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| <b>Item No.</b><br>5.              | <b>Classification:</b><br>Open | <b>Date:</b><br>21 May 2022                     | <b>Meeting Name:</b><br>Planning Committee |
| <b>Report title:</b>               |                                | Planning Sub-Committee Arrangements for 2022-23 |  |
| <b>Ward(s) or groups affected:</b> |                                | All   |  |
| <b>From:</b>                       |                                | Proper Constitutional Officer                   |  |

## RECOMMENDATIONS

1. To note the size and composition of the planning committee, as agreed by annual council assembly on 21 May 2022 and the roles and functions of the planning committee and its sub-committees (see Appendix 1).
2. To establish two planning sub-committees with the size and composition as set out in paragraph 11 of this report.
3. To appoint chairs and vice-chairs of the planning sub-committees.

## BACKGROUND INFORMATION

4. 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

5. 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**

6. 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 February 2019.
7. 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.
8. 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 |
|-----------------------|--------|-------------------|
| Eight seats           | 6      | 2                 |
| Seven seats           | 5      | 2                 |
| Six seats             | 5      | 1                 |
| Five seats            | 4      | 1                 |
| Four seats            | 3      | 1                 |

Note: The above allocations are rounded up with Liberal Democrats with an average of 25% of allocated seats.

### **Appointments to seats**

9. 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'.
10. 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.

### **Membership of sub-committees**

11. In 2021-22, the two planning sub-committees (sub-committees A and B) were established with a size of 7 seats and composition (5 Labour and 2 Liberal Democrat

group places). It is recommended that the same sub-committee arrangements are made for 2022-23.

12. The committee is invited to appoint a chair and vice-chair for the two sub-committees.

**Community impact statement**

13. There are no specific implications.

**BACKGROUND DOCUMENTS**

| Background Papers                             | Held At   | Contact   |
|---|---|---|
| Annual council assembly agenda<br>21 May 2022 | Constitutional Team<br>160 Tooley Street<br>London<br>SE1 2QH | Chidilim Agada<br>Constitutional Manager<br>020 7525 3310 |

**APPENDICES**

| No.        | Title  |
|------------|--|
| Appendix 1 | Planning committee and planning sub-committees roles and functions |
| Appendix 2 | Nominations of chairs and vice chairs (to follow)                  |

**AUDIT TRAIL**

|   |  |                          |
|---|--|--------------------------|
| <b>Lead Officer</b>   | Chidilim Agada, Constitutional Manager |                          |
| <b>Report Author</b>  | Gerald Gohler, Constitutional Officer  |                          |
| <b>Version</b>  | Final                                  |                          |
| <b>Dated</b>  | 12 May 2022                            |                          |
| <b>Key Decision?</b>  | No                                     |                          |
| <b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b> |  |                          |
| <b>Officer Title</b>  | <b>Comments Sought</b>                 | <b>Comments Included</b> |
| Director of Law and Governance  | No                                     | No                       |
| Strategic Director of Finance and Governance                            | No                                     | No                       |
| <b>Cabinet Member</b>   | No                                     | No                       |
| <b>Date final report sent to Constitutional Team</b>                    | 12 May 2022                            |                          |