

OPEN

**Environment and Communities  
Committee**

**18 July 2023**

**Appointments to Working Groups and  
Panels**

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**Report of: David Brown, Director of Governance and Compliance**

**Report Reference No: EC/30/24-25**

**Ward(s) Affected: No specific wards**

**Purpose of Report**

- 1 This report seeks approval from the Environment and Communities Committee to appoint members to its working groups and panels for the 2024-25 municipal year.

**Executive Summary**

- 2 The Council, at its annual meeting on 15 May 2024, approved the political representation on its main committees. The appointment of certain sub-committees, working groups, panels and boards is a matter for the relevant service committees.
- 3 This report addresses the composition of the working groups of which membership is required to be appointed by the Environment and Communities Committee.
- 4 Where political proportionality is applicable, the agreed conventions and methods of calculation have been applied.

## RECOMMENDATIONS

The Environment and Communities Committee is recommended to:

1. Appoint Members to the Local Plan Member Reference Group as follows: Con: 3; Lab: 3; Ind: 1; Lib Dem: 0; NGI: 0
2. Appoint Members to the Section 106 Member/Officer Working Group
3. Appoint Members to the Cemeteries Strategy Member Advisory Panel
4. Agree that the Household Waste and Recycling Centres Working Group be discontinued
5. Agree that the names of the Members appointed will be submitted to the Head of Democratic Services and Governance

### Background

#### 5 **Bodies which report to the Environment and Communities Committee**

#### 6 Cemeteries Strategy Member Advisory Panel

7 At its meeting on 11 November 2021, the Environment and Communities Committee received a report titled 'A Review of the Cemeteries Strategy' and resolved to establish a Member Advisory Panel to scrutinise the Cemeteries Strategy.

#### 8 [Environment and Communities Committee Minutes 11 November 2021](#)

9 It is recommended that the Environment and Communities Committee agree to the appointment of Members to the Cemeteries Strategy Member Advisory Panel, and that the nominees be notified to the Head of Democratic Services and Governance.

#### 10 Local Plan Member Reference Group

11 At its meeting on 10 November 2022, the Environment and Communities Committee received a report titled 'Local Development Scheme 2022' and resolved to establish a Member Reference Group to support the preparation of the Local Plan.

#### 12 [Environment and Communities Minutes 10 November 2022](#)

- 13 The agreed Terms of Reference state that the membership should reflect the political make-up of the Council.
- 14 It is recommended that the Environment and Communities Committee agree to the appointment of Members to the Local Plan Member Reference Group in line with the following, and that the nominees be notified to the Head of Democratic Services and Governance:

3 Conservative

3 Labour

1 Independent

15 Section 106 Member/Officer Working Group

At its meeting on 31 October 2022, the Environment and Communities Committee received a report titled 'Local Planning Authority Review and Service' and resolved to establish a Member/Officer Working Group following the findings of the proposed Section 106 funding internal audit, to explore the process of Section 106 planning obligations as part of the Modernisation Plan.

[Environment and Communities Committee Minutes 31 October 2022](#)

It is recommended that the Environment and Communities Committee agree to the nomination of Members to the Section 106 Member/Officer Working Group and that the nominees be notified to the Head of Democratic Services and Governance.

16 Household Waste and Recycling Centres Working Group

- 17 At its meeting on 29 September 2022, the Environment and Communities Committee received a report titled 'Household Waste Recycling Centre Contract' and resolved to establish a Working Group to look at future household waste and recycling centre provision, with particular attention to provision for Congleton, and to further look at what the scope and remit of the group should be.

18 [Environment and Communities Minutes 29 September 2022](#)

- 19 The final recommendations for the Household Waste and Recycling Centres review are due to come to the Environment and Communities Committee for approval on 26 September 2024.

- 20 It is therefore recommended that the Environment and Communities Committee agree that this working group is not re-appointed for the 2024-25 municipal year.

## Consultation and Engagement

- 21 There has been consultation with Group Leaders and Administrators in relation to the political representation of committees.

## Reasons for Recommendations

- 22 In accordance with the Constitution, the Environment and Communities Committee is responsible for the appointment of its working groups and panels.

## Other Options Considered

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Option	Impact	Risk
Do nothing	The Council's Constitution requires these working groups and panels to be appointed in line with the legislation referenced in this report. Not appointing to these groups would negatively affect the Council's ability to make decisions in an open and transparent manner.	Failure to comply with the Council's Constitution and the legislation referenced in this report could leave the Council open to legal challenge.

## Implications and Comments

### *Monitoring Officer/Legal*

- 23 The Local Government (Committees and Political Groups) Regulations 1990, made pursuant to the Local Government and Housing Act 1989, make provisions in respect of the political group representation on a local authority's committees in relation to the overall political composition of the Council. The legislation applies to the decision-making committees and sub-committees of the Council.

- 24 The legislation requires that, where proportionality applies, and seats are allocated to different political groups, the authority must abide by the following principles, so far as is reasonably practicable:
- 25 Not all of the seats can be allocated to the same political Group (i.e., there are no single group committees).
- 26 The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.
- 27 The total number of seats on all ordinary committees and sub committees allocated to each Political Group bears the same proportion to the proportion on the full Council.
- 28 The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.
- 29 The proposals contained in this report meet the requirements of the legislation.
- 30 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

#### *Section 151 Officer/Finance*

- 31 There are no financial implications that require an amendment to the Medium-Term Financial Strategy.

#### *Policy*

- 25 There are no direct policy implications.

<b>An open and enabling organisation</b>
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Ensure that there is transparency in all aspects of council decision making
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#### *Equality, Diversity and Inclusion*

- 26 There are no direct equality, diversity and inclusion issues.

#### *Human Resources*

- 27 There are no direct human resources implications.

*Risk Management*

28 Failure to comply with the Act and Regulations when appointing its committee memberships would leave the Council open to legal challenge.

*Rural Communities*

29 There are no direct implications for rural communities.

*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

30 There are no direct implications for children and young people.

*Public Health*

31 There are no direct implications for public health.

*Climate Change*

32 There are no direct implications for climate change.

<b>Access to Information</b>	
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Appendices:	N/A
Background Papers:	None