

REPORT OF THE
Chief Executive
PART I

182. PROPORTIONALITY AND APPOINTMENTS

1. Following the formation of the Community and Green Group, the County Council reviewed its proportionality table at its last meeting on 14 July 2011, in accordance with Part 1 of the Local Government and Housing Act 1989. The table, in relation to Committees, Sub-Committees and Standing Panels of the County Council was agreed.

2. In addition a total of 32 seats, allocated on a proportional basis, are available to the County Council on the following bodies: New Forest National Park; Chichester Harbour Conservancy; Hampshire Fire and Rescue Authority; and the Joint Committee for Hampshire Police Authority appointments. The proportionality position prior to the formation of the Community and Green Group of these other bodies was as follows:

Other Proportionate Bodies		Cons (51)	LD (25)	Other (2)
New Forest National Park Authority	(5)	3	2	0
Chichester Harbour Board	(4)	3	1	0
Hampshire Fire and Rescue Authority		12	6	1
	(19)			
Joint Committee – Police Authority Appointments	(4)	3	1	0
Total (32)		21	10	0
Mathematical entitlement (32)		(20.92)	(10.25)	(0.82)

3. The table below has been adjusted to reflect the fact that following the formation of the Community and Green Group, that Group is entitled to one seat on these other bodies in accordance with the provisions in Part 1 of the Local Government and Housing Act 1989. The table best reflects strict mathematical proportionality between the three political Groups. The position in respect of allocation of seats to Members who are not part of a political Group is set out at Appendix 2.

Other Proportionate Bodies		Cons (51)	LD (24)	C&G (2)	Labour (1)
New Forest National Park Authority	(5)	3	2		0
Chichester Harbour Board	(4)	3	1		0
Hampshire Fire and Rescue Authority		12	6	1	0
	(19)				
Joint Committee – Police Authority Appointments	(4)	3	1		0
Total (32)		21	10	1	0
Mathematical entitlement (32)		(20.92)	(9.84)	(0.82)	(0.41)

NB: Below .50 round down
.50 and above round up

4. At the time of the last Council meeting, this matter required further discussion between the three Group Leaders. At the time of despatching these papers, those discussions were ongoing, therefore the outcome will be reported at the meeting.

5. It was also agreed at the last Council meeting that a list would be prepared setting out the minimum number of Members appointed to the County Council's Committees, Sub-Committees and Standing Panels required to be present at the start of the proceedings for a meeting of that body to be quorate. The table has been prepared in line with the new Constitution approved by the Council at its meeting on 14 July 2011. It should be noted that in carrying out this exercise, a small number of anomalies have come to light when looking at the specifics set out in individual terms of reference which require further investigation. Any adjustments that are required will be reported to the Council at a later date. The Quorum List is attached to this report as Appendix 1.

183. APPOINTMENTS

1. There are currently vacancies on the following committees and standing panels:

- Education Advisory Panel (Conservative vacancy)
- Regulatory Committee A (2 Conservative Deputy Member vacancies)
- Regulatory Committee B (Conservative vacancy)

Nominations for the above vacancies will be considered at the meeting.

2. On the recommendation of the Chairman of the Education Advisory Panel, the appointment of Mr Tony Blackshaw as a co-opted member of the Panel representing the Diocesan, is proposed.

3. In respect of outside bodies, the County Council is invited to appoint two Members to the newly formed South East Employers Local Democracy and Accountability Network for Councillors. Nominations will be considered at the meeting.

RECOMMENDATIONS

That the County Council:

- (a) reviews and approves the proportionality on other proportionate bodies as set out in paragraph 182 (3) and makes the necessary appointments to those bodies to ensure the County Council has full representation on these bodies in accordance with their entitlement.
- (b) approves the Quorum List attached as Appendix 1 to this report, subject to any refinements that may be required which will be reported to the Council at a later date.
- (c) approves any alterations to the County Council's committees and standing panels as set out in paragraph 183 (1) above.

- (d) approves the appointment of Mr Tony Blackshaw as a co-opted member of the Education Advisory Panel representing the Diocesan as set out in paragraph 183 (2) above.
- (e) approves the appointment of two County Councillors to the newly formed South East Employers Local Democracy and Accountability Network for Councillors as set out in paragraph 183 (3) above.

QUORUM FOR COMMITTEES, SUB-COMMITTEES AND STANDING PANELS OF HAMPSHIRE COUNTY COUNCIL

Part 3, Chapter 1, Standing Order 11.2 of the Constitution states:

“If within ten minutes from the time appointed for the commencement of a Meeting of a Committee, Sub-Committee or Standing Panel of the County Council a quorum (in this case one-quarter of the whole number of Members, or three members, whichever is the greater), appointed to such Committee, Sub-Committee or Standing Panel is not present, the Meeting shall be dissolved.”

NB: For the purpose of this Standing Order a ‘Member’ means a member of the County Council or a co-optee with voting rights.

The table below details the Quorum for each of the County Council’s Committees, Sub-Committees and Standing Panels.

Committee, Sub-Committee or Standing Panel	Number of Members	Quorum
County Council	78	20
Cabinet	8	3
Audit Committee	9	3
Employment in Hampshire County Council Committee	9	3
Pension Fund Panel*	9 + (6)	4
Regulatory Committee A	15	4
River Hamble Harbour Board* ¹	3 + (3)	3
River Hamble Harbour Management Committee	10 + (9)	3
Policy and Resources Select Committee	12	3
Children and Young People Select Committee* ²	20 + (5)	5 + (1) See * ² below
Environment and Transportation Select Committee	12	3
Culture and Communities Select Committee	13	3

Committee, Sub-Committee or Standing Panel	Number of Members	Quorum
Safe and Healthy People Select Committee	13	3
Health Overview and Select Committee*	16 + (4)	5
Buildings, Land and Procurement Panel	6	3
Children and Families Advisory Panel	9	3
Education Advisory Panel*	9 + (4)	3
Standing Advisory Council for Religious Education (SACRE)* ³	See ^{*3} below	

Notes:

- * Committees, Sub-Committees or Standing Panels with co-opted members who have voting rights (number of co-optees in brackets).
- *1 The quorum arrangements for the River Hamble Harbour Board are set out in their Terms of Reference, i.e. the quorum for the Board is three of whom at least two must be Hampshire County Councillors.
- *2 The quorum arrangements for the Children and Young People Select Committee are that for non-educational matters, a quorum of five Hampshire County Councillors applies. However when considering educational matters the Select Committee acts as the Local Education Authority and includes five co-opted members with voting rights. Thus when considering educational matters only, a quorum would require five Hampshire County Councillors plus one co-optee, making six in total.
- *3 The quorum arrangements for SACRE are set out in their Terms of Reference to meet the requirements of the Education Act 1996 as detailed below -

There are four constituent groups; each of which has voting rights and are therefore taken into account when determining a quorum. For a meeting of SACRE to be quorate a minimum of one third of the representatives of each constituent group, as detailed below, must be in attendance at the meeting, i.e. Group A, five representatives and for each of Groups B, C and D, two representatives:

Group A – 13 representatives of Christian denominations and other religions and denominations

Group B – four representatives of the Church of England

Group C – four teachers representing teachers' professional associations

Group D – four representatives of the “Authority” [Hampshire County Council], at least three of whom shall be elected members of the Authority.

There are currently four co-opted members who do not have voting rights and are therefore not included when determining a quorum.

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 three 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 then 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 Leaders of political Groups allocate their seats and the unaffiliated members are considered and allocated seats as part of that process.