

## Council – 16 September 2024

### Allocation of seats and appointments to committees and panels

Purpose	For Decision
Classification	Public
Executive Summary	<p>Following the sad passing of Cllr Keith Craze, it is necessary to review the representation of political groups on committees and panels.</p> <p>Having regard to the current number of Members on the Council being 47, and applying the necessary principles of proportionality in order, it is recommended that no changes are made to the current allocation of seats.</p>
<b>Recommendations</b>	<ol style="list-style-type: none"><li><b>1. That the Council considers the allocation of seats to committees and panels in accordance with the principles set out in the report, and in doing so, agrees to maintain the Council's current position set out in the table at paragraph 13 of the report;</b></li><li><b>2. That the Council appoint councillors to individual committees and panels, as identified in Appendix 1 (to follow), for the remainder of the four year period ending May 2027; and</b></li><li><b>3. That the Council notes that a further review of the allocation of seats will be undertaken following the by-election for the Barton and Becton ward.</b></li></ol>
Reasons for recommendations	To comply with the provisions of Section 15 of the Local Government and Housing Act 1989, relating to the duty to allocate seats to political groups, following a division on the Council.
Wards	All / Barton and Becton
Portfolio Holder	Councillor Jill Cleary, Leader

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## Introduction and background

1. In accordance with Section 15 of the Local Government and Housing Act 1989, it is necessary to review the representation of political groups on committees, whenever there is a division on the Council. Following the sad passing of Cllr Keith Craze, there are now 47 serving councillors, with a change in the composition of the Conservative Group. For the purpose of the review, “committees” includes the Council’s Overview and Scrutiny Panels but excludes the Cabinet.
2. There are four statutory principles of political balance which have to be applied in filling appointments to committees. These are contained in Section 15(5) of the Act.
3. The principles that have to be applied are as follows:-
  - (a) that not all seats on the body are allocated to the same political group;
  - (b) that the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group are 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 a relevant 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; and

- (d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the same number of all seats on that body as is borne by the number of members of that group to the membership of the Authority.
4. Once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
  5. Those members who are not members of political groups have no legal entitlement to an allocation of seats on committees. However, once the political groups' entitlement has been reached, any remaining seats may be filled by members not belonging to a political group. Such Members are classed as being non-aligned.
  6. These provisions need not be applied if a different position is agreed without any member of the authority voting against.
  7. It should be noted that, although the legislative position refers to "political" groups, this also includes the Independent Group. Although not affiliated with a political party, the Independent Group have formed a group in accordance with the legislation.

**Current position**

8. The political balance of the Council now stands as follows:-

Conservative Group	25	(53.19%)
Liberal Democrat Group	14	(29.79%)
Independent Group	4	(8.51%)
Green Group	3	(6.38%)
Labour (Non-aligned)	1	
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Sub-Total	47	
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Vacancy	1	
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Total	48	

**Appointments to committees and panels**

9. There are 84 seats to which appointments should be made under the principles of proportionality.

10. The application of the percentages outlined at paragraph 8 provides for the following allocation of whole seats to political groups across the overall Council position:-

Conservative Group	45
Liberal Democrat Group	25
Independent Group	7
Green Group	5
Unallocated	2
<hr/> Total	<hr/> 84

11. Having regard to the overall position outlined at paragraph 10, the application of the percentages outlined at paragraph 8 requires the rounding up or down of calculated figures to give whole numbers on committees. The Council should, as far as practicable, ensure fairness on each committee and across the wider allocation in making these adjustments, whilst taking into account the proportionality rules in their stated order, as far as practicable.
12. In this particular instance, the Council must have regard to the principle in the legislation, noted at paragraph 3(b), that the majority of the seats on the body are allocated to a particular political group if the number of persons belonging to that group are a majority of the Authority's membership. An adjustment of +1 to the number of seats allocated to the Conservative Group is necessary to achieve this outcome.
13. The following allocations are therefore recommended, to best meet the proportionality requirements, aggregating all committee places and allocating fair shares:-

<b>Committee / Panel</b>	<b>Seats</b>	<b>Cons</b>	<b>Lib Dems</b>	<b>Inds</b>	<b>Greens</b>	<b>Non-aligned</b>
Appeals Committee	13	7	4	1	0	1
Audit Committee	9	5	2	1	1	-
General Purposes and Licensing Committee	13	7	4	1	1	-
HR Committee	9	5	3	1	0	-

Planning Committee	13	7	4	1	1	-
Housing and Communities O&S Panel	9	5	3	0	1	-
Place and Sustainability O&S Panel	9	5	2	1	1	-
Resources and Transformation O&S Panel	9	5	3	1	0	-
<b>Total</b>	<b>84</b>	<b>46(+1)</b>	<b>25</b>	<b>7</b>	<b>5</b>	<b>1</b>

14. In order to satisfy the requirement at paragraph 3(b) and explained in paragraph 12, an adjustment of +1 should be noted above, in favour of the Conservative Group.
15. At the last review undertaken in May 2024, the Council also resolved to allocate a seat to the non-aligned Member on the Appeals Committee. The Council's Constitution makes provision for the allocation of seats to Members who are not members of a political group, as nearly as possible in proportion to the number of those members on the Council. It remains the case that one seat can be allocated to the non-aligned Member, having first complied with the legislative principles for the allocation of seats.
16. The nominees of the political groups to the committees and panels will be circulated to follow at Appendix 1. It should be noted that if Members seek to make any amendments, this may affect the calculations and subsequently the nominees.

### **Corporate plan priorities**

17. The recommendations support the Council in delivering all corporate plan priorities by maintaining the Council's ability to function as a collective body in accordance with relevant legislation.

### **Options appraisal**

18. Within the current decision making structure of a total of 84 seats, there is no mechanism to achieve a position which allocates 45 seats to the Conservative Group, whilst maintaining the overriding principle that as the majority group, it must hold the majority of seats on each individual committee/panel. Indeed, a fundamental review of the committee structure to adjust the total number of seats up or down from 84 is likely to also impact on the allocation of seats to other political groups.

19. Therefore, it is not recommended that any changes are made to the allocations as part of this review, noting that a further review will be undertaken following the outcome of the Barton and Becton by-election, when the Council will return to having 48 serving Members.
20. The Council can choose to agree an alternative allocation that does not satisfy the proportionality requirements, providing that this is agreed without a single Member of the Council voting against.

### **Consultation undertaken**

21. Consultation has been undertaken with the Council's Statutory Officers, the Portfolio Holder (Leader) and all other Group Leaders.

### **Financial and resource implications**

22. There are no financial or resourcing implications arising specifically from this report.

### **Legal implications**

23. The proportionality requirements, as outlined in the Local Government and Housing Act 1989 have been followed in reaching the recommendations.

### **Risk assessment**

24. It is not deemed necessary to complete a formal risk assessment in respect of this report.

### **Environmental / Climate and nature implications**

25. There are no environmental or climate and nature implications arising directly from the review of political proportionality.

### **Equalities implications**

26. There are no equalities implications arising, although the process of reviewing proportionality ensures that the democratically elected position of the Council is reflected in the Council's approach to committee and panel business.

### **Crime and disorder implications**

27. There are none arising from this report.

### **Data protection / Information governance / ICT implications**

28. There are none arising from this report.

## **Appendices**

Appendix 1 – Appointments to Committees and Panels (Wishes of the Political Groups) – to follow.

## **Background Papers:**

Local Government and Housing Act 1989