Green group	24 Members
Conservative group	14 Members
Liberal Democrat group	6 Members
Knowle Community Party	2 Members

7. For the purposes of calculating the entitlement of each political group to seats on committees, it is proposed that the following be included:
- Development Control Committee A
 - Development Control Committee B
 - Overview and Scrutiny Management Board
 - People Scrutiny Commission
 - Growth and Regeneration Scrutiny Commission
 - Communities Scrutiny Commission
 - Resources Scrutiny Commission
 - Public Safety and Protection Committee
 - Public Rights of Way and Greens Committee
 - Audit Committee
 - Human Resources Committee
 - Selection Committee
8. Alternative arrangements for appointments to these committees can be approved provided no Member of the Council votes against.
9. Subject to the Full Council appointing the committees as per agenda item 11, and agreeing the sizes of committees described below, the total number of seats on these committees available is 108.
10. The number of Council Members for each political group expressed as a percentage of the total Councillor membership of political groups on the City Council (70) is as follows:

Labour	24 Members (% of 70) = 34.29 %
Green	24 Members (% of 70) = 34.29 %
Conservative	14 Members (% of 70) = 20 %
Liberal Democrat	6 Members (% of 70) = 8.57 %
Knowle Community Party	2 Members (% of 70) = 2.86%

Following discussion with the Party Group Whips, the following committee sizes are proposed:

	LAB	GREEN	CON	LD	KCP
9 Member Committees:					
Development Control Committee A	3	3	2	1	
Development Control Committee B	3	3	2	1	
Overview and Scrutiny Management Board	3	3	2	1	
People Scrutiny Commission	3	3	2	1	
Growth and Regeneration Scrutiny Commission	3	3	2	1	
Communities Scrutiny Commission	3	3	2		1
Resources Scrutiny Commission	3	3	2		1
Public Safety and Protection Committee	3	3	2		1

Public Rights of Way and Greens Committee	3	3	2	1	
Audit Committee	3	3	2	1	
Human Resources Committee	3	3	2	1	
Selection Committee	2	2	1	1	
TOTAL = 106 seats, breaking down as	35	35	23	10	3
	LAB	GREEN	CON	LD	KCP
The % which this distribution gives each party:	33.02%	33.02%	21.70%	9.43%	2.83%
As compared with the entitlement %	34.29%	34.29%	20%	11.43%	2.86%

11. These totals reflect, as far as is reasonably practicable, the aggregate entitlement of the political groups to committee seats.

Appointments to which political balance do not apply:

12. Licensing Committee:

- The Licensing Committee is established under Section 6 of the Licensing Act 2003 and is a standing committee. Any vacancies must be filled by the Full Council – this task is non-delegable, i.e. only Full Council can decide who will serve on the Committee.
- Members continue to serve on the Committee until they either resign or are removed by the Full Council.
- The appointment of Members is a licensing function and, as such, equalities law applies to it, and the Full Council should fill vacancies having due regard to equalities tests and considerations.
- The Council must have a licensing committee of between 10-15 members. As one of the largest licensing authorities in the country, Bristol has established a 15 Member Committee.
- The list of Members proposed to serve on the committee for 2021-2022 will be confirmed at the annual meeting and published as Appendix B to this report (as a supplement 'to follow').
- The Full Council is asked to enquire if there have been any resignations from the Committee since the date of publication of this report, and having done so, to invite nominations to fill any vacancies. In confirming appointments to the Committee, the Full Council is asked to take full account of equalities duties and considerations, and to note that the political balance rules do not apply.
- Any vacancies that subsequently arise will need to be referred to the next meeting of the Full Council to ensure they are filled promptly, and to ensure that the Council retains the 15 Member Committee it has previously resolved to establish.

13. **Appeals Committee:** The Full Council is asked to determine the membership of the Appeals Committee. It is proposed that, as in previous years, membership of the Appeals Committee should comprise any 3 Members of the Council subject to them having first received the necessary training and not having been involved in the original decision which is the subject of an appeal.

14. **Joint Scrutiny and other bodies:** The following is proposed:

- **Joint Health Scrutiny Committee** (3 members from Bristol, one from each of the largest 3 political groups).

- **Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Partnership** 7 members from Bristol (2 Labour; 2 Green; 2 Conservative; 1 Liberal Democrat).
- **West of England Combined Authority Overview and Scrutiny Committee (“The WECA Overview and Scrutiny Committee”)**; 6 members from Bristol (2 Labour; 1 Green; 2 Conservative; 1 Liberal Democrat)
- **Joint Overview and Scrutiny Arrangement** comprising of the Constituent Councils of the West of England Combined Authority, the Mayor and North Somerset Council (“The Joint Overview and Scrutiny Arrangement”) 6 members from Bristol (2 Labour; 1 Green; 2 Conservative; 1 Liberal Democrat)
- **West of England Combined Authority Audit**; 6 members from Bristol (2 Labour; 1 Green; 2 Conservative; 1 Liberal Democrat)

- 15. Health and Wellbeing Board:** The membership of the Health and Wellbeing Board is prescribed in section 194 of the 2012 Act, as follows:
- a. At least one councillor from the authority nominated by the elected Mayor. The elected Mayor may themselves be a member of the board instead of or in addition to the person(s) they nominate.
 - b. The director of adult social services for the local authority.
 - c. The director of children’s services for the local authority.
 - d. The director of public health for the local authority.
 - e. A representative of the local Healthwatch organisation for the area of the local authority.
 - f. A representative of each relevant clinical commissioning group.
 - g. Such other persons, or representatives of such other persons, as the local authority thinks appropriate.

Chair Allocation

- 16.** Full Council has the option to appoint Chairs and Vice Chairs to committees/Commissions. These are listed at Appendix B (‘to follow’ as a supplement).

Substitutes

- 17.** In addition to deciding the allocation of seats to political groups, the Full Council is also required to decide substitution arrangements.

Other Options Considered

Not applicable.

Risk Assessment

Not applicable.

Public Sector Equality Duties

Not applicable.

Legal and Resource Implications

Legal

As indicated in the report, in determining the allocation of committee seats and the appointment of Members to serve on Committees, the Full Council must comply with the requirements of Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) regulations.

(Legal advice provided by Tim O’Gara, Director – Legal and Democratic Services)

Financial

(a) Revenue

Not applicable.

(b) Capital

Not applicable.

Land

Not applicable.

Personnel

Not applicable.

RECOMMENDATION:

Full Council is recommended to:

- 1. Approve the allocation of committee seats as set out above.**
- 2. Enquire if there have been any resignations from the Licensing Committee since the date of publication of this report and having done so invite nominations to fill all of the vacancies on the Committee. In confirming appointments to the Committee, the Full Council is asked to take full account of equalities duties and considerations, and to note that the political balance rules do not apply.**
- 3. Agree that all Members of Council be appointed to serve on an Appeals Committee comprising of any 3 Members of Council, subject to them having first received the necessary training and not having been involved in the original decision which is the subject of an appeal.**
- 4. Agree that the Council be represented (as per paragraph 14) on the following joint bodies:**
 - Joint Health Scrutiny Committee**

- **Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Partnership**
 - **West of England Combined Authority Overview and Scrutiny Committee**
 - **Joint Overview and Scrutiny Arrangement comprising of the Constituent Councils of the West of England Combined Authority, the Mayor and North Somerset Council (“The Joint Overview and Scrutiny Arrangement”)**
 - **West of England Combined Authority Audit**
5. **To note the position in relation to the membership of the Health and Wellbeing Board as per paragraph 15 of the report.**
6. **To agree that named members will be provided for the Committee memberships by the party group Whips (to be sent to the Monitoring Officer). If named substitutes are not also provided, then any Councillor of the relevant group may attend a meeting as a substitute, other than in the case of:**
- **a Development Control Committee, where the substitute must be a member of another Development Control Committee (and be appropriately trained).**
 - **any scrutiny commission, where the substitute may not be a member of the executive.**

Appendices:

Appendix A – Councillor membership of political groups

Appendix B – Chair Allocations for Committee/Commissions **(to follow)**

Appendix C – Licensing Committee Membership **(to follow)**

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None

Councillor membership of political groups

Labour Group (24)

Councillor Don Alexander

Councillor Amal Ahmed Ali

Councillor Kerry Bailes

Councillor Nicola Beech

Councillor Marley Bennett

Councillor Mark Bradshaw

Councillor Fabian Breckels

Councillor Craig Cheney

Councillor Amirah Cole

Councillor Asher Craig

Councillor Kye Dudd

Councillor Paul Goggin

Councillor Zoe Goodman

Councillor Helen Holland

Councillor Katja Hornchen

Councillor Philippa Hulme

Councillor Farah Hussain

Councillor Christopher Jackson

Councillor Hibaq Jama

Councillor Ellie King

Councillor Brenda Massey

Councillor Steve Pearce

Councillor Thomas Renhard

Councillor Timothy Rippington

Green Group (24)

Councillor Jenny Bartle
Councillor Carla Denyer
Councillor Tony Dyer
Councillor Emma Edwards
Councillor Jude English
Councillor Lily Fitzgibbon
Councillor Tessa Fitzjohn
Councillor Martin Fodor
Councillor Lorraine Francis
Councillor Katy Grant
Councillor Fi Hance
Councillor Tom Hathway
Councillor Heather Mack
Councillor Mohamed Makawi
Councillor Yassin Mohamud
Councillor Paula O'Rourke
Councillor Barry Parsons
Councillor Ed Plowden
Councillor Guy Poultney
Councillor Ani Stafford-Townsend
Councillor Lisa Stone
Councillor Christine Townsend
Councillor David Wilcox
Councillor Tim Wye

Conservative Group (14)

Councillor Lesley Alexander
Councillor Richard Eddy

Councillor John Geater
Councillor Geoff Gollop
Councillor John Goulandris
Councillor Jonathan Hucker
Councillor Henry Michallat
Councillor Graham Morris
Councillor Kevin Quartley
Councillor James Scott
Councillor Sharon Scott
Councillor Steve Smith
Councillor Mark Weston
Councillor Chris Windows

Liberal Democrat Group (6)

Councillor Andrew Brown
Councillor Jos Clark
Councillor Sarah Classick
Councillor Alex Hartley
Councillor Tim Kent
Councillor Andrew Varney

Knowle Community Party (2)

Councillor Gary Hopkins
Councillor Chris Davies