

# 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

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

**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 Wigans  
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**

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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 Wigans

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