



Oversight and Governance

Chief Executive's Department
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CITY COUNCIL – SUPPLEMENT PACK

Monday 2 November 2020

5.30 pm

Virtual Meeting

Members:

Councillor Mavin, Chair

Councillor Winter, Vice Chair

Councillors Allen, Mrs Aspinall, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Mrs Bridgeman, Buchan, Carson, Churchill, Coker, Cook, Corvid, Dann, Darcy, Sam Davey, Deacon, Derrick, Downie, Drear, Evans OBE, Goslin, Haydon, Hendy, James, Mrs Johnson, Jordan, Kelly, Laing, Michael Leaves, Samantha Leaves, Loveridge, Lowry, McDonald, Morris, Murphy, Neil, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Riley, Singh, Pete Smith, Rebecca Smith, Stevens, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Ms Watkin, Wheeler and Wiggins.

Members are invited to attend the above meeting to consider the items of business overleaf.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

City Council

3. To agree committee membership (Pages 1 - 32)

The Monitoring Officer will submit a schedule of vacancies on committees and of proposed changes.

City Council



Date of meeting:	02 November 2020
Title of Report:	To agree Committee membership
Lead Member:	Councillor Peter Smith (Deputy Leader)
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Andrew Loton (Head of Governance Performance and Risk)
Contact Email:	andrew.loton@plymouth.gov.uk
Your Reference:	APL02NOV20
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

Following a change to the political balance of council, officers have been tasked to provide a report showing the updated committee and Outside Body membership for approval by Council. Changes are detailed in Appendix One to this report.

Political groups have been advised of the proposed changes and the nominations that have been made are shown. Where a nomination has not yet been received a vacancy is shown.

Recommendations and Reasons

To approve the appointments to committees as set out in Appendix A

Alternative options considered and rejected

None – the committees are essential to decision making in the council.

Relevance to the Corporate Plan and/or the Plymouth Plan

Clarity on committees ensures that key projects and activities can be progressed

Implications for the Medium Term Financial Plan and Resource Implications:

Special responsibility allowances for councillors are already built into the budget. There are no additional resource implications of the recommendations of this report.

Carbon Footprint (Environmental) Implications:

Committee appointments ensure that carbon reduction and environmental measures are suitably supported by the democratic process.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

N/A

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
		1	2	3	4	5	6	7
A	Appendix A: Committee Appointments and Proportionality review November 2020/21.							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7

Sign off:

Fin	djn.20 .21.12 4	Leg	lt/622 25/23 1020	Mon Off		HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Giles Perritt, Assistant Chief Executive.											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 26/10/2020											
Cabinet Member approval: Councillor Peter Smith (Deputy Leader) - approved by email											
Date approved: 26/10/2020											

APPENDIX A – COMMITTEE APPOINTMENTS AND PROPORTIONALITY REVIEW NOVEMBER 2020/21



I. LEGISLATIVE REQUIREMENTS OF PROPORTIONALITY

Section 15 (5) 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 held at the Annual General Meeting or as soon as practicable after that meeting or when the membership of the Council changes.

The Act provides four principles concerning political representation that must be observed when conducting a review. These are:

- (a) that not all the seats on committees are allocated to the same political group;
- (b) that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
- (c) subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority, and
- (d) Subject to (a) to (c) above, that the number of seats on each 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.

The legislation provides that the Council may make alternative arrangements to the 'proportionality' principles only by a unanimous vote.

The Committees and Panels to which the provisions of Section 15 of the Act apply, and the recommended allocation of seats on each, applying the principles of the Act as closely as is reasonably practicable, are shown in **Section 2** below. The recommended allocation of seats reflects the four proportionality principles as accurately as reasonably practicable.

2. OVERALL PROPORTIONALITY 2020/2021

Number of Seats on Council

	Seats on Council
Labour	30 (52.6%)
Conservatives	17 (29.8%)
Independent 1*	1 (1.8%)
Independent 2*	1 (1.8%)
Independent 3*	1 (1.8%)
Independent 4*	1 (1.8%)
Independent 5*	1 (1.8%)

Independent 6*	1 (1.8%)
Independent 7*	1 (1.8%)
Independent 8*	1 (1.8%)
Independent 9*	1 (1.8%)
Independent 10*	1 (1.8%)
Total	57

* There are 57 members on Plymouth City Council. The Local Government and Housing Act 1989, which sets out how seats should be allocated to members on a Council, describes the distribution of seats between the political Groups into which the Council has divided itself. Therefore strictly speaking there is no seat entitlement to members who are not in a Group. The definition of what constitutes a group on a Council is covered in The Local Government (Committees and Political Groups) Regulations 1990 and can be found in the following link <https://www.legislation.gov.uk/uk/si/1990/1553/part/III/made>

A single representative does not constitute a Group which is defined as a number of persons bound together by common interests. As such, a single Member is not entitled to any Committee seats. This is consistent with practice previously employed by the Council in similar circumstances (e.g. 2013 AGM when there was a single independent member).

The application of the legislative principles is set out below:

Principle (a) – The seats were allocated amongst the Labour and Conservative groups’.

Principle (b) – As the majority group, the Labour Group were allocated the majority of seats on each committee.

Principle (c) – Subject to (a) and (b), the allocation of seats on all committees was based on the group’s percentage of total Council membership is as set out above.

Principle (d) Subject to (a) to (c), each group has the same proportion of seats on each committee as it holds on the Council as a whole.

3. 2020/21 ALLOCATION ACROSS THE COMMITTEES

	Lab	Con	Total
Committee	Seats	Seats	
Planning	8	5	13
Taxi Licensing	4	3	7
Licensing	8	7	15
Chief Officer Appointments Panel	4	3	7
Chief Officer Appeals Panel	4	3	7
Chief Officer Disciplinary Panels	4	3	7
Audit and Governance	3	2	5

	Lab	Con	Total
Committee	Seats	Seats	
Tamar Bridge and Torpoint Ferry Joint	3	2	5
Devon and Cornwall Police and Crime Panel	2	0	2
Brexit, Infrastructure and Legislative Change (OSC)	6	3	9
Performance, Finance and Customer Focus (OSC)	6	3	9
Education and Children's Social Care (OSC)	6	3	9
Health and Adult Social Care (OSC)	6	3	9
Scrutiny Management Board	2	2	4
Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee	2	0	2
Totals	68	42	110
Other Committees, Partnerships and Working Groups			
Devon Audit Partnership (not proportional)	2	0	2
Joint Health Scrutiny (not proportional)	2	1	3
Health and Wellbeing Board (not proportional)	3	1	4
Lord Mayor Selection Committee (political equality by convention)	3	3	6
Standards Advisory Group (political equality by convention)	3	3	6
Corporate Parenting Group (political equality by convention)	4	4	8
Child Poverty Working Group (political equality by convention)	4	4	8
Mount Edgumbe Joint Committee (proportional by convention)	4	3	7
South West Devon Joint Waste Partnership Committee	2	0	2

Notes:

The Devon Audit Partnership, the Joint Health Scrutiny Committee, the Health and Wellbeing Board and Mount Edgcumbe Joint Committee do not fall under the statutory rules and have not, therefore, been included in the political balance calculations.

The Devon and Cornwall Police and Crime Panel is required to meet the “balanced appointment objective” Schedule 6, Police Reform and Social Responsibility Act 2011 as a result of being a multi-authority panel, therefore two Labour seats were allocated in order to meet this objective.

The Scrutiny Management Board has been allocated on an even basis in order to reflect the political balance of the Chairs of these committees (2 Labour and 2 Conservative). The Board will have a Labour Chair.

The Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee is a new committee established in 2018. It is included in the main proportionality calculations by virtue of it being a committee of councils on which elected-members serve (as opposed to a committee of LEP itself).

So far as is reasonably practicable, the above achieves political proportionality and met the requirements of the legislation.

Regulatory Committee

Planning Committee

13 councillors (proportional)

Eight Labour, Five Conservative

Councillor Bill Stevens

Chair

Councillor Tina Tuohy

Vice Chair

Councillor Jonny Morris

Councillor Darren Winter

Councillor Brian Vincent

Councillor Margaret Corvid

Councillor Sarah Allen

Councillor Patrick Nicholson

Councillor Ian Tuffin

Councillor Vivien Pengelly

Councillor Maddi Bridgeman

Councillor Michael Leaves

Councillor Rebecca Smith

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training

Regulatory Committee

Taxi Licensing Committee

Seven councillors (proportional)

Four Labour and three Conservative councillors

Councillor Gareth Derrick

Councillor Ian Tuffin

Councillor Mary Aspinall

Councillor Eddie Rennie

Councillor Pengelly

Councillor Riley

Councillor Bridgeman

Chair

Vice Chair

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed licensing training.

Regulatory Committee

Licensing Committee

set up by statute

**15 councillors (proportional)
Eight Labour, seven Conservative**

Councillor Eddie Rennie

Councillor Neil Hendy

Councillor Sarah Allen

Councillor Margaret Corvid

Councillor Jonny Morris

Councillor Lorraine Parker Delaz-Ajete

Councillor Jeremy Goslin

Councillor Darren Winter

Councillor Kevin Wogens

Councillor Glenn Jordan

Councillor Maddi Bridgeman

Councillor Rebecca Smith

Councillor Nick Kelly

Councillor John Riley

Councillor Vivien Pengelly

Chair

Vice-Chair

Councillors may act provided that they have undergone the Council's prescribed licensing training. No other councillors may substitute

Regulatory Committee

Chief Officer Appointments Panel

Seven councillors (proportional)

Four Labour and three Conservative councillors

Councillor Mrs Aspinall

Chair

Councillor Tudor Evans OBE

Councillor Peter Smith

Councillor Mark Lowry

Councillor Nick Kelly

Councillor Vivien Pengelly

Councillor Mrs Beer

The panel will include the relevant Cabinet Member for the appointment.
Cabinet Members must not be in the majority on the panel.

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training

Chief Officer Disciplinary Panel

Seven councillors (proportional / Labour majority to maintain proportionality across committee)

Four Labour and Three Conservative councillors

Councillor John Riley

Councillor Ian Darcy

Councillor Jonny Morris

Councillor Nick Kelly

Councillor Gareth Derrick

Councillor Mark Lowry

Councillor Pete Smith

The panel will include the relevant Cabinet Member.

Cabinet Members must not be in the majority on the panel.

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training

Chief Officer Appeals Panel

Seven councillors (proportional)

Four Labour and three Conservative councillors

Councillor Pauline Murphy

Councillor Eddie Rennie

Councillor Chris Penberthy

Councillor Jeremy Goslin

Councillor Samantha Leaves

Councillor Kevin Wogens

Councillor Patrick Nicholson

The members of the panel that made the original decision cannot sit on the Appeals Panel.

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training.

Overview and Scrutiny

Scrutiny Management Board

Four Councillors (Chair of Each Scrutiny Committee)

Two Labour, two Conservative

Councillor Mary Aspinall

Chair

Councillor Darren Winter

Councillor Glenn Jordan

Councillor Terri Beer

Overview and Scrutiny

Performance, Finance and Customer Focus Overview and Scrutiny Committee

Nine councillors (Proportional)

Six Labour, Three Conservative

Councillor Glenn Jordan

Chair

Councillor Brian Vincent

Vice Chair

Councillor Ian Tuffin

Councillor Margaret Corvid

Councillor Neil Hendy

Councillor Gareth Derrick

Councillor Pam Buchan

Councillor Vivien Pengelly

Councillor Kevin Wigen

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Health and Adult Social Care Overview and Scrutiny Committee

Nine councillors (proportional)

Six Labour, Three Conservative councillors

Councillor Mary Aspinall	Chair
Councillor David James	Vice Chair
Councillor Sam Davey	
Councillor Lorraine Parker Delaz-Ajete	
Councillor Tina Touhy	
Councillor Ian Tuffin	
Councillor Sue McDonald	
Councillor Patrick Nicholson	
Councillor Mark Deacon	

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Education and Children's Social Care Overview and Scrutiny Committee

Nine councillors (proportional)

Six Labour, Three Conservative councillors

Councillor Terri Beer

Councillor Pauline Murphy

Councillor Sarah Allen

Councillor Jeremy Goslin

Councillor Jonny Morris

Councillor Sue McDonald

Councillor Margaret Corvid

Councillor David James

Councillor Andrea Loveridge

Chair

Vice Chair

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Brexit, Infrastructure and Legislative Change Nine councillors (proportional)

Six Labour, Three Conservative councillors

Councillor Darren Winter

Councillor Jonathan Drear

Councillor Sam Davey

Councillor Bill Stevens

Councillor George Wheeler

Councillor Pam Buchan

Councillor Sarah Allen

Councillor John Riley

Councillor Maddi Bridgeman

Chair

Vice Chair

With the exception of Cabinet Members, any councillor may act as a substitute member

Overview and Scrutiny

Joint Health Scrutiny Committee

Up to three members of the Health and Adult Social Care Overview and Scrutiny Committee

(not required to be proportional) statutory rules apply

Councillor Mrs Aspinall

Chair

Councillor Lorraine Parker-Delaz-Ajete

Councillor Patrick Nicholson

Council Committee

Health and Wellbeing Board

Statutory Committee of the Council

Four councillors (not required to be proportional) | additional Labour added previously

Councillor Kate Taylor
Councillor Jemima Laing
Councillor Sarah Allen
Councillor Patrick Nicholson

Chair

Three Labour and one Conservative councillor

The Leader to appoint the Chair (expectation in guidance that the Leader will Chair the Board)

- Director of Public Health (Statutory)
- Strategic Director for People (Statutory)
- Director of Children's Services (Statutory)
- Healthwatch Representative (Statutory)
- Clinical Commissioning Group Representative (Statutory)

Council Committee

Audit and Governance Committee

set up by statute

Five councillors (proportional) + three independent co-opted members

Three Labour and two Conservative councillors

Councillor Lorraine Parker Delaz-Ajete	Chair
Councillor Pete Smith	
Councillor Bill Stevens	
Councillor Patrick Nicholson	Vice Chair
Councillor Glenn Jordan	
Independent (Vacancy)	
Mr Ian Shipperley	
Independent (Vacancy)	

Any councillor may act as a substitute member provided that they have undergone the Council's prescribed training

Council Committee

Independent Remuneration Panel

set up by statute

Four Independent Members

Duncan Currall

Alan Wooderson

Bryony Houlden

Vacancy

Vacancy

Vacancy

Joint Committee

Tamar Bridge and Torpoint Ferry Joint Committee

**Set up by statute
To report to Cabinet or Council as
appropriate**

Five councillors (proportional)

Three Labour, two Conservative

Councillor George Wheeler

Joint Chair

Councillor Mark Coker

Councillor Pam Buchan

Councillor Jonathan Drear

Councillor Michael Leaves

Substitutes

Councillor Winter

Joint Committee

Devon and Cornwall Police and Crime Panel

Set up by statute

Two Labour councillors (proportional)

Councillor Gareth Derrick

Councillor Sally Haydon

Any councillor may act as a substitute member

Two Labour Councillors in order to meet the “balanced appointment objective” Schedule 6, Police Reform and Social Responsibility Act 2011 as a result of being a multi-authority panel.

Joint Committee

Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee

**Joint Committee of Councils in the Heart of the South West LEP area
To report to Cabinet or Council as appropriate**

Two Labour councillors

Councillor Gareth Derrick

Councillor Jonny Morris

Joint Management Committee of Plymouth City, Devon County and Torbay Councils

Devon Audit Partnership

To report to Cabinet

Two Labour councillors (not proportional)

Councillor Margaret Corvid

Councillor Parker Delaz Ajete

Any Labour councillor may act as a substitute member

Joint Committee of Plymouth City, Devon County and Torbay Cabinets

(to be confirmed by Cabinet at its first meeting of the municipal year)

South West Devon Joint Waste Partnership

**Two Cabinet Members + one observer
(not proportional)**

Councillor Mark Coker

Councillor Sue Dann

Councillor Pam Buchan

Observer

Councillor Maddi Bridgeman

Observer

Any Cabinet Member can act as a substitute member

Joint Committee to Cabinet

(to be confirmed by Cabinet at its first meeting of the municipal year)

Mount Edgumbe Joint Committee

Seven City Councillors (proportional by convention)

Three Conservative and Four Labour councillors

Councillor Brian Vincent

Joint Chair

Councillor Margaret Corvid

Councillor Eddie Rennie

Councillor Peter Smith

Councillor Vivien Pengelly

Councillor Michael Leaves

Councillor Mrs Beer

Substitutes

Councillor Sarah Allen

Working Group

To report to Council

Lord Mayor Selection Committee

Six councillors (political equality by convention)

Three Labour and three Conservative councillors

Councillor Sam Davey

Chair

Councillor Tudor Evans OBE

Councillor Pauline Murphy

Councillor Nick Kelly

Councillor David Downie

Councillor David James

Any councillor may act as a substitute member

Working Group

Standards Advisory Group

To report to Council

Six councillors (political equality by convention)

Three Labour and three Conservative councillors

Councillor Eddie Rennie
Chair

Councillor Lorraine Parker Delaz Ajete

Councillor Neil Hendy

Councillor Kevin Wigen

Councillor Dave Downie

Councillor Vivien Pengelly

Any councillor may act as a substitute member

Advisory Group to Cabinet

Corporate Parenting Group

Eight councillors (political equality by convention)

Four Labour and four Conservative councillors

Councillor Jemima Laing

Chair

Councillor Mrs Beer

Vice Chair

Councillor Sue McDonald

Councillor Sarah Allen

Councillor Tina Tuohy

Councillor David James

Councillor Rebecca Smith

Councillor Andrea Loveridge

Any councillor may act as a substitute member

Advisory Group to Cabinet

Child Poverty Working Group

Eight councillors

**Four Labour and four Conservative councillors including the Cabinet Member with responsibilities for child poverty
(Political equality by convention)**

Councillor Chris Penberthy

Chair

Councillor Sue McDonald

Councillor Jemima Laing

Councillor Jon Taylor

Councillor Mrs Beer

Vice - Chair

Councillor Mark Deacon

Councillor Andrea Loveridge

Councillor Nick Kelly

Any councillor may act as a substitute member

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