

<b>Bath &amp; North East Somerset Council</b>	
MEETING:	Council
MEETING DATE:	15th May 2026
TITLE:	<b>Appointment of Committees and Panels and other Annual Business</b>
WARD:	ALL
<b>AN OPEN PUBLIC ITEM</b>	
<p><b>List of attachments to this report:</b></p> <p>Appendix 1 – Terms of Reference of Panels, Committees and other bodies in the Council’s Constitution</p> <p>Appendix 2 – Proposed political proportionality table</p> <p>Appendix 3 – Member Advocates – Annual Activity report</p>	

## **1 THE ISSUE**

- 1.1 This report invites the Council to consider its non-executive and regulatory Committee arrangements for the Council Year May 2026 to May 2027 and associated annual business.
- 1.2 The Council is also required to formally undertake a statutory review of the political proportionality arrangements (as triggered under section 15 of the Local Government and Housing Act 1989) in respect of bodies that are required to be politically proportionate, following the recent change in political group membership.

## **2 RECOMMENDATION**

Council is asked to:

- 2.1 Approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working (set out in Appendix 1);
- 2.2 Accordingly, appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution;
- 2.3 Approve the allocation of seats on those Committees and Panels (such seats to be filled in accordance with the nominations made by the political groups), as set out in Appendix 2, noting the changes that are required as set out in paragraph 3.4;

- 2.4 Appoint to chair each committee and panel those Councillors nominated by the political group allocated chairing rights;
- 2.5 Authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups;
- 2.6 Determine the bodies on which co-opted and independent members are to have seats, as either voting or non-voting members and appoint such members accordingly (Appendix 1);
- 2.7 Confirm the continuing B&NES membership on Avon Fire Authority of Councillors Paul May, Onkar Saini and Robin Moss;
- 2.8 Note the arrangements for the conduct of Cabinet business, as set out in section 5 and any updates announced at the meeting;
- 2.9 Note that no special urgent executive decisions have been taken in the last municipal year;
- 2.10 Note the activity of the Member Advocates, as set out in Appendix 3 and confirm the appointments for the 2026/27 municipal year;
- 2.11 Instruct the Monitoring Officer, in consultation with Group Leaders, to make appointments on non-executive outside bodies and note that the Leader or Cabinet Members will do so for executive outside bodies, where such vacancies arise;
- 2.12 Note the calendar of meeting dates that has been prepared up to May 2027 which is available on the Council's website;
- 2.13 Note that regulations came into force from 11<sup>th</sup> May 2026 to give Councillors access to the Local Government Pension Scheme on an opt-in basis as set out in Section 7;
- 2.14 In light of the above, authorise the Monitoring Officer to amend the Member Allowances scheme to include appropriate reference to Members being eligible to join the Local Government Pension Scheme subject to the legislation being made; and
- 2.15 Authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law.

### **3 APPOINTMENT OF COMMITTEES AND PANELS AND THEIR CHAIRS AND MEMBERS**

- 3.1 The Council's Constitution sets out the approved non-executive and regulatory decision-making structure and the Council's overview and scrutiny arrangements (known as Policy Development & Scrutiny). The size, terms of reference and delegated powers of those bodies are set out in the Constitution and attached as Appendix 1 to this report.

- 3.2 Since the last Council meeting, there has been a change in political group membership, so a review of political proportionality is triggered. A revised structure is attached at Appendix 2. [It shows when a seat is allocated to a particular group, but they have offered it to another group to fill. This offer can be withdrawn at any time and the seat allocation remains with the political group listed in the table.]
- 3.3 A revised proportionality table was agreed at the February 2026 Council meeting, with the proviso that the actual place changes needed to achieve the new totals would be considered by the political groups concerned and notified in due course. **These are still awaited.**
- 3.4 In addition to putting into effect the above changes, the latest group number changes now require further consideration to achieve the newly revised totals ("TOTAL PLACES" row, first page of proportionality table). The changes required are;
- a) The Labour group need to lose two places from any of the bodies in the top table (of the appended proportionality table);
  - b) The Liberal Democrat group need to lose one place from any of the bodies in the top table;
  - c) The Independent group are entitled to one additional place;
  - d) Cllr Grant Johnson, as an unaligned councillor, is entitled to one place;
  - e) Cllr Bharat Pankhania, as an unaligned councillor, is entitled to one place.

#### Proportionality rules

- 3.5 The law gives detailed guidance on the principles to be applied in calculating the allocation of seats on Committees and Sub-Committees but the basic principles are:-
- a) not all the seats on the body shall be allocated to one particular party;
  - b) the majority of the seats on the body shall be 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, the number of seats on the ordinary Committees of the Authority which are allocated to a political group shall bear 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 that Authority;
  - d) subject to paragraphs (a) to (c) above, the number of 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.
  - e) Notwithstanding (a) to (d) above the Act does not restrict the ability of the Council, or Committees where they are authorised by the Council, to decide on the size and number of seats on Committees and Sub-committees, and to

make the actual appointments. A Committee or Sub-committee must, however, comprise at least two voting members.

3.6 Should a political group fail to express its wishes in relation to such appointment within three weeks beginning with the date on which the proper officer gave due written notice, the Council has discretion to make such appointment to that seat as they think fit in accordance with regulation 15 of the same regulations. The seats could be left vacant for a period of time.

3.7 Section 15 of the Local Government and Housing Act 1989 (the 1989 Act) details how and when appointments to ordinary committees must be allocated, as applying only to those members who are part of a political group. [The Local Government (Committees and Political Groups) Regulations 1990 Regulation 8 defines political groups as two or more members of the authority who wish to be treated as a political group by giving notice to the Proper Officer].

3.8 The law also deals with the allocation of committee places to members who do not belong to any political group formally recognised by the Council. It indicates that, where there are members of the Council who do not belong to a political group, a proportion of seats on each body to which appointments are made, equal to the proportion of authority members who do not belong to a political group, will be allocated to the Member(s) concerned.

3.9 There are currently two 'unaligned' councillors.

3.10 The following bodies are not required to be politically proportionate; Area Committees, Health and Wellbeing Board, the Cabinet and any Licensing Committee or Sub-Committee appointed by the Licensing Act 2003.

3.11 Political groups have appointed members to the bodies listed in Appendix 1 and as Chairs of the Policy Development and Scrutiny Panels and the regulatory, non-executive committees. Unless otherwise advised by the political groups, these appointments continue for the 4 year term.

#### **4 CABINET WORKING & REPORT OF SPECIAL URGENT DECISIONS**

4.1 Council is reminded that the arrangements for the discharge of executive (Cabinet) functions are the sole responsibility of the Leader of Council.

4.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require any decisions taken by the Cabinet or single Cabinet Member under special urgency provisions in the previous year to be reported to Council (Constitution rule 3.5.16 refers). This Council has decided that will happen on an annual basis.

4.3 There were no such decisions taken in the last year.

#### **5 MEMBER ADVOCATES**

5.1 The Council has appointed a number of Member Advocates to champion the needs of a particular interest;

<https://democracy.bathnes.gov.uk/documents/s86515/Member%20Advocates.pdf>

5.2 The scheme requires a brief annual report to Council about the work the Advocate has done in their role in the preceding year. A summary of these is attached at Appendix 3.

## **6 APPOINTMENTS ON OUTSIDE BODIES**

6.1 Currently, appointments are made by full Council (through delegation to the Monitoring Officer in consultation with Group Leaders) for Council functions, and by the Leader for Cabinet ones.

## **7 MEMBER ALLOWANCES SCHEME – LOCAL GOVERNMENT PENSION SCHEME**

7.1 The government has taken steps to give elected councillors in England access to the Local Government Pension Scheme through the Local Government Pension Scheme (Elected Member Pensions) Regulations 2026.

7.2 Information will be provided to Members about the process for opting into the Avon Pension Fund and benefits of joining, as soon as it's available.

## **8 FINANCIAL IMPLICATIONS**

8.1 As the announcement from the Government regarding Members' access to LGPS was not confirmed until 24th February, no specific budget for this was included within the Council's 2026/27 budget approved at February Council. This will be managed in 2026/27 through existing budgets including the growth for 2026/27 pay inflation. If required, a call can be made on the corporate contingency and/or specific pay related earmarked reserves.

8.2 This will then be built into the budget on an ongoing basis for 2027/28 onwards using information from the current year, with respect to take up, to model the actual cost increase.

## **9 RISK MANAGEMENT**

9.1 No risk assessment related to the issue and recommendations has been undertaken as the Council needs to put in place the arrangements contained in this report.

## **10 EQUALITIES**

10.1 Not applicable.

## **11 ADVICE SOUGHT AND CONSULTATION**

11.1 The Council's Chief Executive, Monitoring Officer (Head of Legal and Democratic Services), Section 151 Officer and Director of People & Change have had the opportunity to input to this report and have cleared it for publication.

11.2 Group Leaders have been consulted on relevant aspects of this report.

<b>Contact person</b>	Jo Morrison, Democratic Services Manager (ext 4358)
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<b>Background papers</b>	The Council's Constitution
<b>Please contact the report author if you need to access this report in an alternative format</b>	