

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	County Council
Date:	25 November 2010
Title:	Appointments and Proportionality
Reference:	2301
Report From:	Chief Executive

Contact name: Debbie Vaughan, Head of Member Services

Tel: 01962 847330

Email: debbie.vaughan@hants.gov.uk

1. Executive Summary

- 1.1. This paper reports the outcome of the By-election for Andover South Division, confirms proportionality following the By-election and seeks approval of changes to membership of committees and outside bodies as detailed below.

2. By-election for Andover South Division

- 2.1. Following the death of former County Councillor David Kirk, a By-election for the Andover South Division was held on Thursday 21 October 2010. The Conservative candidate Councillor David Drew was duly elected therefore the political composition of the County Council remains unchanged:

Conservative:	51
Liberal Democrat:	25
Labour:	1
Community Campaign (Hart):	1

- 2.2 The overall proportionality therefore also remains unchanged, including the position of unaffiliated members. The Proportionality Table is attached as Appendix 1 to this report.

3. Changes to membership of committees and outside bodies

- 3.1 The following changes are proposed:

- a) **Pension Fund Panel** – Councillor Tim Knight to fill a vacancy

- b) **Hampshire Fire and Rescue Authority:**
Councillor Tim Knight to fill a Conservative Group vacancy
- c) **Policy and Resources Select Committee:**
Councillor Liz Fairhurst to replace Councillor Anna McNair Scott who stood down from this Committee upon taking up the position of Vice-Chairman of the County Council
- d) **Children and Young People's Select Committee:**
Councillor David Drew to replace Councillor Patricia West
- e) **Arc Manche/Channel Arc:**
Councillor Keith Chapman to replace Councillor Roy Perry
Councillor Keith Mans to fill a vacancy
- f) **Assembly of European Regions:**
Councillor Keith Mans to fill a vacancy
Councillor Keith Chapman to replace Councillor Keith Mans as the standing deputy
- g) **Atlantic Arc Commission:**
Councillor Keith Mans to replace Councillor Roy Perry
Councillor Edward Heron to replace Councillor Keith Mans as deputy
Councillor Keith Chapman to fill a vacancy
- h) **Conference of Peripheral Maritime Regions:**
Councillor Keith Mans to replace Councillor Roy Perry
Councillor Perry to become the standing deputy
Councillor Dr Ray Ellis to fill a further deputy vacancy
- i) **Local Government Association General Assembly:**
Councillor Mel Kendal to fill a vacancy
- j) **South East Employers:**
Councillor Frank Pearce to fill a vacancy
- k) **Southern Regional Environmental Protection Committee:**
Councillor Sharyn Wheale to a vacancy

3.2 In regard to the Hampshire Police Authority Joint Committee, Councillor Mrs Margaret Snaith-Tempia has stepped down. The resulting Conservative Group vacancy has been filled by Councillor Jeremy Moulton, Southampton City Council. There has been no change to the proportionality of 5 : 3 : 1.

4. Recommendations

- 4.1. That the proportionality position following the By-election of 21 October 2010 be noted;
- 4.2. That the changes to membership of committees and outside bodies be approved; and

4.3. That the Monitoring Officer executes any necessary changes to the Constitution.

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision to comply with the provisions of the Local Government and Housing Act 1989 and Standing Order 34(b) of the County Council's Constitution.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. No significant impact.

2. Impact on Crime and Disorder:

2.1. No significant impact.

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

No significant impact.

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No significant impact.

COUNTY COUNCIL

25 NOVEMBER 2010

PROPORTIONALITY TABLE

	CONS (51)	LD (25)	Other (2)
Select Committees			
Policy and Resources (12)	8	4	0
Children and Young People (20)	13	6	1
Environment and Transportation (12)	8	4	0
Culture and Communities (13)	8	4	1
Safe and Healthy People (13)	8	4	1
Health Overview and Scrutiny (15)	10	5	0
Other Committees/Panels			
Regulatory Committee A (21)	14	7	0
Regulatory Committee B (21)	14	7	0
Employment in Hampshire County Council Committee (9)	6	3	0
Audit Committee (9)	7	2	0
Pension Fund Panel (9)	6	3	0
Members Allowances Scheme Panel (8)	5	2	1
Advisory Committees/Panels			
Buildings, Land and Procurement Panel (12)	7	5	0
Education Advisory Panel (9)	6	3	0
NEW:			
Children and Families Advisory Panel (9)	6	3	0
SACRE (5)	3	2	0
River Hamble			
River Hamble Harbour board (3)	2	1	0
River Hamble Management Committee (10)	7	3	0
Total (210)	138	68	4
Mathematical entitlement rounded up/down (210)	(137.30)	(67.30)	(5.38)
Other Proportionate Bodies			
New Forest National Park Authority (5)	3	2	0
*Chichester Harbour Board (4)	3	1	0
Hampshire Fire and Rescue Authority (19)	12	6	1
Jt C'ttee – Police Authority Appointments (4)	3	1	0
Total (32)	21	10	1
Mathematical entitlement (32)	(20.9)	(10.2)	(0.8)

* appointed by the Environment Executive

Note: Standards Committee is excluded from proportionality rules by virtue of Section 53 (10) of the Local Government Act 2000.

ADDENDUM

In circumstances where the membership of the County Council includes Members who are not part of a political group the provision of Regulation 16 of the Local Government (Committees and Political Groups) Regulations 1990 come into effect.

Regulation 16 amends Section 15 (3) of the Local Government and Housing Act ("the Act") to provide that the County Council should

- i) establish what percentage of the total County Council membership is represented by the two political groups within the County Council
- ii) allocate the corresponding percentage of the total number of seats to Members of these groups.

The duty to allocate any unfilled seats is subject of the duty contained within Section 16 (2A) of the Act. In this case Section 16 (2A) of the Act requires that the seats that have not been allocated under Section 15 (3) should be filled by Members who are not Members of a political group.

The unallocated seats should therefore be allocated to Members of the County Council who are not Members of one of the political groups. The specific seats to be allowed to these Members is within the discretion of the County Council but the seats should be allocated between the unaffiliated Members.

The County Council's practice is that the Leader's of both political Groups allocate their seats and the unaffiliated Members are considered and allocated seats as part of that process.