

Annual Council – 18 May 2022
Addendum to Sections 3, 4 and 5 of Agenda Item 9

3. Appointment of Committees, etc - Terms of Reference

Appendix 1- Terms of Reference of Council, Cabinet and Committees

Appendix 2 – Terms of Reference of Panels and Working Groups

4. Allocation of Seats

4.1 The Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990 require that the number of seats on committees and sub-committees reflects the overall political balance of the Council.

4.2 The number of seats held by each political group and others for the 2023/24 Municipal Year is:-

Conservative Group	16
Labour and Co-operative Group	16
Green	2
Independent	1

The Council comprises 35 elected members.

4.3 There is no legislative requirement to include councillors who or not members of a formal political group (such as Independent members) in the political balance calculation. However, the Council may choose to offer seats to Independent councillors as it has done on previous occasions.

4.4 The total seats available should, in so far as is practicable, be divided between the political parties in the following ratio 45.71% (Conservative) and 45.71% (Labour and Co-operative) and 5.71% (Green). The same ratio should be applied, in so far as is practicable, to the allocation of seats on each individual Committee/Sub-Committee. If the suggestion at paragraph 4.3 is accepted, a proportionate allocation of seats to the Independent Member would be 2.86%.

4.5 The basic calculation to allocate seats to committees of various sizes would be as shown below. However, some adjustment to the ratios shown may be required in the final allocation of seats across the Council to take into account the following principles as required by the legislation

- (a) Not all seats to go to the same group;
- (b) If a Group has a majority on the Council, it should receive a majority of seats on each committee;
- (c) Total number of seats across all bodies must be proportionate (subject to (a) and (b));
- (d) Seats on each body must be proportionate (subject to (a) to (c)).

No of seats on Committee	Cons	Lab	Green	Indep	Notional Ratio
3 members	1.4	1.4	0.2	0.1	2:1:0:0
4 members	1.8	1.8	0.2	0.1	2:2:0:0
5 members	2.3	2.3	0.3	0.1	3:1:0:0
6 members	2.7	2.7	0.3	0.2	3:3:0:0
7 members	3.2	3.2	0.4	0.2	4:3:0:0
8 members	3.7	3.7	0.5	0.2	4:4:0:0
9 members	4.1	4.1	0.5	0.3	4:4:1:0
10 members	4.6	4.6	0.6	0.3	5:5:0:0
11 members	5.0	5.0	0.6	0.3	5:5:1:0
12 members	5.5	5.5	0.7	0.3	5:6:1:0
13 members	5.9	5.9	0.7	0.4	6:6:1:0
14 members	6.4	6.4	0.8	0.4	6:7:1:0
15 members	6.9	6.9	0.9	0.4	7:7:1:0

- 4.6 It is proposed to disestablish the Judicial Committee (External Funding), as this body has not met for some considerable time and no separate budget exists for the provision of grants. Also, bearing in mind principle (c) outlined above, a number of committee sizes are proposed to be adjusted to provide scope for minority parties to have a proportionate allocation of the overall number of seats. Adjustments have been made to the size of the following committees/sub-committees:

- Communities and Wellbeing OSC;
- Management Review Committee;
- Resources OSC; and
- Standards Committee

The proposals also make available 3 seats for the Independent Member, principally on the largest sized committees, which is considered to be reasonable and proportionate and in keeping with previously established custom and practice. In addition, it is recommended that the Standards Hearing Sub-Committee be increased from 2 to 5 Members to ensure a broader base for the consideration of Code of Conduct cases and to ensure an odd number of Members for decision-making purposes. To accommodate these changes, the total number of available seats across all Committees and Sub-Committees will decrease from 86 to 85.

- 4.7 The schedule of Committees and Sub-Committees along with the proposed allocation of seats to reflect the political balance calculation with regard to the principles set out in Paragraph 4.5, is attached at Appendix 3. The schedule includes names of nominees where these have been notified to officers in advance. A summary of the committee sizes is also set out below.

Committee	Total No. of Seats	No. of seats by political group (Conservative : Labour & Co-operative : Green : Independent)
Audit Committee	6	3:3:0:0
Communities & Wellbeing Overview & Scrutiny Committee	7 (proposed increase from 6)	3:3:1:0
Judicial Committee (External Funding)	Disestablish	
Judicial Committee (Private Hire & Hackney Carriage Licensing)	6	3:2:0:1
Licensing Committee	14 (no change)	6:6:1:1
Licensing Sub-Committee	3	3 from Licensing Committee, one of whom must be the Chair or Vice-Chair of the Licensing Committee (1:2:0:0 where practicable)
Management Review Committee	5 (proposed increase from 4 and change to Terms of Reference)	2:2:1:0 (Leader and Deputy Leader of the Council, Leader and Deputy Leader of Main Opposition and the Leader of each of the other political groups or their respective nominees)
Planning Committee	13 (no change)	6:6:1:0
Planning (Trees) Sub-Committee	5 (no change)	2:2:1:0
Resources Overview & Scrutiny Committee	7 (proposed decrease from 9)	2:3:1:1
Special Overview & Scrutiny Committee	6 (no change)	3:3:0:0
Standards Committee	8 (increase	4:4:0:0

	from 7)	
Standards Committee – Hearing Sub-Committee	5 (proposed increase from 2)	For matters relating to Hyndburn Borough Council: 5 members plus 1 non-voting independent person For matters relating to Altham Parish Council: 5 members, plus 1 independent person and 1 parish representative (3:2:0:0) where practicable)
Total	85	38 – Lab & Co-op (44.71%) 38 – Cons (44.71%) 6 – Green (7.06%) 3 – Indpt (3.53%)

- 4.8 Proposals put forward by the political groups for membership of Committees and Sub-Committees, based on the political balance above, will be circulated before the meeting, if possible. Where this is not possible a delegated authority to the Chief Executive to make the appointments following consultation with the relevant political group leader may be required.

5. Establishment and Membership of Panels and Working Groups

- 5.1 The membership of Panels and Working Groups does not need to be politically balanced. The schedule of Panels and Working Groups proposed to be appointed is as shown below. The following groups have not met within the last 12 months and it is, therefore, proposed to disestablish these bodies:

- Auditor Panel;
- Health and Communities Working Group; and
- Regeneration and Housing Panel.

Name	Total no. of seats	Proposed No. of seats by political group (Conservative : Labour & Co-operative : Green : Independent)
Auditor Panel	It is proposed to disestablish this body	
Health and Communities Working Group	It is proposed to disestablish this body	
Leaders Policy Development Board	6	3:2:1:0

Learning & Development Panel	5	2:2:0:1
Local Joint Negotiating/ Consultative Committee	2	1:1:0:0
Local Plan Member Working Group	6	3:3:0:0
Regeneration and Housing Panel	It is proposed to disestablish this body	
Standards (Recruitment of Independent Members Panel)	2 Councillors from Standards Committee	2 Councillors from Standards Committee
Standards (Assessment Panel)	For matters relating to Hyndburn Borough Council: 2 members plus 1 non-voting independent person For matters relating to Altham Parish Council: 2 members, plus 1 independent person and 1 parish representative	For matters relating to Hyndburn Borough Council: 2 members plus 1 non-voting independent person For matters relating to Altham Parish Council: 2 members, plus 1 independent person and 1 parish representative

- 5.2 The terms of reference and composition of the Panels and Working Groups are attached as Appendix 2.
- 5.3 The proposed membership will be circulated before the meeting, if possible. Where this is not possible a delegated authority to the Chief Executive to make the appointments in consultation with the relevant political group leaders may be required.