



COUNCIL

Monday, 20 March 2023

SUBJECT:	REVISION TO THE APPOINTMENT OF COMMITTEES 2022/23
REPORT OF:	DIRECTOR OF LAW & GOVERNANCE

REPORT SUMMARY

The purpose of this report is to advise the Council on the allocation of committee places to political groups following the cessation of Paul Connolly as a Councillor and to request the Council to allocate such places proportionately for the remainder of the 2022/2023 municipal year.

The Local Government & Housing Act 1989 requires the review of political balance to take place as soon as practicable after the division of political groups, which is considered to be this meeting of Council.

The number of Committee places remains at 114 as this was the number of places agreed by the Council at the Annual Meeting when the Committees were established. The change to proportionality is to accommodate the fact that there is a vacancy and that a by-election will not be held before the whole council elections in May 2024.

As a consequence, the number of Committee places allocated to the Conservative Group and Green Group will reduce by one per group. Once the Director of Law and Governance has been notified which Committee each group wishes to vacate a seat on, the number of seats allocated to that group on the chosen Committee will reduce by 1 which will ensure committee place allocations reflect the overall political balance of the Council.

RECOMMENDATION/S

Council is recommended to:

- (1) agree the revised proportionality in the political composition of membership of ordinary committees of the Council as set out at Appendix A.
- (2) agree that the Director of Law and Governance be authorised to act on the instruction of the relevant Group Leaders in relation to the Committee Places to be made vacant.

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 As proportionality is an operation of law with purposive interpretation, the possibility of options is limited and would rely on negotiations between political parties. See paragraph 3.1.4 below.

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 former Councillor Paul Connolly has ceased to be a member of the authority.
- 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 | 26 | (39.39%) |
| Conservative | 23 | (34.85%) |
| Green | 9 | (13.64%) |
| Liberal Democrat | 6 | (9.09%) |
| Ind. Member | 1 | (1.52%) |
| Vacancy | 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 114 current ordinary committee places, to:

Labour	44.91 rounded to	45
Conservative	39.73 rounded to	40
Green	15.55 rounded to	15
Liberal Democrat	10.36 rounded to	10
Ind. Member	1.73 rounded to	2
Vacancy	1.73 rounded to	<u>2</u>
		114

- 3.1.7 The Conservative Group and Green Group's representation on current committees will therefore reduce by one ordinary committee seat each and, the seats will remain vacant until the point at which a member is elected to the vacancy.
- 3.1.8 The Conservative Group and Green Group will be asked to inform the Director of Law and Governance which Committee it wishes to relinquish a place on.
- 3.1.9 An appendix is attached showing the revised allocations of committee places.

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 (Section 15 as amended) 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	25 May 2022
Council	6 December 2021
Council	26 May 2021
Council	28 September 2020
Council	14 May 2019

Appendix A

<u>Committee</u>	Places	Lab	Cons	Green	Lib Dem	Ind Mbr	Vacancy
Policy and Resources	15	6	6	2	1	0	
Adult Social Care and Public Health	11	4	4	2	1	0	
Children, Young People and Education	11	4	4	2	1	0	
Economy, Regeneration and Development	11	5	4	1	1	0	
Environment, Climate Emergency and Transport	11	4	4	2	1	0	
Tourism, Communities, Culture and Leisure	11	4	4	2	1	0	
Audit and Risk Management	6	2	2	1	1	0	
Pensions	11	4	3	2	1	1	
Planning	12	6	4	1	1	0	
Regulatory and General Purposes (& Lic. Act)	15	6	6	1	1	1	
	Current Total	114	45	41	16	10	2
	Revised Total	114	45	40	15	10	2