



COUNCIL

Monday, 6 December 2021

SUBJECT:	REVISION TO THE APPOINTMENT OF COMMITTEES 2021/22
REPORT OF:	DIRECTOR OF GOVERNANCE AND ASSURANCE

REPORT SUMMARY

The purpose of this report is to advise the Council on the allocation of committee places to political groups following receipt of a notice to the proper officer that Councillor Jo Bird is no longer a member of the Labour Group and to request the Council to allocate such places proportionately for the remainder of this municipal year.

RECOMMENDATION/S

The Council is requested to:

- (a) agree the revised proportionality in the political composition of membership of ordinary committees of the Council as set out at Appendix A; and
- (b) appoint Cllr J. Bird to sit on the Council's Regulatory and General Purposes Committee & Licensing Act Committee and the Pensions Committee.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To comply with proportionality requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 and relevant case law.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 It is alternatively possible for the Council to:
- conduct a review of allocation of committee places to political groups without the inclusion of an independent member;
 - not appoint the independent member to the vacated seats; and/or
 - reduce the number of seats allocated to the Labour Group, but not those seats.
- 2.2 These options do not accord with the purpose of the legislation in obtaining proportionality in the political composition of membership of the Council's committees nor the discussions and agreement between the political groups as to allocation for the municipal year 2021/22.

3.0 BACKGROUND AND KEY ISSUES

3.1 Proportionality

- 3.1.1 The Council is under a duty at specified times to undertake a review of the representation of different political groups on ordinary committees and other bodies subject to the provisions of the legislation.
- 3.1.2 Notice has been given to the proper officer under paragraph 10 of the Local Government (Committees and Political Groups) Regulations 1990, that Councillor Jo Bird is no longer a member of the Labour Group. Cllr Bird has confirmed that she has not joined another political group on the Council.
- 3.1.3 The review of political balance is to take place as soon as practicable after the division of political groups, which is considered to be this meeting of Council.
- 3.1.4 The obligation to ensure that there is proportionality in the political composition of public bodies to which this legislation applies extends only to proportionate representation of members of political groups and does not require independent members to be proportionally represented. The convention, however, is to apply a purposive interpretation and apply the calculations to reflect proportionality across the formal activities of the authority, representing the overall political composition of the authority.
- 3.1.5 The political composition of the 66 Members of Council is now as follows:

Labour	29	(43.94%)
Conservative	23	(34.85%)

Liberal Democrat	6	(9.09%)
Green	5	(7.58%)
Independent Group	2	(3.03%)
Ind. Member	1	(1.52%)

3.1.6 The key relevant principle in this instance, to be applied so far as is reasonably practicable, is that the number of seats on the ordinary committees of the Authority which are allocated to each political group is to bear the same proportion to the total of all the seats on the ordinary committees of the Authority as is borne by the number of members of that group to the membership of the authority. That results, over the 166 current ordinary committee places, to:

Labour	72.94 rounded to	73
Conservative	57.85 rounded to	58
Liberal Democrat	15.08 rounded to	15
Green	12.58 rounded to	13
Independent	5.03 rounded to	5
Ind. Member	2.50 rounded to	2

3.1.7 The Labour Group's representation on current committees will therefore reduce by two ordinary committee seats and, if included and appointed to committees, the Independent Member is to be placed by Council on to two committees.

3.1.8 The wishes of the political groups as to which member is appointed to which committee are to be applied by the proper officer as an appointment. An independent Member is to be appointed directly by Council.

3.1.9 The Labour Group has stated that its wishes are to relinquish a place on Regulatory and General Purposes (and Licensing Act) Committee and Pensions Committee. The independent Member has stated their wish to be placed on a policy and services committee and the Pension Committee.

3.1.10 An appendix is attached showing the revised allocations of committee places, the Labour Group having indicated which two places it will give up. This presumes the basis of seniority of the wishes of the Labour Group over that of the now independent Member.

4.0 FINANCIAL IMPLICATIONS

4.1 There are none arising directly from this report.

5.0 LEGAL IMPLICATIONS

5.1 The Local Government & Housing Act 1989 requires the Council, in performing its duties under the legislation and in exercising their power at other times to determine the allocation to different political groups of seats on a committee to which this applies ('ordinary committees'), to make only such

determinations as give effect, so far as reasonably practicable, to a set of prioritised principles.

- 5.2 These principles, in relation to the seats on any body which fall to be filled by appointments made by any relevant authority or committee of a relevant authority, are—
- (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is 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, 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 the 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.

6.0 RESOURCE IMPLICATIONS: ICT; STAFFING AND ASSETS

6.1 There are none arising directly from this report.

7.0 RELEVANT RISKS

7.1 There are none arising directly from this report.

8.0 ENGAGEMENT / CONSULTATION

8.1 As set out in the report.

9.0 EQUALITIES IMPLICATIONS

9.1 There are none arising directly from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are none arising directly from this report.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from this report.

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APPENDICES

A. Revised Committee places allocation.

BACKGROUND PAPERS

Previous reports on the appointment of Committees and amendments made during the year and the Council's Constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	26 May 2021
Council	28 September 2020
Council	14 May 2019

Appendix A

<u>Committee</u>	Places	Lab	Cons	Lib Dem	Green	Ind Grp	Ind Mbr
Policy and Resources	15	7	5	1	1	1	0
Adult Social Care and Public Health	11	5	3	1	1	1	0
Children, Young People and Education	11	5	4	1	1	0	0
Economy, Regeneration and Development	11	5	4	1	1	0	0
Environment, Climate Emergency and Transport	11	5	4	1	1	0	0
Housing	11	5	4	1	1	0	0
Tourism, Communities, Culture and Leisure	11	4	4	2	1	0	0
Audit and Risk Management	11	5	4	1	1	0	0
Decision Review	11	5	4	1	1	0	0
Partnerships	11	5	4	1	0	1	0
Pensions	11	4	4	1	1	0	1
Planning	11	5	4	1	1	0	0
Regulatory and General Purposes (& Lic. Act)	15	6	5	1	1	1	1
Urgency	15	7	5	1	1	1	0
Total	166.00	73	58	15	13	5	2