

# COUNCIL

TUESDAY, 4TH MAY, 2021

At 6.15 pm

VIRTUAL MEETING - ONLINE ACCESS, ON [RBWM YOUTUBE](#)

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
5.	<u>POLITICAL BALANCE AND APPOINTMENT OF COMMITTEE/PANEL/FORUM MEMBERSHIP AND CHAIRMEN/VICE CHAIRMEN FOR THE 2021/22 MUNICIPAL YEAR</u>  To consider the above report	3 - 14

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Report Title:	<b>Political Balance and Appointment of Committee/Panel/Forum Membership and Chairmen/Vice Chairmen for the 2021/22 Municipal Year</b>
Contains Confidential or Exempt Information	No - Part I
Meeting and Date:	Annual Council – 4 May 2021
Responsible Officer(s):	Emma Duncan, Deputy Director Law and Strategy and Monitoring Officer / Karen Shepherd, Head of Governance
Wards affected:	All



## **REPORT SUMMARY**

*At its Annual meeting, the council has a duty under the Local Government and Housing Act 1989 to review and determine the representation of the different political groups on bodies appointed by the council.*

### **1. DETAILS OF RECOMMENDATION(S)**

**RECOMMENDATION:** That Full Council notes the report and:

- i) Notes the political balance of the council detailed in Table 1.**
- ii) Approves the membership of the committees, panels and forums for the Municipal Year as detailed in Appendix A.**
- iii) Appoints the Chairmen and Vice-Chairmen for the Municipal Year as detailed in Appendix A.**
- iv) Delegates authority to the Head of Governance to amend/make further appointments on the nomination of the relevant Group Leader.**

### **2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED**

#### **Options**

- 2.1 The council has a duty under the Local Government and Housing Act 1989 to review and determine the representation of the different political groups on bodies appointed by the council for the 2021/22 Municipal Year.
- 2.2 Paragraphs 2.3-2.8 below set out the process for determining political balance and, at Table 1, details the current political balance. Since the last time the Council considered the political balance (the delayed 2020/21 Annual Council held in December 2020) Councillor Wisdom Da Costa has notified the council that he has left the Local Independents group. This is reflected in Tables 1 and 2, alongside the removal of the Constitution Sub Committee as agreed by full Council on 27 April 2021.
- 2.3 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, Councillors have given notice to the Managing Director of their wish to be regarded as members of political groups. The number of seats currently held on the council is therefore as follows:

- Conservative: 22 seats
- Liberal Democrat: 10 seats
- Local Independents: 7 seats

2.4 A political group for this purpose is a group of two or more Members. Councillors Larcombe (National Flood Prevention Party) and Wisdom Da Costa (West Windsor Residents Association) are the only councillors who are not members of a political group.

2.5 The Council has a duty to review and determine the allocation of seats to political groups. This is determined by applying the political balance rules prescribed by Sections 15 and 16 of the Local Government and Housing Act 1989 and supplemented by the Local Government (Committees and Political Groups) Regulations 1990:

*Seats on relevant committees must be allocated to different political groups so far as reasonably practicable in accordance with the following four principles:*

*(a) that not all the seats on the body are allocated to the same political group;*

*(b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;*

*(c) subject to paragraphs (a) and (b) above, that each political group is allocated the same proportion of the total seats across all the ordinary committees of the Council as the proportion of the members of the Council that belong to that group; and*

*(d) subject to paragraphs (a) to (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the Council that belong to that group*

2.6 The Council's overriding duty to comply with (a) and (b) above takes precedence over achieving a mathematically balanced distribution of seats as described in (c) and (d). Applying the rules, Table 1 sets out the overall allocation of seats; Table 2 demonstrates how this applies to individual panels, committees and forums:

**Table 1: Overall allocation of seats**

	<b>Political composition- percentage of members out of 39</b>	<b>Proposed allocation of actual seats on ordinary committees out of 61 seats</b>	<b>Percentage outcome of allocation of 61 seats</b>
<b>Conservative Group</b>	56.41%	36	59%
<b>Liberal Democrat Group</b>	25.64%	15	24.6%
<b>Local Independents Group</b>	17.95%	10	16.4%
<b>Total</b>	100%	61	100%

**Table 2: Allocation of seats on individual Panels, Committees and Forums**

	Seats	Conservative	Liberal Democrat	Local Independent
<b>Ordinary committees</b>				
Appeals Panel	5	3	1	1
Berkshire Pension Fund Panel	5	3	1	1
Member Standards Panel	8	5	2	1
Licensing Panel	11	6	3	2
Appointment Committee	5	3	1	1
Royal Borough Development Management Panel	9	5	3	1
Audit and Governance Committee	5	3	1	1
Rights of Way & Highway Licensing Panel	8	5	2	1
Statutory Officer Panel	5	3	1	1
<b>Relevant bodies</b>				
Adults, Children and Health O&S Panel	5	3	1	1
Corporate Services O&S Panel	5	3	1	1
Infrastructure O&S Panel	5	3	1	1
Communities O&S Panel	5	3	1	1
Maidenhead Town Forum	11	6	3	2
Windsor Town Forum	11	6	3	2
Aviation Forum	5	3	1	1
Corporate Parenting Forum	5	3	1	1
Grants Panel	5	3	1	1
School Improvement Forum	3	2	1	0
East Berkshire Joint Health O&S Committee	3	2	1	0
Joint East Berkshire Health O&S Committee with Buckinghamshire CC	3	2	1	0
Berkshire Fire and Rescue Authority	3	2	1	0
<i>Ad hoc bodies whose membership is drawn from the parent body, recognising political balance: Licensing and PSPO Sub Committee, Member Standards Sub Committee, Employment Appeals Sub Committee</i>				

- 2.7 The rules are designed to ensure that the political composition of the council's panels, committees and forums as far as possible replicates the political composition of groups in the Full Council.
- 2.8 Council could, if it so resolved by a resolution with no Member voting against the resolution, depart from the proportionality rules as detailed above.

2.9 Members are asked to approve the memberships and Chairman/Vice Chairman appointments for the 2021/2022 Municipal Year as detailed in Appendix A. Chairman and Vice Chairman of Overview and Scrutiny Panels are appointed by the respective Panel rather than full Council; these appointments will take place at the first meeting of the Municipal Year for each respective panel, scheduled for June 2021.

2.10

**Table 3: Options arising from this report**

<b>Option</b>	<b>Comments</b>
To approve the membership of the committees, panels and forums for the 2021/22 Municipal Year as detailed in Appendix A <b>This is the recommended option</b>	This would comply with the rules of political balance
To not approve the membership of the committees, panels and forums for the 2021/22 Municipal Year as detailed in Appendix A	This would not comply with the rules of political balance, unless Council resolved to depart from the proportionality rules by a unanimous vote

### 3. KEY IMPLICATIONS

3.1

**Table 4: Key Implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Panel, committee and forum memberships in place	Appointments not made to all panels, committees and forums	Appointments made to all panels, committees and forums	n/a	n/a	4 May 2020 onwards

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no direct financial implications arising from this report.

### 5. LEGAL IMPLICATIONS

5.1 The recommendations within this report comply with the requirements of the Local Government and Housing Act 1989 supplemented by the Local Government (Committees and Political Groups) Regulations 1990.

**6. RISK MANAGEMENT**

6.1

**Table 5: Impact of risk and mitigation**

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Council fails to comply with political balance rules, undermining governance and transparency	Medium	Political balance in place for all appropriate bodies	Low

**7. POTENTIAL IMPACTS**

- 7.1 Equalities. No impacts have been identified; a screening form is available on the council’s [website](#).
- 7.2 Climate change/sustainability. No impacts have been identified.
- 7.3 Data Protection/GDPR. No impacts have been identified.

**8. CONSULTATION**

8.1 Group Leaders have been given the opportunity to nominate the panel, committee and forum memberships for their respective Groups.

**9. TIMETABLE FOR IMPLEMENTATION**

9.1 The full implementation stages are set out in Table 6.

**Table 6: Implementation timetable**

<b>Date</b>	<b>Details</b>
4/5/21	Council considers memberships
5/5/21	Memberships in place; council website updated as required

**10. APPENDICES**

- 10.1 This report is supported by one appendix:
  - Appendix A – RBWM Committee/Panel/Forum Membership 2021/22

**11. BACKGROUND DOCUMENTS**

- 11.1 This report is supported by one background document:
  - [Council constitution](#)

## 12. CONSULTATION (MANDATORY)

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Duncan Sharkey	Chief Executive	28/4/21	28/4/21
Adele Taylor	Director of Resources/S151 Officer	29/4/21	29/4/21
Andrew Durrant	Director of Place	29/4/21	
Kevin McDaniel	Director of Children's Services	29/4/21	29/4/21
Hilary Hall	Director of Adults, Health and Commissioning	29/4/21	29/4/21
Andrew Vallance	Head of Finance	29/4/21	
Elaine Browne	Head of Law	29/4/21	29/4/21
Nikki Craig	Head of HR, Corporate Projects and IT	29/4/21	30/4/21
Louisa Dean	Communications	29/4/21	

### REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
Council decision	Yes – the date of Annual Council was amended to 4 May 2021 by full Council on 27 April 2021	Yes - the date of Annual Council was amended to 4 May 2021 by full Council on 27 April 2021

Report Author: Karen Shepherd, Head of Governance, 01628 796529
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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
COMMITTEE/PANEL/FORUM MEMBERSHIP 2021/22

COMMITTEE/PANEL/FORUM	Membership
<p><b>Appeals Panel</b> (3 or 5 Members)</p> <p><i>Called on an 'as required' basis, maintaining political balance where possible.</i></p>	
<p><b>Audit and Governance Committee</b> (5 Members)</p> <p>(3C, 1LD, 1LI)</p>	<p><b>Chairman:</b> Cllr Bateson <b>Vice Chairman:</b> Cllr Jones (LI) Cllrs Bhangra, Sharpe (C), Bond (LD),</p> <p>Subs: Cllrs Bowden, G. Jones, Shelim (C), Werner (LD), Knowles (LI)</p>
<p><b>Berkshire Pension Fund Committee</b> (5 Members)</p> <p>(3C, 1LD, 1LI)</p>	<p><b>Chairman:</b> Cllr Sharpe <b>Vice Chairman:</b> Cllr Hilton Cllrs Shelim (C), Bond (LD), W. Da Costa (Independent in a LI seat)</p> <p>Subs: Cllrs Clark, Coppinger, Johnson (C), Werner (LD), Hill (LI)</p>
<p><b>Member Standards Panel</b> (8 Members)</p> <p>(5C, 2LD, 1 LI)</p>	<p><b>Chairman:</b> Cllr Rayner <b>Vice Chairman:</b> Cllr Shelim Cllrs Bateson, Coppinger, Johnson (C), Reynolds, Werner (LD), L. Jones (LI)</p> <p>Subs: Cllrs Cannon, Carroll, Haseler, Hilton, Sharpe (C), Baldwin, Del Campo (LD), Hill (LI)</p>
<p><b>Member Standards Sub Committee</b> (3 Members)</p> <p><i>2 selected from the existing Members (including substitutes) of the Member Standards Panel (politically balanced wherever possible) and one of the Council's Independent Persons acting as Chairman, established on an 'as required' basis.</i></p> <p><i>If the complaint relates to a Town or Parish Councillor then a co-opted Town or Parish Councillor may also be an additional member, but will have no voting rights.</i></p>	
<p><b>Appointment Committee</b> (5 Members)</p> <p><i>5 Members (politically balanced) to include Leader of the Council (Chairman), Deputy Leader of the Council (Vice Chairman) and relevant Lead Member if appropriate, established on an 'as required' basis.</i></p>	

COMMITTEE/PANEL/FORUM	Membership
<p><b>Employment Appeals Sub Committee (3 Members)</b></p> <p><i>3 Members (including substitutes) of the Appointment Committee called on an 'as required' basis, maintaining political balance where possible.</i></p>	
<p><b>Licensing Panel (11 Members)</b></p> <p>(6C, 3LD, 2LI)</p>	<p><b>Chairman:</b> Cllr Bhangra  <b>Vice Chairman:</b> Cllr Hilton  Cllrs Bowden, Cannon, Haseler, Luxton (C), Baldwin, Brar, Davies (LD), Davey, Hill (LI)</p> <p>Sub: Cllrs Hunt, McWilliams, Sharpe, Shelim, Muir, Stimson (C), Baskerville, Bond, Del Campo (LD), Knowles, Taylor (LI)</p>
<p><b>Licensing and Public Space Protection Order (PSPO) Sub Committee (3 Members)</b></p> <p><i>3 Members of the Licensing Panel (not substitutes) called on an 'as required' basis, maintaining political balance where possible</i></p>	
<p><b>Royal Borough Development Management Panel (9 Members)</b></p> <p>(5C, 3LD, 1LI)</p>	<p><b>Chairman:</b> Cllr Haseler  <b>Vice Chairman:</b> Cannon  Bowden, Hilton, Walters (C), Reynolds, Tisi (LD) and Hill (LI in a LD seat), Knowles (LI)</p> <p>Subs: Bhangra, Johnson, G. Jones, Sharpe, Shelim, (C), Brar, Davies (LD) and Taylor (LI in a LD seat), Davey (LI)</p>
<p><b>Rights of Way and Highway Licensing Panel (8 Members)</b></p> <p>(5C, 2LD, 1LI)</p>	<p><b>Chairman:</b> Cllr Hunt  <b>Vice Chairman:</b> Cllr Muir  Cllrs Cannon, Haseler, Rayner (C), Baskerville, Brar (LD), W. Da Costa (Independent in a LI seat)</p> <p>Subs: Cllrs Bateson, Bhangra, Clark, Luxton, Shelim (C), Davies, Werner (LD) Knowles (LI)</p>
<p><b>Adults, Children and Health Overview &amp; Scrutiny Panel (5 Members)</b></p> <p><i>No Member can sit on more than 2 O&amp;S Panels. A Member can only hold the position of Chairman or Vice-Chairman of 1 O&amp;S Panel.</i></p> <p><i>The Mayor and Members of the Cabinet cannot be Members of an O&amp;S Panel.</i></p> <p>(3C, 1LD, 1LI)</p> <p>Co-optees: Mark Jervis (Academy Governor), Derek Moss (Primary Governor), Catherine Hobbs (Portsmouth Diocese), Tony Wilson (Oxford Diocese)</p>	<p><b>Chairman:</b>  <b>Vice Chairman:</b>  Cllrs Bateson, Hunt, Sharpe (C), Tisi (LD), C. Da Costa (LI)</p> <p>Subs: Cllrs G. Jones, Muir, Targowski (C), Bond (LD), Price (LI)</p>

COMMITTEE/PANEL/FORUM	Membership
<p><b>Corporate Overview &amp; Scrutiny Panel (5 Members)</b></p> <p><i>No Member can sit on more than 2 O&amp;S Panels. A Member can only hold the position of Chairman or Vice-Chairman of 1 O&amp;S Panel.</i></p> <p><i>The Mayor and Members of the Cabinet cannot be Members of an O&amp;S Panel.</i></p> <p>(3C, 1LD, 1LI)</p>	<p><b>Chairman:</b>  <b>Vice Chairman:</b>  Cllrs Haseler, Sharpe, Targowski (C), Werner (LD), L. Jones (LI)</p> <p>Subs: Cllrs Luxton, Shelim, Walters (C), Reynolds (LD), Hill (LI)</p>
<p><b>Infrastructure Overview &amp; Scrutiny Panel (5 Members)</b></p> <p><i>No Member can sit on more than 2 O&amp;S Panels. A Member can only hold the position of Chairman or Vice-Chairman of 1 O&amp;S Panel.</i></p> <p><i>The Mayor and Members of the Cabinet cannot be Members of an O&amp;S Panel.</i></p> <p>(3C, 1LD, 1LI)</p>	<p><b>Chairman:</b>  <b>Vice Chairman:</b>  Cllrs Bateson, Haseler, Luxton (C) Baldwin (LD), Davey (LI)</p> <p>Subs: Cllrs Bowden, Bhangra, Shelim (C), Singh (LD), Knowles (LI)</p>
<p><b>Communities Overview &amp; Scrutiny Panel (5 Members)</b></p> <p><i>No Member can sit on more than 2 O&amp;S Panels. A Member can only hold the position of Chairman or Vice-Chairman of 1 O&amp;S Panel.</i></p> <p><i>The Mayor and Members of the Cabinet cannot be Members of an O&amp;S Panel.</i></p> <p>(3C, 1LD, 1LI)</p> <p>Co-optees: Parish Councillors Margaret Lenton and Pat MacDonald (Substitute: Parish Councillor Malcolm Beer and 1 vacancy)</p>	<p><b>Chairman:</b>  <b>Vice Chairman:</b>  Cllrs Bhangra, Bowden, G. Jones (C), Del Campo (LD), Price (LI)</p> <p>Subs: Cllrs Hunt, Muir, Walters (C), Baskerville (LD), Davey (LI)</p>
<p><b>Maidenhead Town Forum (11 Members)</b></p> <p>(6C, 3LD, 2LI)</p> <p><i>The Area Forums will be politically balanced wherever possible and the Members should represent a Ward within the areas of responsibility:</i></p> <ul style="list-style-type: none"> <li>➤ Belmont</li> <li>➤ Boyn Hill</li> <li>➤ Furze Platt</li> <li>➤ Riverside</li> <li>➤ Oldfield</li> <li>➤ Pinkneys Green</li> <li>➤ St Mary's</li> </ul>	<p><b>Chairman:</b> Cllr Coppinger  <b>Vice Chairman:</b> Cllr Taylor (LI)</p> <p>Cllrs Bhangra, Clark, G. Jones, McWilliams, Targowski (C), Baldwin, Baskerville, Singh (LD), Hill (LI)</p> <p>Subs: Cllrs Cannon, Carroll, Haseler, Hunt, Johnson, Stimson (C), Bond, Del Campo, Reynolds (LD), Knowles, Davey (LI)</p>

COMMITTEE/PANEL/FORUM	Membership
<p><b>Windsor Town Forum</b> (11 Members)</p> <p>(6C, 3LD, 2LI)</p> <p><i>The Area Forums will be politically balanced wherever possible and the Members should represent a Ward within the areas of responsibility:</i></p> <ul style="list-style-type: none"> <li>➤ Clewer &amp; Dedworth East</li> <li>➤ Clewer &amp; Dedworth West</li> <li>➤ Clewer East</li> <li>➤ Eton &amp; Castle</li> <li>➤ Old Windsor</li> </ul>	<p><b>Chairman:</b> Cllr Bowden  <b>Vice Chairman:</b> Cllr Rayner  Cllrs Bateson, Cannon, Hilton, Shelim, (C), Davies, Tisi (LD) and Knowles (LI in a LD seat), Davey, Price (LI)</p> <p>Subs: Cllrs Coppinger, Hunt, Luxton, Muir, Sharpe, Walters (C), Del Campo, Singh (LD) and L. Jones (LI in a LD seat), C. Da Costa (LI) and W. Da Costa (Independent in a LI seat)</p>
<p><b>Aviation Forum</b> (5 Members)</p> <p>(3C, 1LD, 1LI)</p>	<p><b>Chairman:</b> Cllr Bowden  <b>Vice Chairman:</b> Cllr Hilton  Cllrs Clark (C), Davies (LD), Knowles (LI)</p> <p>Subs: Cllrs Cannon, Muir, Shelim (C), Tisi (LD), Taylor (LI)</p>
<p><b>Corporate Parenting Forum</b>  (5 Members)</p> <p>(3C, 1LD, 1LI)</p>	<p><b>Chairman:</b> Cllr Carroll  <b>Vice Chairman:</b> Cllr Tisi (LD)  Cllrs Bateson, Clark (C), C. Da Costa (LI)</p> <p>Subs: Cllrs Luxton, Rayner, Sharpe (C), Bond (LD), Taylor (LI)</p>
<p><b>Grants Panel</b> (5 Members)</p> <p>(3C, 1LD, 1LI)</p>	<p><b>Chairman:</b> Cllr Hilton  <b>Vice Chairman:</b> Cllr Bateson  Cllrs Bowden (C), Baskerville (LD), Davey (LI)</p> <p>Subs: Cllrs Clark, Hunt, Rayner (C), Reynolds (LD), Price (LI)</p>
<p><b>School Improvement Forum</b>  (3 Members)</p> <p><i>Lead Member for Children's Services, Opposition Spokesperson for Children's Services and one other Member from the ruling group.</i></p> <p>(2C, 1LD)</p>	<p><b>Chairman:</b> Cllr Carroll  <b>Vice-Chairman:</b> Cllr Coppinger  Cllr Del Campo (LD)</p> <p>Subs: Cllrs Hilton, Luxton (C), Tisi (LD)</p>
<p><b>Statutory Officer Panel</b> (5 Members, plus two Independent Persons)</p> <p><i>Called on an 'as required' basis, maintaining political balance where possible.</i></p>	
<p><b>Berkshire Fire and Rescue Authority</b></p> <p><i>3 RBWM Members appointed to the 20 Member Berkshire Authority</i></p> <p>(2C, 1LD)</p>	<p>Cllrs Bateson, Cannon (C), Werner (LD)</p>

COMMITTEE/PANEL/FORUM	Membership
<p><b>East Berkshire Joint Health Overview and Scrutiny Committee</b></p> <p><i>3 RBWM Members appointed to the 9 Member East Berkshire Committee</i></p> <p><i>The three authorities have agreed to waive the requirement for the committee as a whole to have proportional political representation. However, each local authority may decide whether to maintain political proportionality for its seats on the committee or not.</i></p> <p><i>As per the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218 (Regulation 30) no Member of the executive can be a Member of this body.</i></p> <p>(2C, 1LD)</p>	<p>Cllrs Bhangra, G. Jones (C), Bond (LD)</p> <p>Subs: Cllrs Bowden, Hunt (C), Tisi (LD)</p>
<p><b>Joint East Berkshire Health Overview and Scrutiny Committee with Buckinghamshire County Council</b></p> <p><i>3 RBWM Members appointed to the 12 Member East Berks/Bucks Committee</i></p> <p><i>The four authorities are asked to waive the requirement for the committee as a whole to have proportional political representation</i></p> <p><i>As per the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218 (Regulation 30) no Member of the executive can be a Member of this body.</i></p> <p>(2C, 1LD)</p>	<p>Cllrs Bhangra, G. Jones (C), Bond (LD)</p> <p>Subs: Cllrs Bowden, Hunt (C), Werner (LD)</p>
<p><b>Health and Wellbeing Board</b></p> <p><i>3 RBWM Members appointed to the wider Board to include Lead Member(s) with responsibility for Adult and Children's Services.</i></p> <p><i>The Board is not subject to political balance under regulation 7 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.</i></p>	<p><b>Chairman:</b> Cllr Carroll</p> <p>Cllrs Coppinger, Stimpson (C)</p>
<p><b>Independent Remuneration Panel</b></p>	<p>Mr Karnail Pannu, Mr Chris Stevens and Mr Andrew Vallance (<i>N.B. no relation to RBWM Head of Finance</i>) (Chairman)</p>

C – Conservative  
LD – Liberal Democrats  
LI – Local Independents

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