

**Committee:** ANNUAL COUNCIL  
**Date:** 11 MAY 2004  
**Agenda Item No:** 10  
**Title:** POLITICAL BALANCE ON THE COUNCIL AND RELATED ISSUES  
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### **Summary**

- 1 This report considers the political composition of the Council and suggests a way forward for allocating seats on the Council's Committees, Task Groups and Working Groups to the three political groups. The report requests the Council to determine the number of seats to be allocated to each group. The report also recommends that the current Environment and Transport Committee be split into two separate committees namely Environment Committee and Transport and Highways Committee. If this is agreed the report also asks Council to agree the recommendation of the Independent Remuneration Panel that the Chairmen of these committees receive the appropriate Special Responsibility Allowance and that the dates of meetings be agreed.

### **Background**

- 2 The Local Government and Housing Act 1989 requires local authorities to review the representation on them of different political groups at the Annual Meeting or as soon as practicable thereafter. It further requires them to allocate the seats on their Committees to political groups represented in accordance, so far as reasonably practicable, with the following four principles of proportionality:-
  - (a) that not all seats on the body concerned 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 authority's membership;
  - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of an authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority;

- (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

### **The Council**

- 3 The current political composition of the Council is as follows:-

<b>Group</b>	<b>Members</b>	<b>Percentage</b>
Liberal Democrat	31	70.45%
Conservative	10	22.73%
Independent	3	6.82%

### **Allocation of Seats - Committees**

- 4 Since the new constitution was adopted, it has been the convention for all Members to serve on at least one policy committee and one scrutiny or regulatory committee.
- 5 It has been suggested, in view of the increasing workload of the Environment and Transport Committee and its current range of strategic and operational responsibilities, that this should be replaced by two separate committees namely Environment Committee and Transport and Highways Committee. If agreed, the following suggestion is put forward for Members' consideration.

<b>Committee</b>	<b>Members</b>
Community and Leisure	10
Environment	10
Health and Housing	10
Resources	10
Transport and Highways	10
Development Control	14
Licensing	11
Scrutiny 1	10
Scrutiny 2	10
	95 seats

### **Other Committees**

- 6 The allocation of seats to other committees also needs to be considered:-

- (i) Standards Committee (4 members)

Unless agreed by the parties prior to the meeting, each political group can submit two nominations and the Council selects one from each group. The fourth member is selected from the remaining three nominations.

- (ii) Staff Appeals Committee (7 members)

This needs to be politically balanced, which would result in 5:2:0.

- (iii) Emergency Committee (4 members, all ex-officio)

Leader, Deputy Leader, Chairman of the Council and Chairman of Resources Committee.

- (iv) Internal Audit partnership Joint Committee (3 members, all ex-officio)

(Chairman and Vice-Chairman of Resources Committee and Chairman of Scrutiny Committee 2).

### **Task Groups and Working Groups**

- 7 The following Task Groups and Working Groups have been established to deal with specific projects and, in some cases, ongoing issues. In addition to the existing groups it was suggested at the last Council meeting that a Strategic Planning Reference Group be established.

#### Task Groups

- Bridge End Gardens Task Group (currently 5 members)
- Museum Management Task Group (4 members, including Chairman and Vice-Chairman of Community and Leisure Committee)
- Decriminalisation of Parking Enforcement Task Group (5 members)
- Strategic Planning Reference Group (Group leaders and Chairs of Resources, Environment & Transport, Health & Housing, Development Control and Conservative spokesperson for Environment and Transport)
- CPA Task Group (6 members)

#### Working Groups/Panels

- Community Achievement Panel (6 members)
- Constitution Working Group (6 members)
- Corporate Support Group (3 members)
- Corporate Procurement Group (3 members)
- E Government Working Group (3 members)
- Local Service Agreement Working Group (6 members)
- Saffron Walden Town Centre Management Scheme (4 members including Chairman and Vice Chairman of Environment and Transport and Highways Committee)
- Stansted Airport Advisory Panel (12 members)
- Risk Management Group (2 members)
- Local Joint Committee (2 members including Leader of the Council)

## **Future Arrangements for Environment and Transport Committee**

- 8 As mentioned in paragraph 5, it is suggested that the Environment and Transport Committee be replaced by an Environment Committee and a Transport and Highways Committee and that Scrutiny 2 Committee be responsible for the scrutiny of the committees.
- 9 If agreed, suggested Terms of Reference and delegation arrangements are set out as an appendix to this report. Members will be aware that the Quality of Life Corporate Plan states that a formal review of the democratic structure should be carried out by 31 December 2004 and any other issues arising from this change could be included in this review.
- 10 The Independent Remuneration Panel met on 27 April 2004 and was advised of this recommendation. The Panel recommended that, subject to the adoption of this recommendation, the Chairmen of the two committees receive the same Special Responsibility Allowance as other chairmen of policy committees.
- 11 In order to avoid major disruption to the Timetable of Meetings it is suggested that the Environment Committee meet on the dates currently allocated for the Environment and Transport Committee and that the Transport and Highways Committee meet on the Thursday of the same week, i.e. 10 June, 16 September and 11 November 2004 and 13 January and 10 March 2005.

### **RECOMMENDED that**

- 1 The Council allocates the seats on its main and other committees to the three political groups as detailed in the report.
- 2 The Council designates Task Groups and Working Groups as set out in paragraph 7.
- 3 The Council establishes a new Strategic Planning Reference Group of 8 members.
- 4 The Council agrees the replacement of the Environment and Transport Committee by an Environment Committee and Transport and Highways Committee and agrees the Terms of Reference and delegation arrangements set out in Appendix A.
- 5 The Council agrees that Scrutiny 2 Committee be responsible for the scrutiny of these committees.
- 6 The Council agrees the recommendation of the Independent Remuneration Panel that the Chairmen of these two committees receive a Special Responsibility Allowance of £4,491 p.a. each in 2004/05.
- 7 The suggested dates for these committees for 2004/05 be agreed

Background Papers: Nil

**ENVIRONMENT COMMITTEE****A Terms of Reference**

- 1 The statutory and other functions, as appropriate, conferred on the Council as District Planning Authority insofar as they relate to strategic and policy issues.
- 2 Strategic transportation matters, including Stansted Airport.
- 3 The conservation and improvement of the built environment and countryside in the District.
- 4 The functions of the Council with respect to the Building Regulations and allied legislation.
- 5 Recycling including integrating waste collection and recycling with other districts and the County Council.

**B Terms of Delegation to Committee**

- 1 The preparation of plans and related documents as district planning authority.
- 2 Advice on regional planning and related issues, including transportation policy.
- 3 Advice on aviation matters generally and specifically relating to Stansted Airport.
- 4 The maintenance, management and development of open spaces, ornamental gardens, play and recreational areas (and statutory and non-statutory allotments).
- 5 The preparation and implementation of an integrated waste strategy.
- 6 The provision of refuse collection, recycling, street cleansing and cesspool emptying services.
- 7 Contract monitoring, quality control and client management in relation to refuse collection, street cleansing, cesspool emptying and grounds maintenance services.
- 8 The provision, maintenance, management and development of the Council's housing amenity areas and amenities, including:
  - (a) open spaces and recreational areas;
  - (b) parking areas and garages;
  - (c) unadopted roads, verges, footways and street lighting.
- 9 Environmental monitoring (including the monitoring of water supplies).

- 10 The Council's statutory responsibilities for land drainage and sewerage.
- 11 The provision of advice and financial assistance, as appropriate, to help maintain and enhance the District's environment and encourage appropriate economic development.
- 12 To review periodically and, if necessary, amend the Council's policy on the exercise of its functions with respect to the Building Regulations and allied legislation, and to discharge those functions.
- 13 The administration of grants within the scope of the Committee.

### **C Delegation to Chief Officers**

Subject to criteria determined by Members where appropriate, and in respect of matters within the purview of the Committee, the Chief Officers, and officers nominated by them, will exercise the following powers and duties in accordance with the Council's procedure rules (including contracts) and Financial Regulations:-

- 1 Day-to-day management of the services within the purview of the Committee, and within the approved budget.
- 2 The issue of statutory notices and certificates.
- 3 The institution of legal proceedings in respect of contraventions of the statutory provisions and orders.
- 4 Institution of legal proceedings for breaches of licences or statutory provisions, including breaches of the Building Act and Regulations.
- 5 Contract monitoring, quality control and client management of the following services:-
  - i) refuse collection;
  - ii) street cleansing and litter control;
  - iii) vehicle maintenance.
  - iv) cesspool emptying
  - v) grounds maintenance
- 6 Applications for grant aid - annual reports on the grants made to be submitted to the Environment Committee.

## **TRANSPORT AND HIGHWAYS COMMITTEE**

### **A Terms of Reference**

- 1 All matters relating to the implementation of transport, highways and car parking proposals, excluding Stansted Airport and not including the diversion, extinguishment and creation of public rights of way).
- 2 All matters relating to off street parking, decriminalisation and residents parking scheme.

### **B Terms of Delegation to the Committee**

- 1 The provision and maintenance of off-street vehicle parking facilities, including the making of the appropriate orders, and the administration of on street parking i.e. residents parking schemes.
- 2 The Management of Decriminalisation of parking enforcement
- 3 The provision of or assistance in the provision of travel initiatives to help the elderly and handicapped who have real transport needs.
- 4 The approval and monitoring of the locally determined highways programme.
- 5 Comment on Essex County Council's highways maintenance plan.
- 6 The making of traffic regulation orders and the exercise of such other relevant order making powers as the Essex County Council may delegate to the Council within the prescribed budget.
- 7 The delivery of the Road Safety service in accordance with the policy/guidance laid down by the Essex County Council.
- 8 Road Safety matters requested by the Road Safety Advisory Committees.

### **C Delegation to Chief Officers**

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- 1 Day-to-day management of the services within the purview of the Committee, and within the approved budget.
- 2 The issue of statutory notices and certificates.
- 3 The institution of legal proceedings in respect of contraventions of the statutory provisions and orders.

- 4 Functions associated with the preparation and monitoring of the Locally Determined Highways Programme.
- 5 The issue of such statutory notices as may be required in connection with the exercise of the functions delegated to the Council by the Highways Authority.
- 6 The preparation and submission of the bid for the annual Road Safety contract.



## **STANSTED AIRPORT ADVISORY PANEL**

### **Terms of Reference**

To consider all aspects of the Airport and report to the Environment Committee.

## **SAFFRON WALDEN TOWN CENTRE MANAGEMENT SCHEME WORKING PARTY**

### **Terms of Reference**

- 1 To undertake a survey of the views of businesses and residents on preferences for traffic management in Saffron Walden Town Centre in consultation with the Area Highway Manager.
- 2 To prepare proposals for consideration by the Transport and Highways Committee.

## **DECRIMINALISATION OF PARKING ENFORCEMENT TASK GROUP**

### **Terms of Reference**

To make recommendations to the Transport and Highways Committee about the ongoing implementation of decriminalisation in Uttlesford.