



## Report

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**Date: 17th May, 2024**

**To the Chair and Members of the  
COUNCIL**

### **LOCAL GOVERNMENT AND HOUSING ACT 1989 - REVIEW OF THE ALLOCATION OF SEATS ON COMMITTEES AND SUB-COMMITTEES**

#### **EXECUTIVE SUMMARY**

1. At its Annual Meeting, the Council is required to:-
  - (1) allocate seats on Committees of the Council having regard to political balance in accordance with the provisions of the Local Government and Housing Act 1989; and
  - (2) make appointments and co-options to other Committees and Sub-Committees of the Council.
2. Members are asked to note that this report sets out the position on the proportional allocation of seats on the basis of the number of Elected Members in each Political Group. This report does not account for any further changes in the composition of Political Groups that may occur prior to this meeting of Council or any changes to the size of Committees that are detailed in this report. If there are further changes, it will be necessary to defer consideration of this report pending a recalculation of seat allocations.

#### **RECOMMENDATIONS**

3. That the Council:-
  - (1) resolves before any adjustments are determined, that seats on Committees and Sub-Committees are allocated, as set out in the Table at paragraph 18 of the report;
  - (2) determines the necessary adjustments that the Mexborough First Group lose 1 seat on a Committees/Sub-Committees;

- (3) as a consequence of the loss of the 1 seat at (2) above, allocate 1 seat to the Independent Member, Councillor Rob Reid;
- (4) determines the appointment of Members to Committees and Sub-Committees in accordance with the wishes of Political Groups;
- (5) notes that in appointing members to the Audit Committee, in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance, any Member appointed to Cabinet should not be a member of the Audit Committee;
- (6) notes the requirement to include at least two Executive Members on the Chief Officers Appointments Committee;
- (7) determines the appointment of Members as substitutes in respect of the following Committees and Sub-Committees, in accordance with the wishes of Political Groups:-
  - (a) Chief Officers Appointments Committee
  - (b) Chief Officers Appeals Committee
  - (c) Employee Relations Disputes Resolutions Committee
- (8) for the reasons set out at paragraph 8(iii) of the report, agree that the rules of proportionality do not apply to the Licensing Committee;
- (9) subject to (8) above, appoint Members to sit on the Licensing Committee (14 Members);
- (10) determines the appointment of Members to the following:-
  - (a) Parish Councils' Joint Consultative Committee (6 non-executive Members on a political proportionate basis (5 Labour Group Members and 1 Conservative Group Member); and
  - (b) Member Development Working Group (Cabinet Member with responsibility for Member Training and Development and 1 Member from each Political Group).
- (11) notes the appointments of Antoinette Drinkhill as the Church of England representative and Bernadette Nesbit as the Roman Catholic representative on the Children and Young People's Overview and Scrutiny Panel and on the Overview and Scrutiny Management Committee (OSMC) when this Committee is considering issues relating to education matters, which runs for a two year period to May 2026;
- (12) any appointments to the 2 outstanding Overview and Scrutiny Parent Governor Representatives vacancies be determined by OSMC during the course of the year;

- (13) agrees that future appointments made during the course of the year to any of the Overview and Scrutiny Co-opted Member vacancies, be determined by the OSMC;
- (14) determines the appointment of workforce representatives as non-voting invitees onto the OSMC and the Standing Panels, as detailed at paragraph 39 of the report;
- (15) agrees that the OSMC appoint as necessary, any further non-voting invitees to its membership or the membership of the Standing Panels during the course of the year, should it deem necessary;
- (16) approves the revision to the membership of the Health & Wellbeing Board, as detailed at paragraph 48 of the report;
- (17) Notes the change to the membership of the Chief Officers Appointments Committee during 2023/24 as detailed at paragraph 10
- (18) agrees that future reviews on the proportional allocation of seats on Committees and Sub-Committees, be limited to the Annual Meeting and if appropriate, a mid-point in the year.

**WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

- 4. The Council is committed to maintaining the highest standards of governance. By appointing to Committees in line with recommendations within this report, the Council satisfies its legal requirements for appointments to Committees.

**BACKGROUND**

- 5. At each Annual Council Meeting, the Authority has a statutory duty to review the allocation of seats on Committees. (This is explained in more detail in the Legal Implications of the report, paragraphs 51 to 58 refer). The political composition of the Council is as follows:-

| <b>Political Group</b> | <b>Members</b> |
|------------------------|----------------|
| Labour                 | 42             |
| Conservatives          | 11             |
| Mexborough First       | 2              |
| Independent Members    | 1              |

- 6. The allocation of seats on Council Committees outlined in this report, represents the best proportional ‘fit’ in accordance with the provisions of the Local Government and Housing Act 1989. Proportionality can be disapplied and alternative arrangements put in place by Council unanimously agreeing to such a variation.

7. The allocation of seats on Committees and Sub-Committees must be in accordance with the principles set out in the legal implications below. In summary, representation on Committees and Sub-Committees must, so far as possible, be proportional to the number of Members any Group has on the Council as a whole.
8. All Political Groups have been notified of their allocations across all Committees, as described in this report, which represents the best proportional fit and were asked to express their wishes as to which Member(s) sits on which Committees. This information will be provided to Members prior to the meeting. The report also assumes that:-
- (i) Proportionality being applied to the Committees/Sub-Committees shown in the table below based on the membership indicated:-

| <b>Committee/Sub-Committee</b>                   | <b>Size</b> |
|--------------------------------------------------|-------------|
| Planning Committee                               | 11          |
| Elections & Democratic Structures Committee      | 11          |
| Chief Officer Appointments Committee             | 11          |
| Awards, Grants and Transport (Appeals) Committee | 7           |
| Audit Committee                                  | 5           |
| Chief Officer Appeals Committee                  | 5           |
| Employee Relations Disputes Resolution Committee | 5           |
| Chief Officers Investigatory Sub-Committee       | 5           |
| <b>Total</b>                                     | <b>60</b>   |

- (ii) Proportionality will not apply to the OSMC or the four Overview & Scrutiny Standing Panels in order to maximise cross-party representation;
- (iii) The Licensing Committee, set up under the Licensing Act 2003, need not be politically proportionate. However, nominations to the 14 seats have been sought in proportion to the overall composition on the Council. The Mexborough First Group has confirmed it does not wish to take up its seat entitlement on this Committee. To ensure the Committee retains a full membership their seat has therefore been allocated to the Labour Group who have the same part seat entitlement as Mexborough First. The appointment of Licensing Sub-Committees to conduct hearings under Section 10 of the Licensing Act 2003, is a statutory function reserved by the Act to the statutory Licensing Committee. Accordingly, it is a matter for the Licensing Committee to appoint these Sub-Committees and to schedule any required meetings; and
- (iv) Proportionality does not apply to the Health and Wellbeing Board in accordance with legislative requirements.
- (v) In accordance with CIPFA guidance, the Audit Committee should not include Executive Members. Therefore, it is recommended that any Member who is appointed to Cabinet, should not be a member of the Audit Committee.

9. The Elected Mayor has reviewed her appointments to the Cabinet for the discharge of Executive functions which is contained elsewhere on today's agenda. In accordance with the provisions set out in the Local Government Act 2000, the Cabinet is not a Committee of the Council; it can comprise of single party representation and therefore, is not subject to the rules on the proportional allocation of seats. Members appointed to sit on the Executive (Cabinet), cannot also be appointed to Overview and Scrutiny Management Committee or any of the Scrutiny Panels.

#### **Changes to Committee Membership 2023/24**

10. In accordance with Council Procedure Rule 7.1. the Labour Group informed the Monitoring Officer on 4th March 2024, that Councillor Nigel Ball would replace Councillor Lani Mae Ball on the Chief Officers Appointments Committee. This change to the 2023/24 membership is being reported back for Council to note as required by the Constitution.

#### **ALLOCATION OF SEATS**

12. In general, seats are allocated by calculating the seat entitlement of each Political Group as a proportion of seats available to groups on a particular Committee subject to:-
- (i) the majority party must have a majority on each Committee.
  - (ii) retaining proportionality across the total number of seats allocated to each group across all Committees.

#### **ALLOCATION OF SEATS ON COMMITTEES**

13. The total number of seats allocated to each particular Political Group on all Committees, must be in the same proportion as is borne by the number of Members of that Group on the Council. This means that out of a total of 60 seats, 59 seats are allocated to the Political Groups on the following proportional basis:-

|                  |      |      |       |
|------------------|------|------|-------|
| Labour           | - 45 | i.e. | 42/56 |
| Conservatives    | - 12 | i.e. | 11/56 |
| Mexborough First | - 2  | i.e. | 2/56  |

14. This completes the allocation of seats to Political Groups. The remaining 1 seat is allocated to the 1 Member of the Council who is an Independent Member who is not affiliated to any of the Political Groups registered with the Council for the purposes of political proportionality under the provisions of the 1989 Act. i.e. Councillor Rob Reid.

#### **PROPORTIONAL ALLOCATION OF SEATS**

15. The seat entitlement of Political Groups on Committees and Sub-Committees of 11, 7 and 5, is calculated by dividing the number of seats available on the Committee between the Groups in the same proportion as the number of seats a Group has on the Council, e.g. on a Committee of 11 for the Labour Group  $42 \div$

56 x 11 = 8.25 seats. The table below shows the allocation for all Groups on the Council:-

|                  | 5    | 7    | 11   |
|------------------|------|------|------|
| Labour           | 3.75 | 5.25 | 8.25 |
| Conservatives    | 0.98 | 1.38 | 2.16 |
| Mexborough First | 0.18 | 0.25 | 0.39 |

16. A Political Group's seat allocation can then be calculated as follows. By way of example, set out below is how seats are initially allocated on a Committee of 11 seats before adjustments.

Firstly, consider 'whole' seat entitlement.

|               |   |
|---------------|---|
| Labour        | 8 |
| Conservatives | 2 |

This completes the whole seat allocation to Political Groups.

17. Secondly, the remaining 1 seat is allocated to the remaining Group with the best proportional fit, indicated by the remaining "part" figure i.e. 1 seat to the Mexborough First Group (0.39 entitlement). The same approach is applied to the remaining Committees having regard to the size of each Committee. This completes the allocation of seats to Political Groups.

### **PROPOSED SEAT ALLOCATIONS**

18. Group Leaders have been advised of their respective seat allocations on Committee and Sub-Committee sizes to reflect a best proportionate fit,

|                                           | <b>LABOUR</b>              | <b>CONSERVATIVES</b>       | <b>MEXBOROUGH FIRST</b>    |                                            |
|-------------------------------------------|----------------------------|----------------------------|----------------------------|--------------------------------------------|
| <b>COMMITTEE</b>                          | <b>Seats<br/>Allocated</b> | <b>Seats<br/>Allocated</b> | <b>Seats<br/>Allocated</b> | <b>Total No. of Seats<br/>on Committee</b> |
|                                           |                            |                            |                            |                                            |
| PLANNING                                  | <b>8</b>                   | <b>2</b>                   | <b>1</b>                   | <b>11</b>                                  |
| ELECTIONS & DEMOCRATIC<br>STRUCTURES      | <b>8</b>                   | <b>2</b>                   | <b>1</b>                   | <b>11</b>                                  |
| CHIEF OFFICERS APPOINTMENTS               | <b>8</b>                   | <b>2</b>                   | <b>1</b>                   | <b>11</b>                                  |
| AWARDS, GRANTS & TRANSPORT<br>(APPEALS)   | <b>5</b>                   | <b>2</b>                   | <b>0</b>                   | <b>7</b>                                   |
| AUDIT                                     | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| CHIEF OFFICERS APPEALS                    | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| EMPLOYEE RELATIONS DISPUTES<br>RESOLUTION | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| CHIEF OFFICERS INVESTIGATORY<br>SUB       | <b>4</b>                   | <b>1</b>                   | <b>0</b>                   | <b>5</b>                                   |
| <b>TOTAL ALLOCATED</b>                    | <b>45</b>                  | <b>12</b>                  | <b>3</b>                   | <b>60</b>                                  |
| <b>Required Seat Allocation</b>           | <b>45</b>                  | <b>12</b>                  | <b>2</b>                   | <b>59</b>                                  |
| <b>Adjustments Required</b>               | <b>0</b>                   | <b>0</b>                   | <b>-1</b>                  | <b>+1</b>                                  |

19. It can be seen that this initial allocation to provide proportionality on individual Committees and Sub-Committees, results in the Mexborough First Group being over represented by 1 seat.
20. To achieve the best proportional fit, adjustments are therefore required and the Council must decide:-
  - (i) to remove 1 Mexborough First Group seat on a Committee from the list shown below:-

Planning Committee  
Elections and Democratic Structures Committee  
Chief Officers Appointments Committee
  - (ii) following the adjustments chosen under (i) above, determine the allocation of 1 seat to the Independent Member, Councillor Rob Reid.
21. The Mexborough First Group have been asked to express a view on which Committee they would prefer to have reduced representation to assist the Council in determining where adjustments should be made.
22. The Leader of the Mexborough First Group has indicated that the Group would wish to lose 1 seat on the Elections and Democratic Structure Committee. Council is therefore requested to approve the allocation of the vacated seat on the Elections and Democratic Structures Committee to Councillor Rob Reid.
23. The Council may (but is not compelled to) take these representations into account when determining final seat allocation. Members are reminded that Executive (Cabinet) Members cannot sit on Overview and Scrutiny Committees.
24. These allocations give effect so far as reasonably practicable to the requirements of the Act. It remains open to Members to agree a different allocation, but only if no Member votes against such proposals. If such agreement cannot be reached, the Council has no alternative but to act in accordance with the principles set out in the Legal Implications at paragraph 53 of this report.

## **APPOINTMENT OF MEMBERS TO COMMITTEES**

25. Following determination of the allocation of seats to Political Groups, Council must appoint named Members to each Committee. Political Groups have been asked to indicate their wishes as to which Members are appointed to which Committee/Sub-Committee. A composite nominations list will be circulated to Members prior to the meeting.
26. The Council must appoint Members to Committees and Sub-Committees



in accordance with the wishes of Political Groups and may take into account (but is not compelled to follow) the wishes of any Independent Members. (In the context of Doncaster, this means any Member not in a registered Political Group). For a Political Group to be recognised for the purpose of seat allocation, the Group must have a minimum of 2 Members.

### **Chief Officers Appointments Committee**

27. The Council is required to appoint at least two Cabinet Members to the Chief Officers Appointments Committee to meet the requirement of its terms of reference i.e. “2. To establish an appointment panel .... that will include two members of the Cabinet nominated by the Mayor for each Chief Officer Post to be appointed to”.

### **Planning and Licensing Committees**

28. The Planning and Licensing Committees discharge important regulatory functions. Ongoing training is provided to those Members who sit on these Committees so that they are fully aware of their obligations and legislative changes and developments, to be able to perform their respective roles and responsibilities. Induction training is mandatory for all Members appointed to serve on these Committees and once undertaken, is valid for the current four year term of office (up to May, 2025). Members who have not attended the training, are not permitted to take part in these meetings.

### **Audit Committee**

29. In addition to appointing 5 Elected Members to the Audit Committee, the Committee has appointed one non-voting co-opted Member with a financial background to this Committee; this is in line with CIPFA best practice. In addition to the above, the Committee has two further non-voting co-opted Members (David Harle and Monica Clarke) who can be called upon as and when required, to attend as members of the Hearings Sub-Committee to hear Code of Conduct complaints against Councillors.

### **Overview and Scrutiny**

30. A brief overview of the remit of each Overview and Scrutiny body is detailed below including their links to the wider thematic Wellbeing Goals and Outcomes:-
  - **Overview and Scrutiny Management Committee** (Focusing on the Regenerative Council) - to agree and co-ordinate the work programmes of the four Standing Panels. To regularly consider issues relating to performance, the budget and policy development, and undertake pre-decision Scrutiny of Council and partnership issues, thereby cutting across all themes.

- **Children and Young People’s Panel** (Skilled and Creative and Healthy and Compassionate themes) - to consider issues relating to improved outcomes for Children and Young People with a Key focus on accessing high quality education, improving skills and children’s social care.
- **Regeneration and Housing Panel** (Skilled and Creative and Prosperous and Connected themes) - to consider issues relating to skills and enterprise, inward investment, economic development, strategic transport and housing.
- **Communities and Environment Panel** (Prosperous and Connected, Safe and Resilient and Greener and Cleaner themes) - to consider neighbourhood issues, street scene and highways, community safety as well as environmental issues.
- **Health and Adult Social Care Panel** (Healthy and Compassionate theme) - to consider issues that fall within the remit of Public Health, Adult Social Care and wider adult and children’s health issues.

### Meeting Arrangements

31. The membership of each Standing Panel is 9 Elected Members. However, there are also additional workforce representatives and Co-opted Members on the Panels, as detailed below at paragraphs 44 to 51.
32. To maximise cross-party representation, political proportionality to the scrutiny function is disappplied. If proportionality was applied to OSMC and the Scrutiny Panels, the total number of seats available to each Group and the Independent Member, Councillor Rob Reid, would be as follows:-

|                  |    |
|------------------|----|
| Labour           | 33 |
| Conservatives    | 9  |
| Mexborough First | 1  |
| Independent      | 1  |

Although under proportionality, the Labour Group would be required to give up 11 seats to opposition Members, in the interest of cross-party representation, the Labour Group have agreed for the number of seats allocated to other political groups to remain at 12 seats, as in previous years.

33. Disapplying proportionality on Overview and Scrutiny provides an opportunity for a greater number of seats to be offered to those Members who are not in the Majority Group. This supports good governance principles by providing an opportunity for wider Member engagement and cross party participation. This also provides a wider pool of Members with an interest or expertise to participate in and help

strengthen Overview and Scrutiny arrangements.

34. The Vice-Chairs of the Standing Panels may substitute for Panel Chairs where they are unable to attend OSMC. Council is asked to note that when appointing to OSMC/Overview and Scrutiny Panels, that in accordance with Overview and Scrutiny Procedure Rule 3b, not all Chairs and Vice-Chairs are to be drawn from the same Political Group.
35. In terms of fulfilling its statutory Health Scrutiny function, this is undertaken by the Health and Adult Social Care Panel and the statutory scrutiny functions around Crime and Disorder, will be undertaken by the Communities and Environment Panel.

### **Overview and Scrutiny Invitees and Co-opted Members**

36. In accordance with Rule 2 of the Overview and Scrutiny Procedure Rules, the Scrutiny body which has Education within its remit, will have the following co-optees on its Membership:-
  - At least one Church of England Diocese representative;
  - At least one Roman Catholic Diocese representative; and
  - Between 2 and 5 (currently 3) Parent Governor representatives within its Membership who are entitled to vote on issues relating to education.
37. Parent Governor Representatives (England) Regulations 2001 state that Local Authorities shall appoint at least 2, but no more than 5 Parent Governor representatives to Overview and Scrutiny Committees from Local Authority maintained Schools. The Council currently looks to appoint to 2 vacancies, but unfortunately no interest has been received in recent years, despite promotion and advertisement of the remaining posts. This is a national issue and is due to the reduced number of Local Authority maintained schools. If there is interest shown, the Council agreed in 2017 that OSMC can appoint to the positions. The number of faith representatives (one Church of England and one Roman Catholic) appointed to the Scrutiny Committee with Education within its remit (the Children and Young People Panel) remains.
38. Our current arrangements allow for one representative from the Church of England and one from the Roman Catholic faith nominated by the Hallam Diocese. Antoinette Drinkhill has been appointed to represent the Church of England Diocese and Bernadette Nesbit has been appointed to represent the Roman Catholic for a two year period up to May 2026. Under the current structure, Council is asked to note that the co-optees may be invited to attend both meetings of the Children and Young People's Panel, and also OSMC where it considers issues relating to education. These co-opted Members have full voting rights on issues relating to education. They can contribute to debate and discussions around other children's issues but may not vote.

39. All Panels currently have a workforce representative who serve as an invitee, but do not have voting rights. Their purpose is to ensure workforce issues are represented during discussion. They are not appointed to represent their own views, association or individual members. These are as follows:

Overview Scrutiny Management Committee – Georgina Lightfoot Unison  
Children and Young People Panel - Georgina Lightfoot Unison  
Community and Environment Panel – Jonathan Preston Unison  
Regeneration and Housing - Vacant  
Health Adult Social Care Panel - Vacant

It is recommended that OSMC make the appointment of any outstanding workforce representatives during the course of the year.

40. Members are asked to note that if an invitee cannot attend, there are no arrangements to allow substitute invitees to attend.
41. Other non-voting invitees may be invited/appointed to the membership on a standing or ad-hoc basis in a non voting capacity, if it is believed they will enhance the process of Overview and Scrutiny. Council is asked to confirm that any additional appointments of standing invitees to OSMC or the Panels, be made by OSMC.
42. Council is also asked to note that in accordance with Overview and Scrutiny Procedure Rules, invitees will not be given access to confidential or exempt information as of right. Where the issue relates to the work of the Committee or Panel on which they serve, the Committee or Panel will need to agree the extent to which it would wish to allow its invitees to access this information prior to its consideration.

### **Appointment of Chairs and Vice-Chairs of Committees**

43. Council has previously agreed that Members should not take up the role of Chair of a Committee unless they have attended Chairs training. Training on Effective Chairing is being arranged following the Annual General Meeting, to provide an opportunity for appointed Chairs to undertake this training. Once this has been undertaken, it will be valid for four years.

### **OTHER COMMITTEE APPOINTMENTS TO DISCHARGE COUNCIL FUNCTIONS**

#### **Member Development Working Group (MDWG)**

44. The Member Development Working Group is an advisory body established to support Officers in the development and delivery of Member learning and development. Membership of this Group consists of 1 Member from each Political Group and the Cabinet Member

responsible for Member Development. The Terms of Reference for the MDWG are as follows:-

1. To identify learning and development needs for Members and Co-opted Members in the execution of their Council duties.
2. To provide advice on the development of a Member Development Strategy and Annual Programme of Learning and Development activities.
3. To suggest proposals for future actions and/or activities relating to Member development and learning.
4. To act as Member Development Champions, encouraging greater attendance and participation in learning, and development activities.

### **Parish Councils' Joint Consultative Committee (PCJCC)**

45. The PCJCC is a non-decision making body whose membership includes 8 Doncaster Council Elected Members. Current arrangements provide for the Council to appoint 6 non-Executive Members and for the Mayor to appoint 2 Executive Members. Political Groups have been asked to submit their nominations and these will be circulated to all Members prior to the meeting.

### **Health and Wellbeing Board**

46. Under the Health and Social Care Act 2012, the Health and Wellbeing Board (HWB) was established as a Statutory Committee of the Council from 1st April, 2013. The core membership of the Board is set out in statute and shown below in italics:-

- *Executive Director of Children, Young People & Families (DCS)*
- *Executive Director of Adults, Health and Wellbeing (DASS)*
- *Director of Public Health*
- *Chair of Healthwatch Doncaster*
- *Representative(s) from Integrated Care Board (ICB)*
- *Portfolio Holder with responsibility for Public Health*
- *Portfolio Holder with responsibility for Children's Services*

47. In addition to the above, Council has agreed to the following Members:-

- Majority Opposition Group representative
- Chief Executive of Rotherham, Doncaster and South Humber NHS Foundation Trust (RDaSH)
- Chief Executive of Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust (DBTHFT)
- Executive Place Director (Doncaster), NHS South Yorkshire ICB
- Doncaster District Commander, South Yorkshire Police

- Chief Executive, St Leger Homes
- Portfolio Holder with responsibility for Adult Social Care
- Group Manager, South Yorkshire Fire and Rescue
- Executive Director of Place
- Chief Executive, Primary Care Doncaster
- Director (Arts & Health), Darts, Doncaster Community Arts (Health and Social Care Forum representative)
- Place Medical Director, NHS South Yorkshire ICB

48. During the course of the last 12 months, several vacancies have arisen on the Board. Following discussions, and subject to ratification by Full Council, the Board has accordingly agreed to endorse additional representation from the following organisations on its membership, in recognition of the contribution they make to improving the health and wellbeing of citizens of Doncaster:-


- Citizens Advice Doncaster Borough (Represented by James Woods, Chief Executive Officer)
- Doncaster Culture and Leisure Trust (DCLT) (Represented by Toni Illman, Head of Digital Innovation & Funding)








#### **OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION**

49. The Council has a statutory duty to review the allocation of seats to Political Groups at its Annual Meeting in accordance with the provisions of Sections 15, 16 and 17 of the Local Government and Housing Act, 1989. Therefore, no other options are considered appropriate.

#### **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

50. Ensuring the membership of the Council's Committee's is in place to effectively discharge its responsibilities will ensure that the Council is able to contribute to the delivery of all of the Council's Key Priorities. In particular, these arrangements will assist the Council in working with our partners to provide strong leadership and governance.

| <b>Great 8 Priority</b>                                                                                            | <b>Positive Overall</b> | <b>Mix of Positive &amp; Negative</b> | <b>Trade-offs to consider – Negative overall</b> | <b>Neutral or No implications</b> |
|--------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------------------|--------------------------------------------------|-----------------------------------|
|  <b>Tackling Climate Change</b> |                         |                                       |                                                  | ✓                                 |
| Comments: N/A                                                                                                      |                         |                                       |                                                  |                                   |

|                                                                                                                                                                            |  |  |  |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|---|
|  <b>Developing the skills to thrive in life and in work</b>                               |  |  |  | ✓ |
| Comments: N/A                                                                                                                                                              |  |  |  |   |
|  <b>Making Doncaster the best place to do business and create good jobs</b>               |  |  |  | ✓ |
| Comments: N/A                                                                                                                                                              |  |  |  |   |
|  <b>Building opportunities for healthier, happier and longer lives for all</b>            |  |  |  | ✓ |
| Comments: N/A                                                                                                                                                              |  |  |  |   |
|  <b>Creating safer, stronger, greener and cleaner communities where everyone belongs</b> |  |  |  | ✓ |
| Comments: N/A                                                                                                                                                              |  |  |  |   |
|  <b>Nurturing a child and family-friendly borough</b>                                   |  |  |  | ✓ |
| Comments: N/A                                                                                                                                                              |  |  |  |   |
|  <b>Building Transport and digital connections fit for the future</b>                   |  |  |  | ✓ |
| Comments: N/A                                                                                                                                                              |  |  |  |   |
|  <b>Promoting the borough and its cultural, sporting, and heritage opportunities</b>    |  |  |  | ✓ |
| Comments: N/A                                                                                                                                                              |  |  |  |   |

|                             |  |  |  |   |
|-----------------------------|--|--|--|---|
| <b>Fair &amp; Inclusive</b> |  |  |  | ✓ |
| Comments: N/A               |  |  |  |   |

## **RISKS AND ASSUMPTIONS**

51. There are no risks identified or assumptions relevant to this report.

## **LEGAL IMPLICATIONS [Officer Initials SRF Date 25.04.24]**

52. Sections 15, 16 and 17 of the Local Government and Housing Act 1989, set out the duties of the Local Authority and the allocation of seats to Political Groups on Committees to ensure political balance.

53. The cumulative effect of these duties is to require “proportionality” across the formal activities of the Authority, representing the overall political composition of the Authority so that there can, for example, be no one party Committees so far as they are constituted as formal Committees or Sub-Committees of the Council.

54. Section 15 provides for the Council to review the representation of different Political Groups on Committees and Sub-Committees when:-

- (a) the Authority holds an Annual Meeting; and
- (b) as soon as practicable after the Members of the Authority divide into different Political Groups.

55. The duty to make a determination as to political representation on Committees arises as soon as practicable after a review, according to the overriding principles that:-

- (a) all the seats on a Committee are not allocated to the same Political Group;
- (b) the majority of the seats on a Committee go to the Political Group which has a majority on the Full Council;
- (c) subject to the above two principles, that the number of seats on the Committees of the Authority allocated to each Political Group bears the same proportion to the total of all the seats on the Committees of that Authority as is borne by the number of Members of that Group to the Membership of the Authority; and
- (d) subject to (a) - (c) above, that the number of the seats on the Committee which are allocated to each Political Group, bears the same proportion to the number of all the seats on that Committee



as is borne by the number of Members of that Group to the Membership of the Authority.

56. Section 16 provides that once the Council has carried out its review and determined the allocation of seats further to the principles by which it is bound listed above, the Council has a duty to exercise its powers to make appointments to Committees as to give effect to such wishes about who is to be appointed to the seats on that Committee which are allocated to a particular Political Group as are expressed by that Political Group.
57. Section 16(2A) requires that where appointments fail to be made to seats on a Committee to which Section 15 applies otherwise than in accordance with a determination under that Section, it shall be the duty of the Council to exercise its power to make appointments so as to secure that the persons appointed to those seats are not Members of any Political Group.
58. Exceptions to these requirements of political balance may be made where arrangements are approved by the Council without any Member of the Council or a Committee voting against them.
59. The Licensing Committee is a dual function Committee. It is constituted under Section 101 of the Local Government Act 1972, to undertake various licensing functions and also under the Licensing Act, 2003, to exercise all the functions of the Licensing Authority.

#### **FINANCIAL IMPLICATIONS [Officer Initials PH Date 25.04.24]**

60. There are no specific financial implications associated with this report. There are no new positions being proposed and so the existing Members Ward Office budget is expected to be sufficient.

#### **HUMAN RESOURCES IMPLICATIONS [Officer Initials SH Date 23.04.24]**

61. There are no HR implications associated with the contents of this report.

#### **TECHNOLOGY IMPLICATIONS [Officer Initials: PW Date: 23/04/24]**

62. There are no specific technology implications in relation to this report. Governance and Members Services will be responsible for updating the changes in the modern.gov system, when agreed.

#### **CONSULTATION**

63. Consultation has taken place with the Mayor, Group Leaders and Independent Members in respect of this report.

#### **BACKGROUND PAPERS:**

Report to Council – 19th May 2023 – Local Government and Housing Act 1989 –  
Review of the Allocations of Seats on Committees and Sub-Committees

Report to Council - 18th January, 2024 – 6 Month Review of the Allocation of Seat  
on Allocation of Seats on Committees & Sub-Committees and Appointments to  
Outside Bodies.

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