

# APPENDIX C – COMMITTEE APPOINTMENTS AND PROPORTIONALITY 2019/20



## 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 2019/2020

Number of Seats on Council

|               | Seats on Council |
|---------------|------------------|
| Labour        | 31 (54.4%)       |
| Conservatives | 25 (43.9%)       |
| Independent*  | 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. 2019/20 ALLOCATION ACROSS THE COMMITTEES**

| <b>Committee</b>                                                                    | <b>Lab<br/>Seats</b> | <b>Con<br/>Seats</b> | <b>Total</b> |
|-------------------------------------------------------------------------------------|----------------------|----------------------|--------------|
| Planning                                                                            | 7                    | 6                    | <b>13</b>    |
| Taxi Licensing                                                                      | 4                    | 3                    | <b>7</b>     |
| Licensing                                                                           | 8                    | 7                    | <b>15</b>    |
| Chief Officer Appointments Panel                                                    | 4                    | 3                    | <b>7</b>     |
| Chief Officer Appeals Panel                                                         | 4                    | 3                    | <b>7</b>     |
| Chief Officer Disciplinary Panels                                                   | 3                    | 4                    | <b>7</b>     |
| Audit                                                                               | 3                    | 2                    | <b>5</b>     |
| Tamar Bridge and Torpoint Ferry                                                     | 3                    | 2                    | <b>5</b>     |
| Devon and Cornwall Police and Crime Panel                                           | 2                    | 0                    | <b>2</b>     |
| Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee (OSC) | 5                    | 4                    | <b>9</b>     |
| Performance, Finance and Customer Focus OSC                                         | 5                    | 4                    | <b>9</b>     |
| Education and Children's Social Care OSC                                            | 5                    | 4                    | <b>9</b>     |
| Health and Adult Social Care OSC                                                    | 5                    | 4                    | <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>Lab</b> | <b>Con</b> | <b>Total</b> |
|-------------------------------------------------------------------|------------|------------|--------------|
| <b>Committee</b>                                                  | Seats      | Seats      |              |
| <b>Totals</b>                                                     | <b>62</b>  | <b>48</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)    | 3          | 3          | <b>6</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. As a result, Labour have agreed that the Conservatives can take the majority on the Chief Officer Disciplinary Panel.

The new 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 the LEP itself).

**So far as is reasonably practicable, political proportionality was achieved and met the requirements of the legislation.**

## **Regulatory Committee**

## **Planning Committee**

**13 councillors (proportional)**

**Seven Labour, six Conservative**

Councillor Bill Stevens

Chair

Councillor Tina Tuohy

Vice Chair

Councillor Gareth Derrick

Councillor Darren Winter

Councillor Jonny Morris

Councillor Margaret Corvid

Councillor Sam Davey

Councillor Patrick Nicholson

Councillor Kathy Watkin

Councillor Vivien Pengelly

Councillor Maddi Bridgeman

Councillor Andrea Loveridge

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 Chris Mavin

Chair

Councillor Margaret Corvid

Vice Chair

Councillor Chaz Singh

Councillor Eddie Rennie

Councillor Pengelly

Councillor Riley

Councillor Bridgeman

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

Chair

Councillor Neil Hendy

Vice-Chair

Councillor Sarah Allen

Councillor Margaret Corvid

Councillor Jonny Morris

Councillor Lorraine Parker Delaz-Ajete

Councillor Chaz Singh

Councillor Darren Winter

Councillor Kathy Watkin

Councillor Glenn Jordan

Councillor Mark Deacon

Councillor Rebecca Smith

Councillor Heath Cook

Councillor John Riley

Councillor Vivien Pengelly

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 Ian Bowyer          |       |
| Councillor Mrs 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 / Conservative Majority to maintain proportionality across committee)**

**Three Labour and four Conservative councillors**

Councillor Mrs Andrea Johnson

Chair

Councillor Kevin Wigans

Councillor Heath Cook

Councillor Ian Bowyer

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 Chris Mavin      | Chair |
| Councillor Pauline Murphy   |       |
| Councillor Chris Penberthy  |       |
| Councillor Eddie Rennie     |       |
| Councillor Samantha Leaves  |       |
| Councillor Kevin Wiggins    |       |
| Councillor Mrs Linda Bowyer |       |

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 Mrs Mary Aspinall

Chair

Councillor Jonny Morris

Councillor Nick Kelly

Councillor Mrs Andrea Johnson

Vice-Chairs of Scrutiny Committees can act as substitute for the relevant Committee Chair.

## **Overview and Scrutiny**

### **Performance, Finance and Customer Focus Overview and Scrutiny Committee**

**Nine councillors (Proportional)**

**Five Labour, four Conservative**

Councillor Nick Kelly

Chair

Councillor Darren Winter

Vice Chair

Councillor Brian Vincent

Councillor Chaz Singh

Councillor Neil Hendy

Councillor Gareth Derrick

Councillor Kathy Watkin

Councillor Kevin Wigans

Councillor Mrs Andrea Johnson

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)**

**Five Labour, four Conservative councillors**

|                                        |            |
|----------------------------------------|------------|
| Councillor Mrs Mary Aspinall           | Chair      |
| Councillor Mrs Linda Bowyer            | Vice Chair |
| Councillor Margaret Corvid             |            |
| Councillor Lorraine Parker Delaz-Ajete |            |
| Councillor Tina Touhy                  |            |
| Councillor Ian Tuffin                  |            |
| Councillor Patrick Nicholson           |            |
| Councillor David James                 |            |
| 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)**

**Five Labour, four Conservative councillors**

Councillor Mrs Andrea Johnson

Chair

Councillor Pauline Murphy

Vice Chair

Councillor Sarah Allen

Councillor Jeremy Goslin

Councillor Pam Buchan

Councillor Sue McDonald

Councillor David James

Councillor David Downie

Councillor Andrea Loveridge

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)**

**Five Labour, four Conservative councillors**

|                            |            |
|----------------------------|------------|
| Councillor Jonny Morris    | Chair      |
| Councillor Jonathan Drean  | Vice Chair |
| Councillor Sam Davey       |            |
| Councillor Bill Stevens    |            |
| Councillor George Wheeler  |            |
| Councillor Chris Mavin     |            |
| Councillor John Riley      |            |
| Councillor Kathy Watkin    |            |
| Councillor Nigel Churchill |            |

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 Mary Aspinall

Chair

Councillor Pam Buchan

Councillor Mrs Linda Bowyer

## **Council Committee**

### **Health and Wellbeing Board**

#### **Statutory Committee of the Council**

#### **Four councillors (not required to be proportional)**

Councillor Sue McDonald

Chair

Councillor Jemima Laing

Councillor Kate Taylor

Councillor Mrs Linda Bowyer

#### **Two Labour and one Conservative councillor**

The Leader to appoint the Chair

- 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 Tony Carson

Councillor Nick Kelly

Mr Ian Stewart

Mr Richard Clark

Independent (Vacancy)

Any councillor may act as a substitute member

## **Council Committee**

### **Independent Remuneration Panel**

set up by statute

#### **Up to six Independent Members**

Duncan Currall

Alan Wooderson

Bryony Houlden

Jane Hopkinson

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 Darren 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**

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

### **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

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 Edgcumbe Joint Committee**

**Seven City Councillors (proportional by convention)**

**Three Conservative and Four Labour councillors**

Councillor Brian Vincent

Joint Chair

Councillor Margaret Corvid

Councillor Chris Mavin

Councillor Peter Smith

Councillor Vivien Pengelly

Councillor Andrea Johnson

Councillor Mrs Beer

### **Substitutes**

Councillor Eddie Rennie



## **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 Mark Deacon

Councillor David Downie

Councillor Michael Leaves

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 Heath Cook

Councillor Vivien Pengelly

Any councillor may act as a substitute member

## **Advisory Group to Cabinet**

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

## **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 Chaz Singh

Councillor Tina Tuohy

Councillor Andrea Johnson

Councillor Rebecca Smith

Councillor David Downie

Any councillor may act as a substitute member

## **Advisory Group to Cabinet**

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

## **Child Poverty Working Group**

**Six councillors**

**Three Labour and three Conservative councillors including the Cabinet Member with responsibilities for child poverty**

**(Political equality by convention)**

Councillor Chris Penberthy

Chair

Councillor Mrs Beer

Vice - Chair

Councillor Sue McDonald

Councillor Jemima Laing

Councillor Andrea Johnson

Councillor Heath Cook

Any councillor may act as a substitute member