

## SLOUGH BOROUGH COUNCIL

**REPORT TO:** Annual Council

**DATE:** 19<sup>th</sup> May 2022

**CONTACT OFFICER:** Nicholas Pontone  
**(For all enquiries)** Democratic Services Lead

**WARD(S):** All

### PART I FOR DECISION

#### APPOINTMENT OF CABINET, COMMITTEES, SUB-COMMITTEES, OTHER BODIES AND THEIR CHAIRS, AND ALLOCATION OF POLITICAL GROUP OFFICER SUPPORT

##### 1 Purpose of Report

To appoint members to the committees, sub-committees and other specified bodies of the Council as set out in the Constitution, in line with the rules of political proportionality.

To agree the appointment of the Chairs and Vice Chairs of those committees, sub-committees and other specified bodies.

To agree the continuation of Political Group Officer support to Political Groups.

To receive the report of the Leader on the appointment of the Deputy Leader and the Cabinet.

To appoint an Independent Person.

##### 2. Recommendations

The Council is requested to resolve:

- (a) That Committees/ Sub-Committees and other bodies be appointed and seats thereon allocated to political groups in accordance with the rules of proportionality where applicable as per **Appendix 1** (to follow)
- (b) That appointments be made to Committees, Sub-Committees and other bodies in accordance with the nominations received from political groups as per **Appendix 2** (to follow).
- (c) That the Chairs and Vice-Chairs of the above bodies be appointed as per **Appendix 2** (to follow).
- (d) That the report of the Leader on appointment of the Deputy Leader and Lead Members (the Cabinet) and their portfolios be received. (To Follow-**Appendix 2**).
- (e) That Political Group Officer support to Political Groups is agreed for the 2022/23 municipal year, noting that the current terms are 37

hours/week for the Labour Group and 12 hours/week for the Conservative Group.

- (f) To note the dates for Full Council meetings in the 2022/23 municipal year, as previously agreed by Council on 26 April 2022.
- (g) That Mr Ray Tomkinson be appointed as the Council's Independent Person with effect from 19<sup>th</sup> May 2022 until the annual meeting of the council in May 2026.
- (h) That Mrs Naira Bukhari and Ms Stefana Moldovan be appointed as co-opted members to the Audit and Corporate Governance Committee with effect from 19<sup>th</sup> May 2022 until the annual meeting of the council in May 2026; subject to a review in May 2023 to ensure that both the council and co-opted members are satisfied to continue with the appointments.

### Commissioners Review

The Commissioners have reviewed this report and may choose to make comments once the nominations from groups have been received for committees and outside bodies.

### 3. Strategic Priorities

Effective, transparent and equitable democratic and decision-making processes are an essential pre-requisite to the delivery of all the Council's priorities.

### 4. Other Implications

#### (a) Legal Implications

The recommendations within this report meet legal requirements (primarily the Local Government & Housing Act 1989 and associated Regulations) and the Local Government and Public Involvement in Health Act 2007. The proposals have no workforce implications and any financial implications have been reflected within the approved budget. There are no Human Rights Act implications.

The rules for the allocation of seats are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government Committee and Political Group Regulations 1990. The Council has an obligation to ensure compliance with the legislative requirements for political balancing in relation to the allocation of seats and the nominations to them. Any non-compliance with these rules increases the risk of challenge to the Council for failure to correctly determine the allocations.

Section 15 of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments. The Act requires that the review should be undertaken at the annual meeting or as soon as practicable after that meeting.

#### (b) Financial Implications

An allowance of £1,314 per annum is payable to the Independent Person.

Audit co-opted members will each receive an allowance of £548 per annum.

## 5. **Supporting Information**

5.1 It is a requirement to appoint to the Committees, Sub-committees and other bodies as set out in the Constitution.

### **Allocation of Seats on Committees, Sub-committees and other Bodies**

5.2 The Council, in undertaking its duty to allocate seats to political Groups is required, as far as reasonably practicable, to give effect to the statutory principles below:

- (i) Where an authority has two or more political groups, no committee may comprise Members from just one political group;
- (ii) Where a majority of Members are from one political group, that political group must have a majority of the seats on each committee;
- (iii) Without being inconsistent with the first two rules, the number of seats allocated to each political group on all the committees taken together must be as near as possible proportionate to their strength on council; and
- (iv) Without being inconsistent with rules 1 to 3, each political group must be allocated that number of seats on each committee taken individually as is proportionate to their strength on the council.

In practice, the proper application of these rules often leads to a variation in the number of members from each Group on each committee, even between committees with the same number of members, in order to ensure balance overall across all committees and sub-committees.

Memorials confirming the establishment of political groups following the local elections are awaited at the time of writing. Following receipt of this information a revised 'basket' of seats will be circulated to the Council showing the application of these rules to the Council's structure of committees, sub-committees and other relevant bodies.

5.3 The Council is asked to agree the allocation of seats on committees, sub-committees and other bodies and to appoint to those seats. The allocation of seats on those Committees where proportionality applies has been calculated and is set out in **Appendix 1 (To Follow)**

5.4 Some committees or sub-committees have specific training requirements before members can sit on those committees. In these cases those members will be offered that training before the first meeting and may not attend until that training has been completed. In other cases there are limitations or constraints on eg whether Cabinet Members may be appointed to certain committees. The proposals in **Appendix 2** (to follow) will take account of these restrictions.

- 5.5 Under the legislation political Groups are entitled to a proportionate number of seats on committees. Independent members are not entitled to seats unless they are part of a Group. This does not prevent Council from agreeing to appoint independent members to seats on committees if the overall allocation of seats is considered, as far as is practicable, proportionate.
- 5.6 In some cases it can be appropriate to adjust the size of one or more committees in order to better serve the achievement of proportionality overall. If, on consideration of the Memorials and their effect on the 'basket', this is considered advisable a supplementary paper will be circulated to this effect.
- 5.7 Nominations from political groups for appointments to seats on Committees, etc have been sought and will be circulated as **Appendix 2** when received.

### **Allocation of Political Group Officer Support**

- 5.5 Under the Local Government & Housing Act 1989 Councils are free to decide whether to have Political Group Support Officers. If they do have such roles in their officer structure, then a political group qualifies for support if it comprises at least 10% of the membership of the Authority. Statements of Group membership (known as 'memorials') have not yet all been received at the time of writing. However as of the election in May 2022 the Labour Group is expected to have 83.0% of the seats on the Council and the Conservative Group is expected to have 14%. Both therefore qualify for some support.
- 5.6 A political group cannot have more than one political assistant and the total number of political assistants is limited to three. In the previous municipal year the Labour group received 37 hours of support per week and the Conservative Group received 12 hours per week. The Council will need to take a decision on whether there is any grounds to alter the above recommendation based on the Groups' Memorials once received. It is recommended that this continues to remain fit for purpose.

### **Dates of Council Meetings – 2022/23**

- 5.6 The Constitution requires the timetable of ordinary meetings of the Council for the forthcoming year to be approved at the Annual Meeting. The dates of Council meetings (all at 7.00pm) for 2021/22 were previously agreed at the Council meeting on 8<sup>th</sup> March 2021 and are as follows:

21<sup>st</sup> July 2022  
22<sup>nd</sup> September 2022  
22<sup>nd</sup> November 2022  
26<sup>th</sup> January 2023  
9<sup>th</sup> March 2023 (Budget)  
28<sup>th</sup> March 2023  
18<sup>th</sup> May 2023 (Annual)

### **Independent Person**

The Localism Act 2011 established a new position of Independent Person (IP) for the Council, who must be consulted at various stages of the Member Complaints process. The current IP's term of office expires May 2022.

Details of the post were advertised online in April 2022 and Mr Raymond Tomkinson was interviewed by Group Leaders on 9<sup>th</sup> May 2022. Group Leaders recommended the appointment of Mr Tomkinson as Independent Person for a four year term of office (until the annual Council meeting May 2026). Mr Tomkinson has extensive experience of dealing with standards related matters, including having served as IP for a number of local authorities.

### **Audit and Corporate Governance Committee - Co-Opted Members**

The Audit and Corporate Governance Committee, at its meeting in January 2022, agreed revised terms of reference, which made provisions for up to four co-opted members to be appointed to the Committee. The vacancies were advertised online in April 2022 and following interviews by Group Leaders on 9<sup>th</sup> May and 11<sup>th</sup> May 2022, it is recommended that the following individuals be appointed for a four year term of office (until the annual Council meeting May 2026); subject to a review in May 2023 to ensure that the co-opted members and council are satisfied to continue with the appointments.

- i) Mrs Naira Bukhari - over nine years' experience of working in accounting and audit with a locally based company.
- ii) Ms Stefana Moldovan - relevant experience in finance and audit.

### 6. **Appendices**

Appendix 1 – Allocation of Seats (TO FOLLOW)

Appendix 2 - Cabinet and Committee and other bodies - appointments in accordance with proportionality rules where applicable (TO FOLLOW)

### 7. **Background Papers**

None