


<b>Agenda Item No.:</b>	<b>12</b>	
<b>Committee:</b>	<b>Annual Council</b>	
<b>Date:</b>	<b>20<sup>th</sup> May 2024</b>	
<b>Report Title:</b>	<b>Committee Balance, Political Balance and Allocation of Seats</b>	

## **COVER SHEET**

### **1. Purpose/Summary**

1.1. The purpose of this Report is to agree the committee structures and terms of reference for the forthcoming municipal year as well as confirming the allocation of seats to those committees and also to outside bodies in accordance with political proportionality rules and to receive notification of the appointments to committees.

### **2. Key Issues**

2.1. The Constitution provides under Rule 1, paragraph 1.2 that at the Annual Meeting, Council will:

- 2.1.1. determine which committees and panels should be established for the ensuing municipal year;
- 2.1.2. agree the terms of reference for those committees/panels as outlined in the Constitution;
- 2.1.3. allocate the seats and position of the Chairman and Vice Chairman to Political Groups in accordance with political proportionality rules where appropriate in respect of committees, panels and outside bodies;
- 2.1.4. receive notification and to appoint Councillors to the allocated seats on each committee and panel and to serve as Chairman and Vice-Chairman.

2.2. In accordance with the Local Government and Housing Act 1989, seats are proportionately allocated to political groups (paragraphs 15 and 16) however, it is possible to agree a variation to those arrangements provided that there is no dissenting vote (paragraph 17). Where there is dissent, the strict legal position must be adhered to. Political Groups are allocated seats proportionate to their size.

### 3. Recommendations

It is recommended that Council agrees:

- 3.1. Approves the Committees and Panels set out at Appendix A for the 2024/25 municipal year;
- 3.2. Agrees the terms of reference set out at Part 3 of the Council's Constitution in relation to the committees and panels referred to at paragraph 3.1 above;
- 3.3. Agrees the politically proportionate allocation of seats to Committees and Panels as set out in Appendix B; and
- 3.4. Agrees the allocation of seats and position of Chairman and Vice Chairman also as set out in Appendix B;
- 3.5. Agrees the appointments to seats allocated in accordance with paragraph 3.4 above (Appendix B) including any co-opted or non-members;
- 3.6. Agrees the list of Outside Bodies as set out at Appendix C for 2024/25;
- 3.7. Agrees the politically proportionate allocation of seats to Outside Bodies all as set out in Appendix C;
- 3.8. Notes that the distribution of seats amongst Outside Bodies, to achieve overall political proportionality based on the allocations approved at paragraph 3.7 above and the subsequent appointments to those seats will be discussed between Group Leaders and presented for approval at the next meeting of Cabinet on 17<sup>th</sup> June 2024.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Cllr Chris Boden – Leader of the Council
Report Originator(s)	Carol Pilson – Corporate Director Amy Brown – Assistant Director
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Background Papers	Fenland District Council's Constitution

## **1. BACKGROUND AND INTENDED OUTCOMES**

- 1.1 For each municipal year, Council must agree the Committees and Panels which are to be established together with their terms of reference. On establishing the Committees and Panels, in accordance with the rules relating to Political Proportionality the seats on each committee and panel together with the position of Chairman and Vice Chairman are then allocated to Political Parties. Council also receives notification of the appointments to these Committees and is required to confirm allocations to Outside Bodies based again on political proportionality.

## **2. COMMITTEE STRUCTURE**

- 2.1 The Constitution provides that the Council considers the establishment and terms of reference of committees at its Annual Meeting. This must be determined before seats can be allocated to committees in accordance with the political proportionality rules.
- 2.2 The Committees and Panels of Fenland District Council are as identified in Appendix A and their terms or reference are as set out at Part 3 of the Constitution.

## **3 ALLOCATION OF SEATS**

### **3.1 Political Proportionality**

- 3.1.1 The Constitution provides that the Council's allocation of seats and positions of Chairman and Vice Chairman are subject to political balance arrangements where appropriate.
- 3.1.2 The rules relating to political proportionality in relation to membership of committees are set out in the Local Government and Housing Act 1989 and the supporting regulations.
- 3.1.3 For the purposes of the Act, the Local Government (Committees and Political Groups) Regulations 1990 specify that a political group must consist of two or more members who have signed a declaration to that effect.

3.1.4 Where one or more groups exist the relative proportions of the groups should be used in allocating seats on committees/outside bodies. Any elected members who are not part of a group are not automatically allocated seats on committees unless any remain unallocated after political groups have been given their proportionate allocation. This is the basis upon which the calculations comprised within this report have been made.

## **3.2 Outside Bodies**

3.2.1 Also, in accordance with legislative requirements, local and national convention, allocations to seats on outside bodies are to the majority group where there are 2 or fewer seats available but in all other cases politically proportionate percentages are applied to recognised groups or, where alternative arrangements are agreed, such other nominees as may be appropriate. The list of Outside Bodies and the allocation of seats in is as set out at Appendix C and have again been calculated in accordance with the ordinary provisions of the 1989 Act.

3.2.2 Confirmation of membership to the Outside Bodies will be undertaken at the first meeting of Cabinet on 17<sup>th</sup> June 2023.

## **4 COMMITTEE APPOINTMENTS**

4.1 The Constitution provides that Council agrees the appointments to the seats allocated at paragraph 3.1 above.

4.2 The terms of reference of the Conduct Committee also provide for the appointment of up to 2 co-opted members and Independent Persons.

4.3 The proposed allocations for the forthcoming municipal year are as set out at Appendix B together with the positions of Chairman and Vice Chairman.

## **5 CONSULTATION**

5.1 The proposals set out in the Appendices to this Report will be formulated in consultation with relevant Group Leaders.

## **6 ALTERNATIVE OPTIONS CONSIDERED**

6.1 The proposals set out in this Report reflect legal and constitutional requirements.

## **7 IMPLICATIONS**

### **7.1 Legal Implications**

7.1.1 The proposals set out in this report meet with the Council's legal and constitutional obligations.

### **7.2 Financial Implications**

7.2.1 There are no direct financial implications arising from this report.

## **8 Equality Implications**

8.1.1 There are no specific equality implications associated with these proposals.

## **9 APPENDICES**

9.1.1 Appendix A: Proposed Committees and Panels for 2024/25

9.1.2 Appendix B: Proposed Allocation of and Appointments to seats on Committees and Panels.

9.1.4 Appendix C: Allocation of Seats on Outside Bodies

## **APPENDIX A - PROPOSED COMMITTEES AND PANELS FOR 2024/25**

***NB: The proposals in relation to substitute members have been formulated on the basis of there being up to 4 substitutes per committee for each group save in respect of where that group's substantive allocation is less than 4 in which case the number of substitutes will be commensurate with that number.***

<b>Committee</b>	<b>Allocation of Seats</b>
Overview & Scrutiny Panel	13 substantive seats with 6 substitute members.
Planning Committee	7 substantive seats with each political group able to allocate a number of substitutes commensurate with their substantive allocation up to a maximum of 4.  No more than 2 Cabinet Members.
Licensing Committee (Licensing Act 2003)	13 substantive seats with 6 substitute members.  The same Members to be appointed for the Licensing Act 2003 Committee and the Non Licensing Act 2003 Committee.
Audit & Risk Management Committee	7 substantive seats comprised of:  No more than 2 members of Cabinet and not to include the portfolio holder responsible for finance;  5 substitute members.
Employment Committee	7 substantive seats and 5 substitute members.
Conduct Committee	7 substantive seats and 5 substitute members.  2 members of Town and Parish Councils, an Independent and Deputy Independent Person.
Appointments Panel	7 substantive and 5 substitute members.

**Appendix B – Proposed Allocation of and Appointments to seats on Committees and Panels – 2024/25.**

<b>FENLAND DISTRICT COUNCIL – OVERALL PROPORTIONALITY</b>		
Conservative	<b>35</b>	<b>83.33%</b>
FIA	<b>7</b>	<b>16.66%</b>
Ungrouped	<b>1</b>	<b>N/A</b>

There are 86 committee seats overall which applying the above percentages results in the following allocations:

<b>Conservative</b>	<b>FIA</b>	<b>Ungrouped</b>	<b>Total</b>
<b>Entitlement: 71.66</b>	<b>Entitlement: 14.32</b>	N/A	86
<b>Allocation: 72</b>	<b>Allocation: 14</b>		

Committee/ Panel	Group	No.	Substantive Nominee	Substitute
<b>Overview &amp; Scrutiny</b> 13 substantive 6 substitute	Conservative	10	<b>Maureen Davis (C)</b>	Gary Christy
			<b>Elisabeth Sennitt Cough (VC)</b>	Stuart Harris
			James Carney	Jason Mockett
			Lucie Foice-Beard	David Connor
			Alan Gowler	
			Anne Hay	
			Sidney Imafidon	
			Haq Nawaz	
			Brenda Barber	
			Andrew Woollard	
	FIA	3	Gavin Booth	John Clark
			Dal Roy	Paul Hicks
			<i>Unallocated</i>	<i>Unallocated</i>
Ungrouped	0	N/A	N/A	
<b>Planning Committee</b> 7 substantive 5 substitute	Conservative	6	<b>David Connor (C)</b>	Billy Rackley
			<b>Charlie Marks (VC)</b>	Sam Clark
			Jan French	Mark Purser
			Sidney Imafidon	Peter Murphy
			Ian Benney	
			Cllr Mayor	
	FIA	1	Paul Hicks	Gavin Booth
Ungrouped	0	N/A	N/A	
<b>Licensing Committee</b> 13 substantive 6 substitute	Conservative	11	<b>David Oliver (C)</b>	Brenda Barber
			<b>Michael Humphrey (VC)</b>	Jan French
			James Carney	Dee Laws
			Alan Gowler	Jason Mockett
			Stuart Harris	
			Anne Hay	
			Kay Mayor	
			Nick Meekins	
			Alex Miscandlon	
			Peter Murphy	
			Andrew Woollard	
	FIA	2	Diane Cutler	Gavin Booth
			Paul Hicks	Matthew Summers
Unaligned	0	N/A	N/A	
<b>Audit and Risk Management Committee</b> 7 substantive 5 substitute	Conservative	6	<b>Kim French (C)</b>	Ian Benney
			<b>Jason Mockett (VC)</b>	Lucie Foice-Beard
			Gary Christy	Sue Wallwork
			Steve Tierney	Haq Nawaz
			Stuart Harris	
			<i>Conservative - unallocated</i>	
	FIA	1	Gavin Booth	<b>John Clark</b>
	Unaligned	0	N/A	N/A



<b>Committee/ Panel</b>	<b>Group</b>	<b>No.</b>	<b>Substantive Nominee</b>	<b>Substitute</b>
<b>Employment Committee</b> 7 substantive 5 substitute	Conservative	6	<b>Gary Christy (C)</b>	Lucie Foice-Beard
			<b>Haq Nawaz (VC)</b>	David Connor
			Ian Benney	Anne Hay
			Alan Gowler	Kay Mayor
			Sidney Imafidon	
	FIA	1	John Clark	Gavin Booth
	Unaligned	0	N/A	N/A
<b>Conduct Committee</b> 7 substantive 5 substitute	Conservative	6	<b>Steve Count (C)</b>	Brenda Barber
			<b>Alan Gowler (VC)</b>	David Connor
			Billy Rackley	Maureen Davis
			Mark Purser	Anne Hay
			Tim Taylor	
	Jason Mockett			
	FIA	1	David Patrick	Diane Cutler
	Unaligned	0	N/A	N/A
	Independent and Deputy Independent Person		Stuart Webster	Claire Hawden-Beale
	Town and Parish Members		Martin Field and Jason Ablewhite	
<b>Appointments Panel</b> 7 substantive 5 substitute	Conservative	6	<b>Chris Boden (C)</b>	Ian Benney
			<b>Jan French (VC)</b>	Kim French
			Sam Hoy	David Oliver
			Steve Tierney	Haq Nawaz
			Michael Humphrey	
	Kay Mayor			
FIA	1	Gavin Booth	John Clark	
	Unaligned	0	N/A	N/A
<b>Culture Arts &amp; Heritage Executive Advisory Committee</b> 7 substantive 5 substitute	Conservative	6	<b>Elisabeth Sennett-Clough (C)</b>	Gary Christy
			<b>Sam Hoy (VC)</b>	Stuart Harris
			Steve County	Steve Tierney
			Lucie Foice-Beard	Susan Wallwork
			Mark Purser	
	Haq Nawaz			
	FIA	1	Paul Hicks	Diane Cutler
	Ungrouped	0	N/A	N/A
<b>Rural and Farming Executive Advisory Committee</b> 7 substantive 5 substitute	Conservative	6	<b>Tim Taylor (C)</b>	Brenda Barber
			<b>Jan French (VC)</b>	Alan Gowler
			Steve Count	Nick Meekins
			Michael Humphrey	David Oliver
			Charlie Marks	
	Councillor Laws			
	FIA	1	John Clark	Matthew Summers
			Gavin Booth	
	Ungrouped	0	N/A	N/A

Committee/ Panel	Group	No.	Substantive Nominee	Substitute
<b>Project Review Executive Advisory Committee</b> 11 substantive 6 substitute	Conservative	9	James Carney	Brenda Barber
			Sam Clark	Alan Gowler
			Steve Count	Jason Mockett
			Kim French	David Oliver
			Michael Humphrey	
			Stuart Harris	
			Billy Rackley	
			Kay Mayor	
			Andrew Woollard	
	FIA	2	Gavin Booth	Diane Cutler
			John Clark	Matthew Summers
	Unaligned	0	N/A	N/A

**The Leader will also make the following appointments to Cabinet:**

Portfolio Holder	Portfolio Description
Councillor Chris Boden	Leader and Portfolio holder for Finance
Councillor Jan French	Deputy Leader and Portfolio holder for Revenues and Benefits and CPE
Councillor Ian Benney	Portfolio Holder for Economic Growth and Skills
Councillor Sam Hoy	Portfolio Holder for Housing and Licensing
Councillor Dee Laws	Portfolio Holder for Planning and Flooding
Councillor Alex Miscandlon	Portfolio Holder for Leisure and IDBs
Councillor Peter Murphy	Portfolio Holder for Refuse & Cleansing, Parks & Open Spaces
Councillor Chris Seaton	Portfolio Holder for Transport, Heritage and Culture
Councillor Steve Tierney	Portfolio Holder for Comms, Transformation, Climate Change, Strategic Refuse
Councillor Sue Wallwork	Portfolio Holder for Community, Health, Environmental Health, CCTV, Community Safety and Military Covenant.

## **Appendix C - Allocation of Seats on Outside Bodies**

The same percentages for the purpose of the calculations have been applied as set out in Appendix B and create the following results:

<b>Conservative</b>	<b>FIA</b>	<b>Ungrouped</b>	<b>Total</b>
<b>Entitlement: 118</b>	<b>Entitlement: 24</b>	N/A	142
<b>Allocation: 123</b>	<b>Allocation: 19</b>		

Based on the above, provided the overall entitlement is agreed by Full Council, the recommendations make provision for Group Leaders to negotiate the reallocation of seats before appointments are finally confirmed and agreed at the next Cabinet meeting in June.

As the proposals reflect the ordinary application of the 1989 Act (as opposed to the Alternative Arrangements agreed by Full Council last year), the ungrouped member would lose their 1 seat on the Hundred of Wisbech IDB which automatically becomes an a vacant FIA (as reflected in the Table below). Furthermore, the overall agreed allocation of seats for 2023/24 resulted in the conservative group gaining 5 seats. The data presented in the Table represents the current position (save in respect of the amendments in relation to the ungrouped seat) and remain open for discussion/negotiation between the Leaders as appropriate.

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
Anglia Revenue Partnership	1 substantive 2 substitutes	Conservative	J French	D Connor C Boden
Benwick Internal Drainage Board (IDB)	4	3 Conservative 1 FIA	A Miscandlon T Taylor K Mayor <i>FIA - unallocated</i>	N/A
Cambridgeshire Horizons Board	1	Conservative	C Boden	N/A
Cambridgeshire Military Community Covenant Board	1	Conservative	A Gowler	N/A
Cambridgeshire Police and Crime Panel	1 substantive 1 substitute	Conservative	S Wallwork	L Foice-Beard
Cambridgeshire Health and Wellbeing Board + District Lead Members Group	1	Conservative	S Wallwork	N/A
Chatteris Community Centre Association	2	Conservative	P Murphy I Benney	N/A
College of West Anglia Governing Body	1	Conservative	I Benney	N/A
Community Learning and Skills Partnership	1	Conservative	I Benney	N/A
Curf and Wimblington Combined IDB	1	Conservative	A Gowler	N/A
Feldale IDB	7	6 Conservative 1 FIA	A Miscandlon C Boden K Mayor D Laws E Sennitt Clough H Nawaz <i>FIA unallocated</i>	N/A
Fenland Association of Community Transport	1	Conservative	C Seaton	N/A
Fenland Diverse Communities Forum	1	Conservative	S Wallwork	N/A

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
Fenland Health and Care Forum	Open meeting		Any members can attend	
Fenland Tension Monitoring Group	1	Conservative	D Oliver	N/A
Fenland Transport and Access Partnership	1	Conservative	C Seaton	N/A
Fenland Transport Strategy	2	Conservative	C Seaton S Count	N/A
Fenland Twinning Association	4	3 Conservative 1 FIA	K Mayor N Meekins M Davis D Cutler	N/A
Hanson, Fletton Brickworks Industry	1	Conservative	C Boden	N/A
Health Committee	1 substantive 1 substitute	Conservative	H Nawaz	S Wallwork
Hundred of Wisbech IDB	15	12 Conservative 3 FIA	J French A Miscandlon D Oliver D Laws C Marks C Boden B Barber M Davis C Seaton S Imafidon H Nawaz S Hoy D Roy G Booth <i>FIA unallocated</i>	N/A
Kings Lynn IDB	1	Conservative	D Oliver	N/A
LGA/ LGA Rural Commission/ LGA Urban Commission	1 substantive 1 substitute	Conservative	C Boden	J French
Manea and Welney Drainage Commissioners	3	2 Conservative 1 FIA	J Carney C Marks <i>FIA - unallocated</i>	N/A
March Area Transport Study	2	Conservative	S Count A Woollard	N/A

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
March West and White Fen Internal Drainage Board	6	5 Conservative 1 FIA	D Laws A Miscandlon J French T Taylor A Woollard <i>FIA – unallocated</i>	N/A
March East IDB	11	9 Conservative 2 FIA	G Christy J French A Miscandlon C Boden M Purser M Davis S Harris C Marks T Taylor J Clark P Hicks	N/A
March Education Foundation	1	Conservative	M Purser	N/A
March Fifth District Drainage Commissioners	8	7 Conservative 1 FIA	J French A Miscandlon S Harris A Woollard C Marks C Boden T Taylor <i>FIA - unallocated</i>	N/A
March Sixth District Drainage Commissioners	4	3 Conservative 1 FIA	J French A Miscandlon C Marks <i>FIA - unallocated</i>	N/A
March Third IDB	5	4 Conservative 1 FIA	J French A Miscandlon T Taylor C Marks <i>FIA - unallocated</i>	N/A
Middle Level Commissioners	3	2 Conservative 1 FIA	D Laws A Miscandlon <i>FIA – unallocated</i>	N/A
Needham and Laddus IDB	1	Conservative	C Marks	N/A

<b>Outside Body</b>	<b>Representation Required</b>	<b>Proportionality</b>	<b>Substantive Nominee</b>	<b>Substitute</b>
Nightlayer IDB	10	8 Conservative 2 FIA	I Benney A Hay C Marks A Gowler P Murphy K Mayor J French T Taylor C Boden A Miscandlon	N/A
North Level District IDB	7	6 Conservative 1 FIA	D Laws A Miscandlon K Mayor S Clark M Humphrey C Marks G Booth	N/A
Wisbech Community Development Trust (Oasis Village Centre)	1	Conservative	L Foice-Beard	N/A
Ransonmoor District Drainage Commissioners	2	Conservative	J French T Taylor	N/A
RECAP	1 substantive 1 substitute	Conservative	P Murphy	
Rural Cambs CAB	3	2 Conservative 1 FIA	A Miscandlon S Imafidon G Booth	N/A
Safer Fenland Partnership	1	Conservative	J Carney	N/A
The Wash and North Norfolk Marine Partnership	1	Conservative	D Oliver	N/A
The Combined Authority	1 substantive 1 substitute	Conservative	C Boden	J French
The Combined Authority Overview and Scrutiny Committee	2 substantive 2 substitutes	Conservative	M Davis A Hay	E Sennitt Clough S Tierney
The Combined Authority Audit and Governance Committee	1 substantive 1 substitute	Conservative	G Christy	S Wallwork

Outside Body	Representation Required	Proportionality	Substantive Nominee	Substitute
The Combined Authority HR Committee	1 substantive 1 substitute	Conservative	C Boden	J French
The Combined Authority Environment and Sustainable Communities Committee	1 substantive 1 substitute	Conservative	D Laws	S Hoy
The Combined Authority Transport and Infrastructure Committee	1 substantive 1 substitute	Conservative	C Seaton	H Nawaz
The Combined Authority Employment and Skills Committee	1 substantive 1 substitute	Conservative	I Benney	H Nawaz
Upwell IDB	2	Conservative	J French C Marks	N/A
Waldersey IDB	2	Conservative	A Miscandlon M Humphrey	N/A
Warboys, Somersham and Pidley IDB	1	Conservative	J Carney	N/A
Whittlesey & District IDB	5	4 Conservative 1 FIA	A Miscandlon D Laws K Mayor H Nawaz <i>FIA – unallocated</i>	N/A
Wisbech Access Strategy Member Steering Group	2	Conservative	S Imafadon C Seaton	N/A
Young People March	1	Conservative	M Purser	N/A
Water Resources East (WRE) Strategic Advisory Group	1	Conservative	D Laws	N/A
<b>TOTAL</b>	<b>142 substantive 14 substitutions</b>	<b>123 Conservative 19 FIA</b>		