



Monday, 26 February 2024

SUBJECT:	REVISION TO THE APPOINTMENT OF COMMITTEES
REPORT OF:	DIRECTOR OF LAW & CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is to advise the Council on the requirements to revise the allocation of committee places to political groups following Councillor Gail Jenkinson ceasing to be a member of the Labour Group and joining the Green Group. The report requests the Council to allocate such places proportionately for the remainder of the 2023/2024 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.

RECOMMENDATION/S

Council is recommended to:

- (1) Agree that the overall number of seats be reduced from 114 to 113 as set out in paragraph 3.1.7.
- (2) agree the revised proportionality in the political composition of membership of ordinary committees of the Council as set out at Appendix A.
- (3) agree that the Director of Law and Corporate Services be authorised to act on the instruction of the relevant Group Leaders in relation to the members appointed to the revised committee places.

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 The report sets out a proposal to reduce the overall number of ordinary committee places from 114 to 113. Another option considered was the remain at 114. However, this provides an impasse in the allocation of the 114th committee place, due to both the Conservative Group and Liberal Democrat Group having equity in the allocation of that place due to both having .36 in the political proportionality calculations. Reducing the number of ordinary committee seats to 113 addresses this impasse.

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 9 of the Local Government (Committees and Political Groups) Regulations 1990, that Councillor Gail Jenkinson has ceased to be a member of the Labour Group and has joined the Green Group.
- 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	17	(25.76%)
Green	14	(21.21%)
Liberal Democrat	6	(9.09%)

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	50.09 rounded to	50
Conservative	29.36 rounded to	29*
Green	24.18 rounded to	24
Liberal Democrat	10.36 rounded to	<u>10*</u>
		113*

3.1.7 It has been proposed by the Labour Group that the overall number of seats be reduced to 113. This would result in the allocation of the following ordinary committee places:

Labour	49.65 rounded to	50
Conservative	29.11 rounded to	29
Green	23.97 rounded to	24
Liberal Democrat	10.27 rounded to	<u>10</u>
		113

3.1.6 The Labour Group's representation on current committees will therefore reduce by two ordinary committee seat and, the Green Group's representation would increase by one ordinary committee seat.

3.1.7 The Labour Group are proposing to lose two seats on Regulatory and General Purposes Committee. One seat would be removed taking the overall number of ordinary committee seats to 113, and a further seat would be allocated to the Green Group.

3.1.8 The Labour Group would be asked to inform the Director of Law and Corporate Services which two members would be removed from the Regulatory and General Purposes Committee, and the Green Group would be asked to inform the Director of Law and Corporate Services which member it wishes to take the place.

3.1.9 Councillor Gail Jenkinson's membership of Adult Social Care and Public Health Committee and Environment, Climate Emergency and Transport Committee has ceased and the Labour Group will be asked to confirm the name of the member being appointed to these committees.

3.1.10 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	20 March 2023
Council	25 May 2022
Council	6 December 2021
Council	26 May 2021

