

Item No. 5.	Classification: Open	Date: 20 May 2015	Meeting Name: Planning Committee
Report title:		Planning Sub-Committee Arrangements for 2015/16	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. To note the size and composition, together with the roles and functions of the planning committee as agreed by annual council assembly on 16 May 2015.
2. To note the role and functions of planning sub-committees (see Appendix 1) as agreed by annual council assembly on 23 May 2012.
3. To establish two planning sub-committees with the size and composition to be determined having regard to the guidance set out in paragraph 9 of this report.
4. To appoint chairs and vice-chairs of the planning sub-committees.

BACKGROUND INFORMATION

5. This report is presented to the planning committee in accordance with Part 3F, paragraph 4 of the constitution, which requires the planning committee to establish planning sub-committees to consider applications and other matters reserved as defined in the constitution.

KEY ISSUES FOR CONSIDERATION

Proportionality

6. Seats on committees and sub-committees must be allocated in accordance with the four principles of proportionality contained in sections 15, 16 and 17 of the Local Government and Housing Act 1989. When making appointments, committees (in appointing sub-committees) have a duty to give effect to the following principles, as far as is reasonably practicable:
 - (i) That not all the seats on a committee or sub-committee are allocated to the same political group.
 - (ii) That the majority group must have the majority of seats on each committee or sub-committee.
 - (iii) Subject to (i) and (ii) above, it must be ensured that the proportion of each political group's seats of the total number of seats on 'ordinary committees' reflects as closely as possible their proportion of seats on full council.

- (iv) Subject to (i) to (iii) above, the proportion of each political group's seats on each committee and sub-committee reflects as closely as possible their proportion of seats on full council.

Note: This rule applies to all committees, sub-committees and joint committees, except for licensing committee and community councils.

Planning sub-committees

7. The committee is invited to note the roles and functions of the planning committee and planning sub-committees as set out in Appendix 1, which were approved by council assembly on 23 May 2012 and amended in November 2013.
8. Sub-committees are not 'ordinary' committees and are each considered individually for the purposes of proportionality. So far as it is reasonably practicable to do so, the allocation of seats on each sub-committee should bear the same proportion to the number of the seats held by that group on the council. The planning committee can agree an allocation that is disproportionate, provided no member votes against this.
9. The most proportionate allocation will depend on the number of members of the sub-committee. The following sub-committee sizes would provide the following allocation of places:

Size of sub-committee	Labour	Liberal Democrats	Conservative
Nine seats	7	2	0
Eight seats	6	2	0
Seven seats	5	2	0
Six seats	5	1	0
Five seats	4	1	0
Four seats	3	1	0

10. The planning committee in 2014/15 agreed to establish two planning sub-committees with the size and composition of seven seats as indicated in the table above.

Appointments to seats

11. Section 16 (1) of the Local Government and Housing Act 1989 provides that it is the duty of the authority or committee to exercise their power to make appointments to a body as to give effect 'to such wishes about who is to be appointed to the seats on that body which are allocated to a particular political group as are expressed by that group'.
12. There is no requirement that a seat allocated to a particular group can only be filled by a member of that group. Therefore groups have the discretion to allocate seats as they wish, including to a member of another group.

Community impact statement

13. There are no specific implications.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Annual council agenda dated 22 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Ian Millichap Constitutional Manager 020 7525 7236

APPENDICES

No.	Title
Appendix 1	Planning committee and planning sub-committees roles and functions

AUDIT TRIAL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Everton Roberts, Principal Constitutional Officer	
Version	Final	
Dated	11 May 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	11 May 2015	