

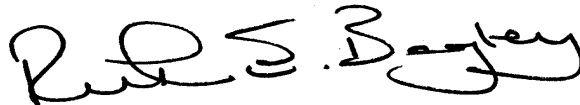
Date of despatch: 21<sup>st</sup> September 2011

**To the Members of Slough Borough Council**

Dear Councillor,

You are summoned to attend a Meeting of the Council of this Borough which will be held in the Council Chamber, Town Hall, Bath Road, Slough on **Thursday, 29th September, 2011 at 7.00 pm**, when the business in the Agenda below is proposed to be transacted.

Yours faithfully



**RUTH BAGLEY**  
*Chief Executive*

**AGENDA**

**PRAYERS**

***Apologies for Absence***

**PAGE**

- |    |   |       |
|----|---|-------|
| 1. | Declarations of Interest-Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct. |       |
| 2. | Minutes of the Council held on 26th July, 2011  | 1 - 8 |
| 3. | To receive the Mayor's Communications.  |       |

**Public Questions**

- |    |   |  |
|----|---|--|
| 4. | Questions from Electors under Procedure Rule 9 (If any) |  |
|----|---|--|

5. Questions from Members re the Thames Valley Police Authority under Procedure Rule 10 (if any).

**Officer Reports**

6. Electoral Matters - Local Government Boundary Commission Electoral Review, Polling District and Polling Place Review and Parliamentary Constituency Boundary Review 9 - 18
7. Committee/Council Membership 19 - 24

**Motions**

8. To consider Motions submitted under procedure Rule 14. 25 - 26

**Member Questions**

9. To note Questions from Members under Procedure Rule 10 (as tabled).

**MINUTES OF COUNCIL PROCEEDINGS**

At a Meeting of the Council for the Borough of Slough held at the Town Hall, Slough on Tuesday, 26th July, 2011 at 7.00 pm

**Present:-** The Worshipful the Mayor (Councillor S K Dhaliwal), in the chair;  
Councillors Anderson, Bains, Basharat, Buchanan, Carter, S Chaudhry, Chohan, Coad, Dale-Gough, Dar, Davis, A S Dhaliwal, Dodds, Grewal, Haines, Long, M S Mann, Matloob, Minhas, Munawar, Pantelic, Parmar, Plenty, Plimmer, Qureshi, Rasib, Sharif, Small, Smith, Sohal, Stokes, Strutton, Walsh and A S Wright

**Apologies for Absence:-** Councillors Abe, P Choudhry, P K Mann, O'Connor, Swindlehurst and S P Wright

**12. Declarations of Interest**

Cllr Basharat declared a personal interest in that a member of his family was employed by the Council.

**13. Minutes - 19th May, 2011 and 23rd June 2011**

It was moved by Councillor Stokes,  
Seconded by Councillor Haines,

“That the Minutes of the Council meeting held on 23<sup>rd</sup> June, 2011 do not comprise an accurate record of proceedings.”

The Mayor put the Minutes to the Council and following a vote the Minutes were declared as an accurate record by 24 votes, to 10 votes, with 1 abstention.

There voted for the Minutes being a correct record:

Councillors Anderson, Bains, Carter, S Chaudhry, Chohan, Dar, Davis, A S Dhaliwal, S K Dhaliwal, Dodds, Grewal, M S Mann, Matloob, Minhas, Munawar, Pantelic, Parmar, Plenty, Qureshi, Rasib, Sharif, Small, Sohal, Walsh ..... 24

There voted against the Minutes being a correct record:

Councillors Basharat, Buchanan, Coad, Dale-Gough, Haines, Plimmer, Smith, Stokes, Strutton and A S Wright ..... 10

There abstained from voting:

Councillor Long ..... 1

**Resolved** - That the Minutes of the proceedings of the Council at its meetings held on 19<sup>th</sup> May, 2011 and 23<sup>rd</sup> June, 2011 be approved as a correct record and signed by the Mayor.

**14. To receive the Mayor's Communications.**

Norway

The Mayor offered her sincere condolences to the people of Norway, following the recent tragic events when a bomb had killed seven people in Oslo and many youths and other individuals had been killed by a gunman on Utoya Island.

The Council stood for one minute's silence as a mark of respect to those who had lost their lives in the tragedy.

Chattri Memorial Service in Brighton

The Mayor announced that she had received an invitation from the Undivided Indian Army Ex-Servicemen's Association Slough, to the Chattri Memorial Service in Brighton. The Chattri bore the following inscription in Hindi and English:

*"To the memory of all the Indian soldiers who gave their lives for their King-Emperor in the Great War, this monument, erected on the site of the funeral pyre where the Hindus and Sikhs who died in hospital at Brighton, passed through the fire, is in grateful admiration and brotherly affection dedicated.*

The Mayor had laid a wreath at the memorial on behalf of the people of Slough.

Fly the Flag for Our Armed Forces on 20<sup>th</sup> June.

The Mayor thanked Councillors who together with Veterans and Air Cadets had attended the 'Fly the Flag for Our Armed Forces' event on 20<sup>th</sup> June. The Mayor paid tribute particular tribute to two individual Veterans; Les Allan, aged 90 and James Hamilton-Smith, aged 90.

Aik Saath Presentation Evening on 14<sup>th</sup> July.

The Mayor had attended a presentation evening held on 14<sup>th</sup> July by the Aik Saath and the Mayor commended the charity for the great work it carried out in empowering young people to help shape society and promote peace and racial harmony through the teaching of resolution conflict skills in the local community.

The Deputy Mayor

The Mayor gave special thanks to Cllr Small, Deputy Mayor, for covering Mayoral duties on her behalf, whilst she had recently travelled to India.

The Mayor's Civic Service

The Mayor's Civic Service would be held on Sunday, 18<sup>th</sup> September at Kingsway United Reformed Church, commencing at 10.30 am. The Mayor's Chaplain, the Reverend Linda Hillier will be conducting the Service and it would

**Council - 26.07.11**

be a very special occasion when the church would celebrate the Harvest Festival. The Service would also support East Berkshire Women's Aid. Invitations would be issued in the near future and it was hoped that Members would join the Mayor for this important civic occasion.

**15. Questions from Electors under Procedure Rule 9.**

None received.

**16. Questions from Members re the Thames Valley Police Authority under Procedure Rule 10 (if any).**

The Mayor advised that Councillor Bains, the nominated representative, had received 7 questions from Members regarding the Thames Valley Police Authority and these had been tabled along with the answers.

**17. Recommendation of the Cabinet from its meeting on 13th June 2011 - Statutory Service Delivery Plans**

It was moved by Councillor Walsh,  
Seconded by Councillor Anderson,

"That the recommendation as set out in the report be approved and adopted".

The recommendation was put and carried.

**Resolved-** That the Statutory Service Plans as circulated to all Members in relation to the Food Safety, Health & Safety and Trading Standards work undertaken by the Council be endorsed.

**18. Publication of Freedom of Information Requests**

It was moved by Councillor Anderson,  
Seconded by Councillor Walsh,

"That the recommendation as set out in the report be approved and adopted".

It was moved as and amendment by Councillor Dale-Gough,  
Seconded by Councillor Smith,

'That from 1st August 2011 requests and responses under the Freedom of Information Act 2000 will be published on the Council's website, with the exception of vexatious and offensive requests. That Group Leaders be provided with a summary of the FOI requests that have been rejected under Section 14 of the Freedom of Information Act for being vexatious and/or offensive on a quarterly basis.'

Councillor Anderson indicated his agreement to the inclusion of this amendment and it was:

**Resolved-** That from 1st August, 2011 requests and responses under the Freedom of Information Act 2000 will be published on the Council's website, with the exception of vexatious and offensive requests, and

**Council - 26.07.11**

that Group Leaders be provided with a summary of the FOI requests that have been rejected under Section 14 of the Freedom of Information Act for being vexatious and/or offensive on a quarterly basis.'

**19. Streamlining Planning - amendments to the Constitution - recommendation of Member Panel on Constitution**

It was moved by Councillor Dodds,  
Seconded by Councillor Carter,

"That the recommendations as set out in the report be approved and adopted".

Councillor Smith sought to move an amendment which was ruled out of order as it introduced a new proposal. The Council agreed that the proposal be considered by the Member Panel on the Constitution for report back to a future meeting of the Council.

**Resolved-**

- (a) That the proposed changes to officer delegations (Development Control) as set out at Appendix 2 of the report with regard to minor changes to major applications be endorsed.
- (b) That a deadline for members to call in applications for consideration by the Planning Committee be introduced at 7 days from expiry of the residents consultation.
- (c) That the following proposal submitted by Councillor Smith be referred to the Member Panel on the Constitution for consideration and report back.

"Objectors should be enabled to address the Planning Committee if officers are recommending "refusal", where the proposed development is in a Conservation Area, or in the Greenbelt, or where the objectors are statutory consultees, including Parish Councils".

**20. Electoral Review - Local Government Boundary Commission for England and Polling District and Polling Place Review**

It was moved by Councillor Anderson,  
Seconded by Councillor Buchanan,

"That the recommendations as set out in the report be approved and adopted".

The recommendations were put and carried.

**Resolved-**

- (a) That the Council size of 42 elected members as recommended by the Local Government Boundary Commission for England be noted.
- (b) That the Polling District and Place Review currently underway be noted.

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- (c) That the establishment of a cross party working group comprising the Leader and a nominee of each Group with relevant officers to consider and make recommendations to the Council meeting on 29<sup>th</sup> September on a warding pattern for the Borough and consider the outcome of the review of Polling District and Places be endorsed.

**21. To consider Motions submitted under procedure Rule 14.**

**Motion 1- Cuts to Social Care Provision for the disabled**

It was moved by Councillor Stokes,  
Seconded by Councillor Haines,

“This Council resolves to:

Prepare a report within 4 weeks outlining the implications for Slough, of Mr Justice Walker’s High Court ruling of 19 May 2011 that the cuts Birmingham City Council was implementing to social care provision for disabled people were illegal”.

The motion was put and lost by 11 votes, to 23 votes, with 1 abstention, and on a show of hands, a prior request having been made, for a record of the voting:

There voted for the motion:

Councillors Basharat, Buchanan, Coad, Dale-Gough, Haines, Long, Plimmer, Smith, Stokes, Strutton and A S Wright ..... 11

There voted against the motion:

Councillors Anderson, Bains, Carter, S Chaudhry, Chohan, Dar, Davis, A S Dhaliwal, Dodds, Grewal, M S Mann, Matloob, Minhas, Munawar, Pantelic, Parmar, Plenty, Qureshi, Rasib, Sharif, Small, Sohal, Walsh ..... 23

There abstained from voting:

The Worshipful the Mayor ..... 1

**Resolved-** That the motion be rejected.

**Motion 2- Fly the St George’s Flag**

It was moved by Councillor A S Wright,  
Seconded by Councillor Coad,

“This Council resolves to:

Reaffirm its commitment to the motion passed by full Council on the 27<sup>th</sup> July 2010 requiring the Council to: **“fly the St George’s Flag at the Town Hall on St George’s Day and other significant English occasions”**, which should include weekends and public holidays, and . fly the flag wherever the main Town Hall is to be re-sited after the conversion of the old Town Hall into a school annexe”.

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It was moved as an amendment by Councillor Anderson,  
Seconded by Councillor Pantelic,

That the motion be amended as follows:-

“This Council resolves to:

Reaffirm its commitment to the motion passed by full Council on the 27<sup>th</sup> July 2010 requiring the Council to: “fly the St George’s Flag at the Town Hall on St George’s Day and other significant English occasions”, which should include weekends and public holidays, and fly the flag wherever the main Town Hall is to be re-sited after the conversion of the old Town Hall into a school annexe, and also calls on the Member Panel on the Constitution to conduct a full review the Council’s flag regulations to take account of the three flag poles present at St Martin’s Place, and to bring recommendations back to the 29<sup>th</sup> November Council Meeting”.

Councillor A S Wright as mover of the original motion, with the agreement of her seconder, Councillor Coad, indicated that she was prepared to accept the proposed amendment which was agreed by the Council as the substantive motion.

**Resolved** - This Council resolves to:

Reaffirm its commitment to the motion passed by full Council on the 27<sup>th</sup> July 2010 requiring the Council to: “fly the St George’s Flag at the Town Hall on St George’s Day and other significant English occasions”, which should include weekends and public holidays, and fly the flag wherever the main Town Hall is to be re-sited after the conversion of the old Town Hall into a school annexe, and also calls on the Member Panel on the Constitution to conduct a full review the Council’s flag regulations to take account of the three flag poles present at St Martin’s Place, and to bring recommendations back to the 29<sup>th</sup> November Council Meeting.

### **Motion 3- Local retention of business rates**

It was moved by Councillor Anderson,  
Seconded by Councillor Matloob,

“This Council resolves to:

Write to the Secretary of State for Business, Innovation & Skills, and the Secretary of State for Communities and Local Government to express this Council’s support for the proposals made by Government to allow local authorities to retain business rates collected locally as an incentive to support business development in their local area, and request the implementation of the proposals at the earliest opportunity”.

Following debate the Motion was put to the Council and it was



## **Council - 26.07.11**

**Resolved-** This Council resolves to:

Write to the Secretary of State for Business, Innovation & Skills, and the Secretary of State for Communities and Local Government to express this Council's support for the proposals made by Government to allow local authorities to retain business rates collected locally as an incentive to support business development in their local area, and request the implementation of the proposals at the earliest opportunity.

### **22. To note Questions from Members under Procedure Rule 10 (as tabled).**

No questions had been responded to in the relevant period.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 8.05 pm)

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Council **DATE:** 29<sup>th</sup> September 2011

**CONTACT OFFICER:** Electoral Review Working Group/  
Catherine Meek  
Deputy Borough Secretary

**(For all enquiries)** (01753) 875011

**WARD(S):** All

**PART I**  
**FOR DECISION**

**ELECTORAL MATTERS – LOCAL GOVERNMENT BOUNDARY COMMISSION**  
**ELECTORAL REVIEW, POLLING DISTRICT AND POLLING PLACE REVIEW AND**  
**PARLIAMENTARY CONSTITUENCY BOUNDARY REVIEW**

1 **Purpose of Report**

To advise the Council of:-

- The Electoral Review Working Group's proposed submission to the Local Government Boundary Commission for England (LGBCE) on warding arrangements for the Borough.
- The outcome of the polling District and Polling Place review.
- The commencement of the Parliamentary Boundary Review being undertaken by the Boundary Commission for England (BCE).

2 **Recommendation**

The Council is requested to resolve:

- (a) That the draft Submission on proposed Warding Arrangements for the Borough as set out at Appendix A be approved and forwarded to the LGBCE.(To Follow).
- (b) That the outcome of the review of Polling District and Polling Places be noted and that:-
  - (1) with the exception of (2) below, existing Polling Districts and Polling Places be retained
  - (2) Upton Lea Community Centre be designated as the Polling Place for Polling District NB (Wexham Lea) with immediate effect.
- (c) That the commencement of the BCE's review of Parliamentary constituency boundaries be noted and that a cross party working group comprising the Leader and a nominee of each Group with relevant officers be established to consider and make recommendations to the Council meeting on 29<sup>th</sup> November 2011 on the BCE's initial proposals.

### 3 **Other Implications**

#### (a) Financial

There are no financial or risk management implications as the report is administrative in nature.

#### (b) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications associated with this report. Polling District and Polling Place Reviews are carried out under the provisions of the Representation of the People Act 1983.

### 4 **Supporting Information**

#### **A ELECTORAL REVIEW – LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND**

- 4.1 At its meeting on 26<sup>th</sup> July 2011 the Council was advised of the timetable for the Electoral review of Slough being carried out by the LGBCE as follows:

<b>Timetable</b>			
<b>Stage</b>	<b>Date start</b>	<b>Date finished</b>	<b>Duration</b>
Information gathering for warding arrangements	4 July 2011	4 October 2011	13 weeks
LGBCE analysis and deliberation	5 October	20 December	11 weeks
Draft recommendations published	20 December		8 weeks
Draft recommendations consultation	20 December 2011	13 February 2012	
LGBCE analysis and deliberation	14 February 2012	8 May 2012	13 weeks
Final recommendations published	8 May 2012		

- 4.2 The Council established a cross party working group comprising the Leader and a nominee of each Group with relevant officers to consider and make recommendations to the Council meeting on 29<sup>th</sup> September on a warding pattern for the Borough.
- 4.3 The Working Group has met several times over the summer period. A copy of the Working Group's proposed submission to the LGBCE is attached at Appendix A for the Council's consideration.(To Follow)

#### **B POLLING DISTRICT AND POLLING PLACE REVIEW**

- 4.4 At its meeting on 26<sup>th</sup> July 2011 the Council was advised that a review of UK Parliamentary polling districts and polling places under Section 18C(1) of the Representation of the People Act 1983 needed to be completed by December 2011.

Polling districts and polling places for local government elections were not automatically part of the review however given that, in practice, polling districts and polling places for local government elections are based on UK parliamentary polling arrangements a review of local government polling arrangements was conducted simultaneously.

- 4.5 The Review was commenced formally by the publication of a notice stating that the local authority intended to commence a review and inviting representations. There is no requirement to change polling districts or places but any 'no change' decision must be fully justified.
- 4.6 A notice publicising the commencement of the Review was published on 11<sup>th</sup> July 2011 with representations invited up to the 7<sup>th</sup> September 2011. A copy of the Notice was also sent to interested parties such as Members, Disability groups and other stakeholders. The Council agreed that any representations and recommendations would be considered by the cross party electoral review working for report to Council on 29<sup>th</sup> September 2011.
- 4.7 The working group was advised of the outcome of the review at its meeting on the 5<sup>th</sup> September. There had been no responses to the consultation other than a request for the Polling place for Polling District NB to be altered from Lea Nursery to Upton Lea Community Centre, off Wexham Road. A site visit has been carried out and the building is considered to be suitable for the purpose and more convenient to voters than Lea Nursery. The Working Group agreed to recommend that the existing arrangements for Polling Districts and Polling Places be retained but that the polling place for Polling District NB be changed to Upton Lea Community Centre.
- 4.8 A map showing the location of the proposed new Polling Place is attached at Appendix B.
- 4.9 Since the meeting of the working group the Elections Office has been advised that St Ethelbert's School (a Voluntary Aided school) no longer wishes to be used as a polling place. It is currently a polling place for Polling District NC in Wexham Lea Ward. Alternative polling places are being investigated and will be reported to the Council meeting.

## **C PARLIAMENTARY BOUNDARY REVIEW**

- 4.10 The Boundary Commission for England (BCE) published initial proposals for new constituency boundaries in England on Tuesday 13<sup>th</sup> September 2011. This publication marks the start of a 12 week period of consultation on the BCE's initial proposals ending on Monday 5<sup>th</sup> December 2011.
- 4.11 The BCE's proposals are available for inspection at St Martin's Place and summaries of the proposals are available - a copy of the summary of the initial proposals for the South East is attached at Appendix C. The review concludes in 2013 and a timeline for the Review is attached at Appendix D.
- 4.12 It is proposed that the cross party electoral review working group comprising the Leader and a nominee of each Group with relevant officers be re-established to consider and make recommendations to the Council on the BCE's initial proposals for Slough Constituency.

5 **Appendices**

- A Draft Submission on proposed Warding Arrangements for the Borough (To Follow)
- B Map showing proposed polling place for Polling District NB
- C Parliamentary Boundary Review – Initial Proposals for the South East
- D Timeline for the Parliamentary Boundary Review

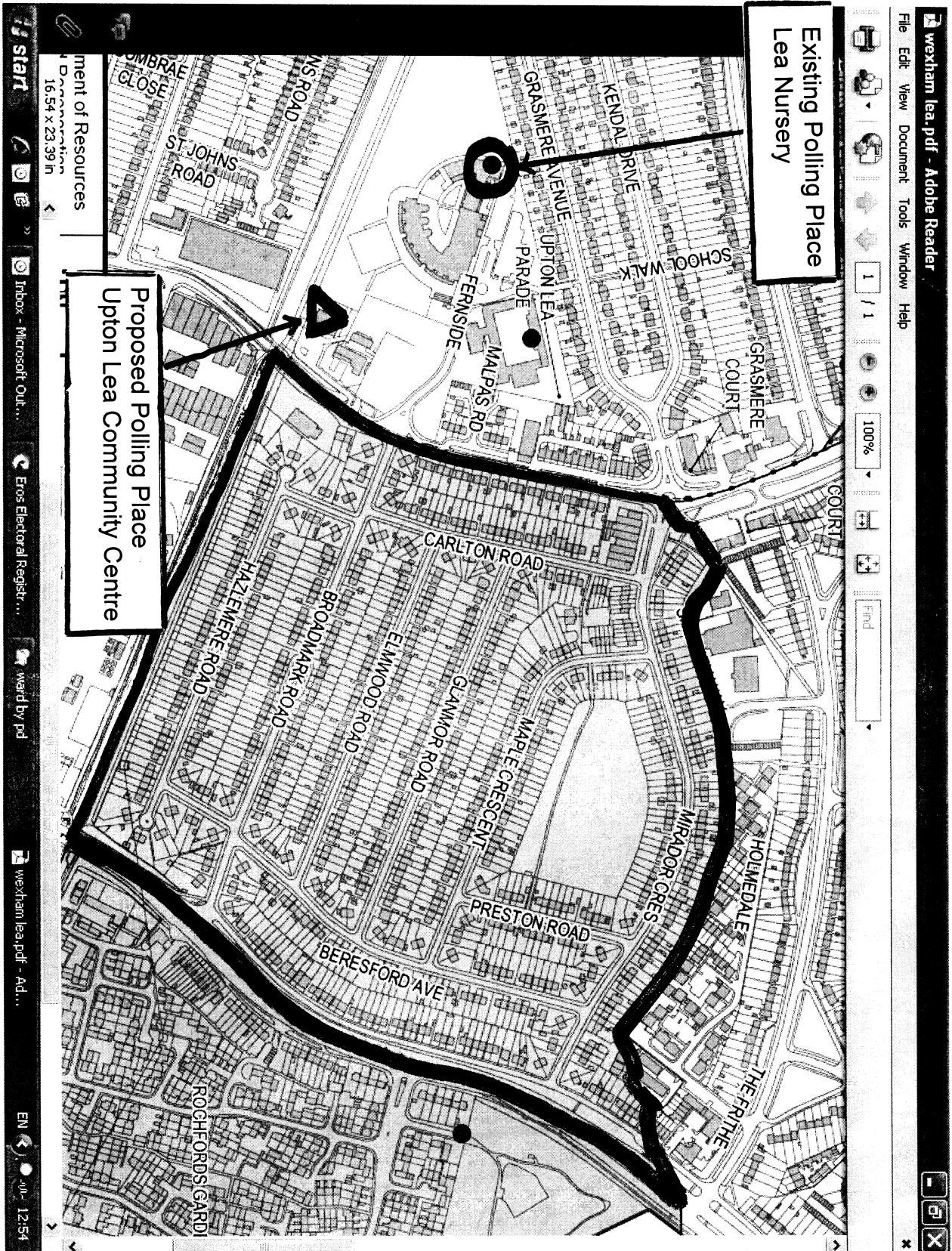
6 **Background Papers**

Local Government Boundary Commission for England– Electoral Reviews – Guidance

Agenda and Minutes – Council 26<sup>th</sup> July 2011

BCE Letter to Chief Executive – 18<sup>th</sup> August 2011

Circular EC19/2010 – Review of Polling Districts, polling places and polling stations



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# South East

## Initial proposals summary

### Who we are and what we do

The Boundary Commission for England is an independent and impartial non-departmental public body which is responsible for reviewing Parliamentary constituency boundaries in England.

### 2013 Review

We have the task of periodically reviewing the boundaries of all the Parliamentary constituencies in England. We are currently conducting a review on the basis of new rules laid down by Parliament. These rules involve a significant reduction in the number of constituencies in England (from 533 to 502), and require that every constituency – apart from two specified exceptions<sup>1</sup> – must have an electorate that is no smaller than 72,810 and no larger than 80,473 (please refer to *A guide to the 2013 Review* for details of how this has been calculated).

### Initial proposals

We have now completed the first stage of the review process and have published our initial proposals for the new Parliamentary constituency boundaries in England. Information about the proposed constituencies is now available on our website or in hard copy at a local ‘place of deposit’ near you.

### What is changing in the South East?

The South East region has been allocated 83 constituencies – a reduction of one from the current arrangement.

Our proposals leave 18 of the 84 existing constituencies unchanged. We propose only minor changes to a further 23 constituencies, with two wards or fewer altered from the existing constituencies.

The rules that we work to state that we must allocate two constituencies to the Isle of Wight. Neither of these constituencies is required to have an electorate that is within the requirements on electoral size set out in the rules.

Where it has not been feasible to allocate whole numbers of constituencies to individual counties, we have grouped local authority areas into sub-regions. The number of constituencies allocated to each sub-region is determined by the electorate of the combined local authorities.

Sub-region	Existing allocation	Proposed allocation
Berkshire	8	8
Brighton and Hove, East Sussex, Kent, and Medway	25	24
Buckinghamshire and Milton Keynes	7	7
Hampshire, Portsmouth, and Southampton	18	17
Isle of Wight	1	2
Oxfordshire	6	6
Surrey	11	11
West Sussex	8	8

In Berkshire, six of the eight existing constituencies are unchanged, while the remaining two are changed only by the transfer of one ward. In Oxfordshire, Surrey, and West Sussex seven out of 25 of the existing constituencies are unchanged. In addition, for a number of other constituencies

<sup>1</sup> The specified exceptions in England to the rules on constituency size are the two constituencies on the Isle of Wight. However, in all other aspects of the 2013 Review, the Isle of Wight is treated in the same way as other parts of England.

in these counties we have been able to identify constituencies which comply with the new rules by making only minor changes.

In other cases, more substantial changes have proved to be necessary.

We propose one constituency that contains electors from East Sussex and Kent, which combines the towns of Battle, Crowborough, and Cranbrook. We also propose one constituency that contains electors from the Borough of Milton Keynes and Buckinghamshire, two constituencies that contain electors from the City of Portsmouth and Hampshire, and three constituencies that contain electors from the City of Southampton and Hampshire.

#### How to have your say

We are consulting on our initial proposals for a 12-week period, from 13 September 2011 to 5 December 2011. We encourage everyone to use this opportunity to contribute to the design of the new constituencies – the more public views we hear, the more informed our decisions will be when analysing all the views we receive.

We ask everyone wishing to contribute to the design of the new constituencies to first read the *Initial proposals* report and accompanying maps before responding to us.

In particular, we would like to know:

- if you agree in full, in part or not at all with our initial proposals for the South East region;
- which sub-regions you agree with and why;
- which sub-regions you disagree with and why; and
- if you can propose alternatives for areas you disagree with that meet the statutory rules we set out in our report.

You can find more details of how to respond on our website, or you can write to us direct or email [southeast@bcommengland.x.gsi.gov.uk](mailto:southeast@bcommengland.x.gsi.gov.uk). You can also find details of where and when we will be holding public hearings in your area on our website.

Boundary Commission for England  
35 Great Smith Street  
London  
SW1P 3BQ

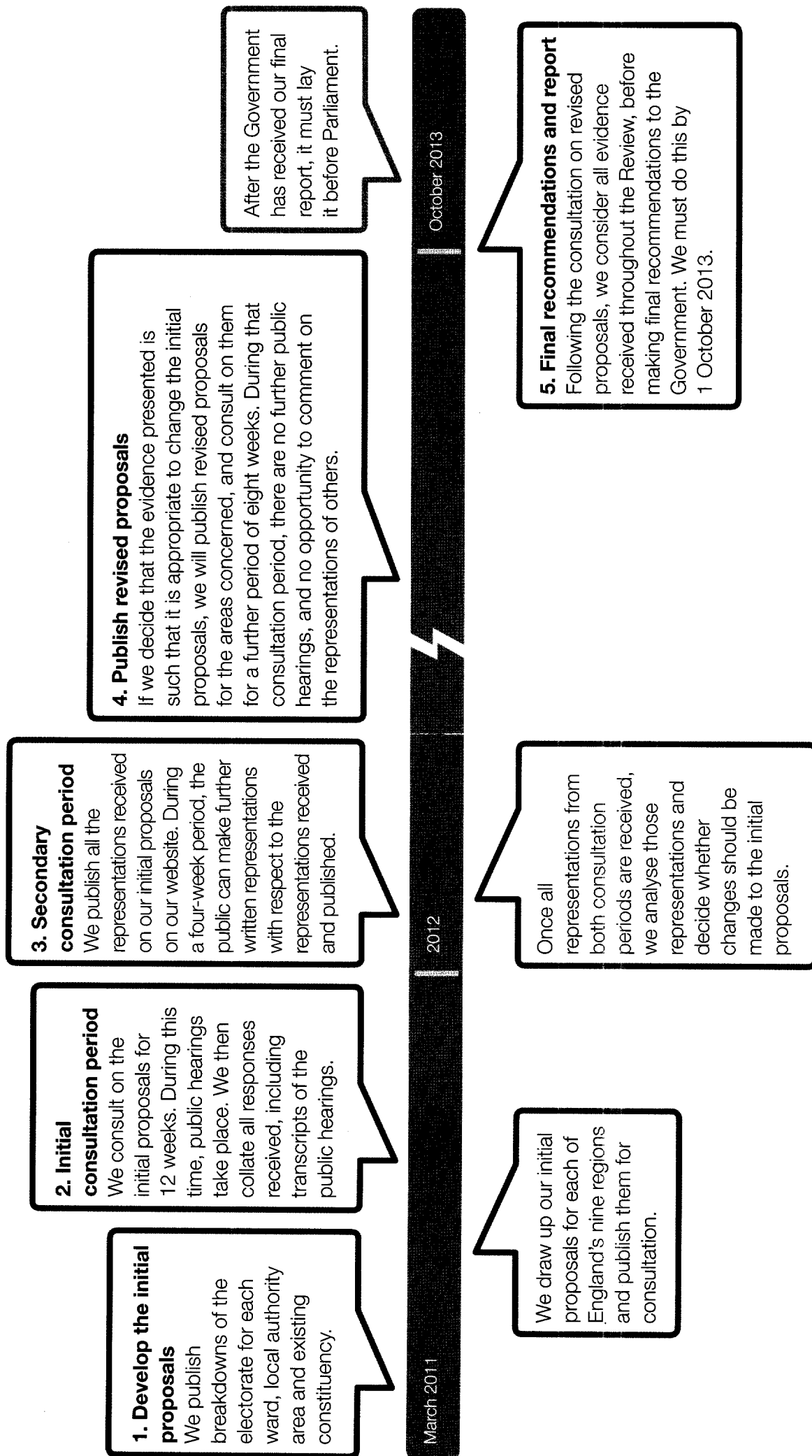
Tel: 020 7276 1102

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Website: [www.consultation.boundarycommissionforengland.independent.gov.uk](http://www.consultation.boundarycommissionforengland.independent.gov.uk)

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Council

**DATE:** 29<sup>th</sup> September 2011

**CONTACT OFFICER:** Catherine Meek  
**(For all enquiries)** Deputy Borough Secretary  
(01753) 875011

**WARD(S):** All

**PART I**  
**FOR DECISION**

**COMMITTEE/COUNCIL MEMBERSHIP**

1 **Purpose of Report**

To consider the reallocation of vacant seats on the Licensing Committee and make appointments to them.

To seek Council's approval to the appointment of an Independent Co-opted Member position on the Standards Committee

To consider whether to grant Councillor Choudhry a dispensation to the 'six month' rule in the event that he does not attend the meeting

2. **Recommendations**

The Council is requested to resolve:

- (a) That the allocation of seats agreed by the Council on 19<sup>th</sup> May 2011 be noted.
- (b) Whether or not to reallocate the two vacant seats on Licensing Committee and make appointments to them.
- (c) That Mr Ronald Roberts be appointed to the Standards Committee as an independent Co-Opted member with immediate effect to the day before the Council's Annual Meeting in 2015, or until such time that the Council makes other arrangements for the Local Standards Regime under the provisions of the Localism Bill when enacted.
- (d) Whether or not, in the event that Cllr Choudhry is unable to attend the Council meeting, that he be granted an extension to the six month due to his poor health and for what period of time.

**Community Strategy Priorities**

Effective, transparent and democratic decision making processes are an essential pre-requisite to the delivery of all the Council's priorities.

#### 4. **Other Implications**

- 4.1 The proposals have no workforce implications and any financial implications have been reflected within the approved budget. There are no Human Rights Act implications. Legal implications are noted within the body of the report.

#### **Committee allocations**

- 4.2 The recommendations within this report meet legal requirements. The relevant law in respect of allocating places on Committees is set out in Sections 15-17 of the Local Government and Housing Act 1989 (the Act) and the Local Government (Committees and Political Groups) Regulations 1990 (as amended).
- 4.3 The Council agreed that allocation of seats at its annual meeting on 19<sup>th</sup> May 2011. The basic principles for allocating places on committees between political groups are:-
- (a) That not all of the seats on the committee are allocated to the same political group,
  - (b) That the majority party on the Council must have a majority over all the other groups on the committee.
  - (c) That subject to (a) and (b), the proportion of seats allocated to each political group of the total of all committees should be the same as the proportion of Members who belong to that group.
  - (d) That subject (a)-(c), the proportion of seats allocated to each political group on each committee should be the same as the proportion of Members who belong to that group.
- 4.4 The principles outlined above rank in priority. Principles (a) and (b) (no one party committees and the largest political group having a majority) must always be satisfied. Subject to those first principles the proportionality rule in (d) is applied and this distributes places proportionally among the political groups according to their respective size. For ordinary committees, however, there is a further political requirement – principle (c) applies. This means that the distribution of places on the individual committees must be adjusted so that proportionality is observed across all the ordinary committees taken as a whole (subject to principles (a) and (b)) even though this will often mean departing from proportionality within a particular committee. The effect is that a second and any subsequent opposition party will generally be entitled to some committee places even though their size does not entitle them to places on all committees.
- 4.5 Section 15 of the Regulations provides that where a political group has failed to express its wishes in relation to the appointment to an allocated seat within three weeks of it being allocated the authority may make such appointment to that seat as they think fit.
- 4.6 As an alternative to applying the political proportionality rules the Council is entitled under Section 17 of the Act to adopt different arrangements provided all of the members vote for/abstain from a proposal (ie: no member votes against).

## **Membership of the Standards Committee**

- 4.7 Under the Relevant Authorities (Standards Committee) Regulations 2001 (the Regulations), where a Standards Committee has more than three Members at least 25% must be Independent non-elected Members. The Council has chosen to provide for four Independent Members.
- 4.8 Under Regulation 4, a person may not be appointed as an Independent Member of a Standards Committee unless the appointment is
- (a) approved by the majority of the Members of the Authority;
  - (b) advertised in one or more newspapers circulating in the area of the Authority;
  - (c) of a person who has submitted an application to the Authority;
  - (d) of a person who has not within the period of 5 years immediately preceding the date of the appointment been a Member or Officer of the Authority;
  - (e) of a person who is not a relative or close friend of a Member or Officer of the Authority.

## **Attendance at meetings**

- 4.9 The Local Government Act 1972 states that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.'

## **5. Supporting Information**

### **Allocation of Seats on Committees**

#### **Background**

- 5.1 At its meeting on 19<sup>th</sup> May 2011 the Council agreed the allocation of seats on the Council's Committees to political groups under the proportionality rules and appointed to those seats. The current allocation of seats is set out at Appendix 1.

#### **Licensing Committee**

- 5.2 Councillor Choudhry was appointed to the Licensing Committee as an independent member but has since indicated that he did not want to accept the appointment. The seat allocated to the BILLD Group was also left vacant and has not been appointed to. The BILLD Group has indicated that it does not wish to take up this appointment. It is therefore open to the Council to reallocate these vacancies to another member/Group.

#### **Standards Committee**

- 5.3 An advertisement was placed in the local press on the 11 March 2011 seeking applicants for the position of an Independent Co-opted Member of the Standards Committee. No applications were received.
- 5.4 In 2003 when the Council had difficulty appointing Independent Members the Standards Board for England was consulted and its representative advised that, as the Council had advertised the vacancy as required by the Regulations it was open to

the Council to seek to fill the vacant position by directly approaching suitable candidates with a view to getting them to submit an application.

- 5.5 An application for the vacant post was received on the 6 July 2011. The applicant, Mr Ronald Roberts, was interviewed on 7<sup>th</sup> September by the Group Leaders. Following the interview, the Group Leaders recommended the appointment of Mr Roberts as an Independent Co-opted Member of the Standards Committee for the period 30<sup>th</sup> September 2011 to the day before the Annual Meeting of the Council in 2015.

### **Six Months rule**

- 5.6 Any member of a local authority who fails to attend any meeting of the authority for a period of six months ceases to be a member of that authority unless the Council considers the reasons for failure to attend and agrees to extend the period.
- 5.7 Councillor Choudhry has advised the Deputy Borough Secretary that he is, and has been, unwell and has been unable to attend a meeting since the Planning Committee on 17<sup>th</sup> May 2011. Councillor Choudhry is anticipating attending this Council meeting if his health permits. However if he is unable to attend he has asked that the Council consider granting him a dispensation to extend the six month rule to allow time for his health to improve.

### 6. **Appendices**

Appendix 1 – Current allocation of seats on Committees.

### 7. **Background Papers**

Agenda and Minutes – Council – 19<sup>th</sup> May 2011  
Local Government & Housing Act 1989 and associated Regulations  
Local Government Act 1972.



**ALLOCATION OF SEATS – COUNCIL 19<sup>TH</sup> MAY 2011**

	<b>Total No. of Seats on Body</b>	<b>Labour (27) (65.85%)</b>	<b>Conservative (8) (19.51%)</b>	<b>BILLD (5) (12.19%)</b>	<b>P CHOUDHRY (1) (2.44%)</b>
Cabinet (Executive)	8	8			
<u>Standards</u> (Not in basket)	6	3	2	1	
Audit	5	3	1	1	
Overview & Scrutiny	9	6	2	1	
Planning	9	6	2	1	
Licensing	11	7	2	1	1
Employment & Appeals	9	6	2	1	
<b><u>TOTAL SEATS ALLOCATED</u></b>	<b>43</b>	<b>28</b>	<b>9</b>	<b>5</b>	<b>1</b>
<b><u>GROUP SEAT ENTITLEMENT (Basket)</u></b>		<b>28 (28.32)</b>	<b>9 (8.39)</b>	<b>5 (5.24)</b>	<b>1 (1.04)</b>

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