

**Cheltenham Borough Council  
Council**

**15 December 2014**

**Committee appointments following a resignation**

<b>Accountable member</b>	<b>Council</b>
<b>Accountable officer</b>	<b>Chief Executive, Andrew North</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Significant Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>Councillor Andrew Lansley wrote to the Chief Executive on 29 August 2014 advising him that he was leaving the Liberal Democrat Party and therefore resigning from the Liberal Democrat Group.</p> <p>The resignation has made a slight change to the political balance of the Council from 25 Lib Dems, 11 Conservatives and 4 PABS to 24, 11, 4 and 1 Independent Member and therefore requires some minor adjustments to some committees to maintain their political balance.</p> <p>The matter was discussed by the Group Leaders at their meeting on 16 October 2014 when they came to a provisional agreement on the options set out. The final decision rests with Council where there are changes to size of committee or political balance.</p> <p>Councillor Lansley has also resigned as one of the two Councillors on the Public Art Panel. There have been two nominations from the Group Leaders and as they have not been able to reach agreement the matter is referred to Council.</p>
<b>Recommendations</b>	<p><b>I therefore recommend that Council:</b></p> <p><b>Approve amendments to the size and membership of the Planning Committee and that the Appointments and Remuneration Committee remains unchanged as set out in the table in paragraph 1.9</b></p> <p><b>Appoint a Member to sit on the Public Art Panel.</b></p>
<b>Financial implications</b>	No financial implications

<b>Legal implications</b>	The Local Government and Housing Act 1989 requires the Council to approve the revised political balance and allocation of seats to political groups as soon as practicable following a change in political group numbers.  <b>Contact officer: Peter Lewis, Head of Legal Services, One Legal Peter.lewis@teWKesbury.gov.uk, 01684 272012</b>
<b>HR implications (including learning and organisational development)</b>	None
<b>Key risks</b>	None identified
<b>Corporate and community plan Implications</b>	None

## 1. Committee appointments

- 1.1 Councillor Andrew Lansley wrote to the Chief Executive on 29 August 2014 advising him that he was leaving the Liberal Democrat Party and therefore resigning from the Liberal Democrat Group.
- 1.2 The resignation has made a slight change to the political balance of the Council from 25 Lib Dems, 11 Conservatives and 4 PABS to 24,11,4 and 1 Independent Member and therefore requires some minor adjustments to some committees to maintain their political balance.
- 1.3 The matter was discussed by the Group Leaders at their meeting on 16 October 2014 when they came to a provisional agreement on the options set out. The final decision rests with Council where there are changes to size of committee or political balance.
- 1.4 As an Independent Member, Councillor Lansley is not entitled to any place on any of the Council's committees unless this is agreed with the other groups. Cllr Lansley is a member of the Disciplinary Committee so the Lib Dems will need to appoint another member from their group.
- 1.5 The following committees appointed by Council require some adjustment in order to maintain political balance on each committee and across all committees of the Council as a whole.
- 1.6 **Planning Committee** – currently 14 members  
Was (4 Con, 9 Lib Dem and 1 PAB).

With Cllr Lansley's resignation the calculated political balance for a Planning Committee of 14 members is  
(3.85 Con, 8.4 Lib Dem and 1.4 PAB) i.e (4 Con, 8 Lib Dem and 1 PAB)

Therefore the options the Group Leaders considered were:

1. Reduce the committee to 13 Members and remove 1 Lib Dem member

OR

2. Stay with a committee of 14 and 9 Lib Dem members and accept the slight political imbalance on the committee

OR

3. Increase the size of the committee to 15 with 9 Lib Dem members and 2 PABs

N.B Option 3 achieves a closer political balance for the Lib Dems on the committee but with a slight political imbalance for the PABs across all committees. It would be possible to correct this by reducing the PAB membership on one or more of the JNC committees but the Group Leaders felt cross party representation on these committees was more important.

Group Leaders supported Option 3.

### **1.7 Appointments and Remuneration Committee - 9 members**

Was (2 Con, 6 Lib Dem and 1 PAB)

With Cllr Lansley's resignation the calculated political balance for an Appointments Committee of 9 Members is

(2.48 Con, 5.4 Lib Dem and 0.9 PAB) i.e. (2 Con, 5 Lib Dem and 1 PAB)

Therefore the options the Group Leaders considered were:

1. Reduce the committee to 8 Members and remove 1 Lib Dem member
2. Stay with a committee of 9 and 6 Lib Dem members and accept the slight political imbalance on the committee

Group Leaders supported Option 2.

### **1.8 JNC Disciplinary Committee - 5 members**

Was 1 Con, 3 Lib Dem and 1 PAB and with the change the make up should remain the same.

Lib Dems to appoint a new member to replace Cllr Lansley.

**1.9** The current proportionality is set out in Appendix 2 together with the resulting proportionality across all committees if the recommendations of the Group Leaders are accepted by Council. The changes are summarised in the following table.

<b>Committee/ working group</b>	<b>Lib Dem</b>	<b>Conservative</b>	<b>PAB</b>	<b>Council decision required</b>
Planning Committee			Cllr Adam Lillywhite joins the	Council to agree new composition

			committee (currently a reserve so has had all training)	of 15 members and appoint new PAB member
Appointments and Remuneration Committee	No change	No change	No change	Council to agree to retain existing composition
JNC Disciplinary	Cllr. Britter to replace Cllr Lansley			No decision from Council required

## **2. Appointment to the Public Art Panel**

**2.1** Democratic Services wrote to Group Leaders on 17 November 2014 advising that Councillor Lansley had decided to stand down from the Public Art Panel as he was unable to attend their past and future schedule of meetings.

**2.2** The terms of reference for the panel require 2 Elected Members to be nominated to join the panel, one representing the Planning Committee and the other being a member with an interest in Public Arts. It is also important that they can attend the scheduled meetings which are held on the second Wednesday of alternate months with a 6.00pm start and are currently planned for 14 January, 11 March, 13 May, 8 July, 9 September and 11 November 2014.

**2.3** Councillor Smith has nominated Councillor Regan and Councillor Jordan has nominated Councillor Sudbury. Where the Group Leaders have not reached agreement it is referred to Council for a final decision.

## **3. Reasons for recommendations**

**3.1** There is a requirement to adjust the political balance following the resignation.

## **4. Alternative options considered**

**4.1** As set out in the report

## **5. Consultation and feedback**

**5.1** Consultation has taken place with Group Leaders.

## **6. Performance management –monitoring and review**

**6.1** The political balance across all committees will continue to be monitored by the Democratic Services Manager and any changes brought to Members attention when necessary.

<b>Report author</b>	<b>Contact officer: Rosalind Reeves, Democratic Services Manager, Rosalind.reeves@cheltenham.gov.uk,  01242 77 4937</b>
<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. Political balance across committees <ol style="list-style-type: none"> <li>i) currently</li> <li>ii) if recommendations in this report are adopted</li> </ol> </li> </ol>
<b>Background information</b>	Minutes of Selection Council 2 June 2014



The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Council does not make the necessary adjustments when there are changes to political group numbers it will not be meeting its statutory requirements	Andrew North	15/12/2014	3	2	6	Reduce	Bring this report to Council so that the adjustments can be made		Rosalind Reeves	
<p><b>Explanatory notes</b></p> <p><b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p><b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p><b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											