

Harborough District Council



Report to Council Meeting of 6 November 2023

Title:	Updating report on the membership of committees and Cabinet
Status:	Public
Report Author:	Director of Law and Governance, Clare Pattinson c.pattinson@harborough.gov.uk
Lead Councillor:	Leader of the Council, Cllr Phil Knowles
Appendices:	None

Summary

- i. There have been changes to the membership of a number of committees and Cabinet, as set out in the report.
- ii. This report updates Council on the current allocation of seats on committees and the amended arrangements in compliance with Council Procedure Rule 2.11

Recommendations

That Council:

1. Agree that:
 - a. the correct political balance of the Overview and Scrutiny Commission is 6 administration seats and 4 opposition seats;
 - b. the number of seats on the Licensing Committee and the Regulatory Committee shall be increased to 10.
2. Note that:
 - a. in the event that recommendation 1.a. is agreed, Cllr Rickman will be replaced on the Overview and Scrutiny Commission by Cllr Finan.
 - b. in the event recommendation 1.b. is agreed, Cllr Burrell will be appointed to the Licensing Committee and the Regulatory Committee;
 - c. Cllr Whitmore ceased to be a Cabinet Member on 6 October 2023, with the Leader assuming responsibility for her former portfolio of Culture, Leisure, Economy and Tourism.

Reasons for Recommendations

- iii. The amendment to the political balance for the Overview and Scrutiny Commission arises as a result of the Notice of Calculation of Political Balance considered by Council on 24 July 2023 being incorrect in respect of the Overview and Scrutiny Commission. It is proposed that Cllr Rickman be replaced on the Overview and Scrutiny Commission by a councillor nominated by the administration, Cllr Finan.
- iv. The amendment to the number of seats on the Licensing Committee is to ensure compliance with the requirements of the Licensing Act 2003. The amendment to the Regulatory Committee is a consequence of the amendment to the Licensing Committee as the membership of the two committees is the same.
- v. The Leader has decided to take on the Culture, Leisure, Economy and Tourism portfolio. Cllr Whitmore ceased to be a Cabinet Member with effect from 6 October 2023.

1. Purpose of Report

- 1.1. This report updates Council on changes to the membership of the Overview and Scrutiny Commission and Cabinet since its last meeting.

2. Background

- 2.1. Council received updates in relation to the membership of committees in May and July of 2023 following local government elections.
- 2.2. It is a requirement that the Director of Law and Governance ensure that the membership of Committees reflects the political balance of the Council and reports any changes to the nominations for the committee seats to the next meeting of Council.

3. Details

Overview and Scrutiny Commission

- 3.1. Members will recall that, largely as a consequence of the proximity of the local elections to the annual council on 16 May 2023, the political balance of the authority was determined on the basis of the four political parties, none of which had overall control. The Committees were confirmed for the ensuing municipal year, unchanged from the preceding year and authority to adjust the committee allocations, in consultation with the Group Leaders, was delegated to the Director of Law and Governance.
- 3.2. On 24 June 2023 Council received a report in relation to the political balance of the Council following the formalisation of the coalition arrangements. This report correctly determined the political balance of the Council, but contained an incorrect notice of recalculation of political balance in respect of the Overview and Scrutiny Commission. All other calculations were accurate. The inaccuracy resulted in the administration and the opposition both nominating 5 councillors to the Overview and Scrutiny Commission when

the apportionment of seats should have been 6 to the administration and 4 to the opposition. This error was not identified until after the last meeting of Council.

- 3.3. To correct this error, Cllr Rickman has stepped down from the Overview and Scrutiny Commission and will be replaced by Cllr Finan.

Licensing Committee and Regulatory Committee

- 3.4. During external training provided in respect of licensing matters, it was identified that the Council needed to increase the number of Councillors on the statutory Licensing Committee from nine to ten. As the membership of the Licensing Committee reflects that of the Regulatory Committee, it is therefore also necessary for the political balance allocations to be updated for that committee also. The amended calculation sees the administration increase from five seats to six.
- 3.5. The administration has nominated Cllr Burrell to join the Licensing Committee and the Regulatory Committee.

Updated Political Balance

- 3.6. Provided Council agrees the updated calculation for the reasons set out within this report, the amended political balance for the Council will be as set out in Table 1 below.

Table 1 Application of Political Balance

Committee	Coalition	Conservative
Planning (9)	5	4
Regulatory (10)	6	4
Constitutional Review (7)	4	3
Audit & Standards (7)	4	3
Employment (5)	3	2
Investigatory & Disciplinary (5)	3	2
Appeals (5)	3	2
Licensing (10)	6	4
Scrutiny Commission (10)	6	4
Community Scrutiny (7)	4	3
Performance Scrutiny (7)	4	3

- 3.7. This report therefore confirms the updated committee memberships for the Municipal Year 2023-2024 as follows:

3.7.1. **Appeals** – total of 5 seats

Coalition: 3 seats: Cllrs Elliott, Finan and Johnson

Conservative: 2 seats: Cllrs Bateman and Dann

3.7.2. **Audit & Standards** – total of 7 seats

Coalition: 4 seats Cllrs Finan, Forman, Gair (C) and Johnson

Conservative: 3 seats Cllrs Bateman, Nunn (VC) and Page

3.7.3. **Communities Scrutiny** – total of 7 seats

Coalition: 4 seats Cllrs James (C), Johnson (VC), Sarfas and Taylor

Conservative: 3 seats Cllrs Bannister, Nunn and Whelband

3.7.4. **Constitutional Review** – total of 7 seats

Coalition: 4 seats Cllrs Anderson, Asher, Johnson and Knowles (C)

Conservative: 3 seats Cllrs Grafton-Reed, King and Rickman

3.7.5. **Employment** – total of 5 seats

Coalition: 3 seats Cllrs Elliott (C), Finan (VC) and Gair (C)

Conservative: 2 seats Cllrs Bateman and King

3.7.6. **Investigation & Disciplinary** – total of 5 seats

Coalition: 3 seats Cllrs Burrell, Gair and James

Conservative: 2 seats Cllrs Bilbie and Rickman

3.7.7. **Licensing** – total of 10 seats

Coalition: 6 seats Cllrs Anderson, Birch, Burrell, Finan, Gair and Sarfas

Conservative: 4 seats Cllrs Bannister, Grafton-Reed, Hollick and King

3.7.8. **Performance Scrutiny** – total of 7 seats

Coalition: 4 seats Cllrs Asher, Birch, Burrell (VC) and Elliott (C)

Conservative: 3 seats Cllrs Dann, King and Rickman

3.7.9. **Planning** – total of 9 seats

Coalition: 5 seats Cllrs Asher, Burrell (C), Elliott, Gair and James (VC)

Conservative: 4 seats Cllrs Mahal, Modha, Whelband and Worrell

3.7.10. **Regulatory** – total of 10 seats

Coalition: 6 seats Cllrs Anderson, Birch, Burrell, Finan, Gair and Sarfas

Conservative: 4 seats Cllrs Bannister, Grafton-Reed, Hollick and King

3.7.11. **Scrutiny Commission** – total of 10 seats

Coalition: 6 seats Cllrs Burrell, Elliott, Finan, Forman, Gair and James

Conservative: 4 seats Cllrs Bateman, Dann, Hallam (C) and Page.

Cabinet

3.8. The Leader of the Council has absolute discretion as to the executive arrangements. Accordingly, he determines the membership of the Cabinet, subject to a maximum of 8 members (set within the constitution), plus himself.

3.9. The Leader has reviewed the membership of the Cabinet and determined that Cllr Whitmore will no longer be a member of the Cabinet, standing down with effect from 6 October 2023. The Leader has assumed responsibility for the portfolio previously handled by Cllr Whitmore – Culture, Leisure, Economy and Tourism – with effect from the same date.

3.9.1. **Strategy (Leader) – Cllr Knowles** (Cllr Bateman)

3.9.2. **Finance – Cllr Graves** (Cllr King)

3.9.3. **Environmental & Climate Change – Cllr Woodiwiss** (Cllr Nunn)

3.9.4. **Culture, Leisure, Economy & Tourism – Cllr Knowles** (Cllr Rickman)

3.9.5. **Corporate – Cllr Beadle** (Cllr Dann)

3.9.6. **Planning – Cllr Galton** (Cllr Bannister)

3.9.7. **Wellbeing – Cllr Knight** (Cllr Bilbie)

Heritage Champion

3.10. The Leader was invited to nominate a Heritage Champion and has designated Cllr Woodiwiss. The Heritage Champion is responsible for leading the efforts to conserve the district, and chairs the Local List Cabinet Advisory Panel. This panel advises Cabinet as to whether or not properties within the district should be included upon a list of Heritage Assets.

3.11. Any further changes made to the executive arrangements by the Leader will be reported to Council retrospectively in accordance with the Constitution.

4. Implications of Decisions

Corporate Priorities

4.1. The Council is committed to delivering its corporate priorities as set out in its corporate plan. Providing the information contained within this report gives assurance that the Council continues to work to deliver these priorities.

Consultation

- 4.2. The identification of individuals within this report reflects the nominations provided by the relevant group leaders. No further consultation is required.

Financial

- 4.3. Cllr Whitmore leaving the Cabinet means that one less Cabinet Member Special Responsibility Allowance is in payment. There are no other financial consequences as a result of this report.
- 4.4. It remains the aim for an Independent Remuneration Panel to consider the allowances currently paid to Councillors in advance of the mandatory review due by April 2025. Once Members decide what, if any, changes to make to the Members Allowance Scheme following receipt of the Independent Remuneration Panel report, the financial implications will be incorporated into the budget in accordance with the usual budget setting process.

Legal

- 4.5. The requirement to determine and update the political balance calculation is contained within statute. This report therefore ensures that the Council is meeting its legal obligations in this regard.
- 4.6. The identification of nominations to committees, Cabinet and outside bodies is required to aid transparency. Any changes during the municipal year to these nominations will be reported to the next relevant meeting.

Environment Implications

- 4.7. Nothing within this report is anticipated to impact upon the Council's commitment to achieving net zero carbon.

Risk Management

- 4.8. The contents of this report do not pose any risk implications for the Council – the potential risk would arise from failing to report the contents of this report.

Equalities Impact

- 4.9. The Council has a statutory duty to consider and demonstrate equalities impact in all of its activities. However, the report does not impact upon the public sector equality duty given it reports the application of political balance and decisions made as to which individual is allocated to which council role. This in all decisions, and Equalities Impact Assessment may need to be provided.

Data Protection

- 4.10. This report contains no private information.

5. Alternative Options Considered

- 5.1. The Council is required to publicise its arrangements in respect of political balance, and to keep the same updated therefore no alternative options can be considered.

6. Recommendation

6.1. Council is invited to:

1. Confirm that:

- a. the correct political balance of the Overview and Scrutiny Commission is 6 administration seats and 4 opposition seats;
- b. the number of seats on the Licensing Committee and the Regulatory Committee shall be increased to 10.

2. Note that:

- a. in the event that recommendation 1.a. is agreed, Cllr Rickman will be replaced on the Overview and Scrutiny Commission by Cllr Finan.
- b. in the event recommendation 1.b. is agreed, Cllr Burrell will be appointed to the Licensing Committee and the Regulatory Committee;
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7. Background papers

1. The Local Government and Housing Act 1989

<https://www.legislation.gov.uk/ukpga/1989/42/part/I/crossheading/political-balance-on-committees-etc>

2. The Local Government (Committees and Political Groups) Regulations 1990

<https://www.legislation.gov.uk/uksi/1990/1553/regulation/17/made>