

**COUNCIL MEETING  
3 MARCH 1999**

---

**LOCAL GOVERNMENT & HOUSING ACT 1989  
APPOINTMENT OF MEMBERS TO SERVE ON COMMITTEES 1998/99  
(Chief Executive)**

**1 INTRODUCTION**

- 1.1 There is a statutory procedure set down in the Local Government & Housing Act 1989 and Regulations made thereunder relating to the allocation of seats on Committees to political groups and to the appointment of Members to serve on Committees.

The statutory process is triggered by specified events including

- (a) the Annual Meeting of the Council and
- (b) receipt of a Notice revising the Membership of a political group represented on the Council.

Such a Notice has been received advising that Councillor Bailey wishes to be treated as a member of the Labour Group. The Council is therefore required to conduct a statutory review of the allocation of seats on Committees to the political groups at the earliest practicable opportunity. This report outlines the options available to the Council pending a full review.

**2 RECOMMENDATION**

**THE COUNCIL'S INSTRUCTIONS ARE REQUESTED.**

**3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

3.1 Borough Solicitor

This report sets out the options available to the Council within the framework set by the Local Government and Housing Act 1989.

The Council is permitted to vary but not to revoke the Scheme of Members Allowances during the year.

3.2 Borough Finance Officer

Increasing the size of 3 committees by 1 member for the forthcoming year would give rise to additional direct costs of £360 per annum based on the number of meetings currently planned and £78 in the current year.

**4 SUPPORTING INFORMATION**

4.1 Reviews must be undertaken according to statutory principles contained in the Local Government & Housing Act 1989. These are summarised in the Council's Scheme of Management as follows:-

- (a) no committee should comprise members drawn from one political group only;
- (b) the majority of seats on each committee should be allocated to a political group if the number of members of the group is a majority of the authority's membership;
- (c) subject to satisfying (a) and (b) above, the total number of seats allocated to each political group on all ordinary committees should reflect the political balance of the Council; and
- (d) subject to (a)-(c) above, the number of seats on each committee allocated to each political group should reflect the political balance of the Council.

The above four principles apply to all Committees appointed by the Council and to Sub Committees appointed by those Committees.

4.2 At the Annual Meeting in April 1998, the Council adopted the following main Committee structure and allocation of seats to political groups.

Strategy & Policy Committee (16)	9 : 7
Education Committee (17)	10 : 7
Leisure Services Committee (16)	9 : 7
Planning & Transportation Committee (16)	9 : 7
Public & Environmental Services Committee (16)	9 : 7
Social Services & Housing Committee (16)	9 : 7
Direct Services Board (9)	5 : 4

4.3 At the time the proportion of seats held by the two political groups represented on the Council was : Conservative 57.5%, Labour 42.5%. The total number of seats on ordinary Committees appointed by the Council was 106 and the actual allocations made were:

Conservative Group - 60 seats (56.6%)  
 Labour Group - 46 seats (43.4%)

4.4 This balance represented a close approximation to the overall proportionality of the two groups. The ratio was maintained following appointments to vacancies at the last Council meeting with all available seats filled from amongst the 39 Members. At that time the respective proportions of the two groups were: Conservative 56.4%, Labour 43.6%.

4.5 Following the by-election for the Harmans Water Ward on 25 February, Notice has been served that Councillor Bailey, the newly elected Councillor, wishes under the terms of the Local Government and Housing Act, to be treated as a member of the Labour Group.

- 4.6 Following the by-election, the proportions of seats held by the two groups is – Conservative 55%, Labour 45%. The current allocation of seats represents a reasonable approximation to the overall strength of the groups. Consequently, the Council is not under an obligation to change either the total number of seats or the size of committees. However different sizes of committees could give a closer match. Generally these options would involve smaller committees. However in the short term reducing committee size would have a knock-on effect on sub committees, the membership of which is appointed by the parent committee. Because the next meetings of committees follow those of sub committees there is no opportunity to revise sub committee membership for the forthcoming cycle. Such an approach would therefore need to be considered as part of a comprehensive annual review.
- 4.7 In the short term to achieve as close a match as possible without disrupting the last cycle of meetings in the current year, the Labour Group could be allocated an additional seat on three main service committees, say, Leisure Services, Public and Environmental Services and Planning & Transportation Committees. This would give a total of 109 seats allocated in the ratio 60 : 49, thereby almost exactly reflecting the respective proportions of the two groups and leading to the following allocations:

Strategy & Policy Committee (16)	9 : 7
Education Committee (17)	10 : 7
Leisure Services Committee (17)	9 : 8
Public & Environmental Services Committee (17)	9 : 8
Planning & Transportation Committee (17)	9 : 8
Social Services & Housing Committee (16)	9 : 7
Direct Services Board (9)	5 : 4

- 4.8 An increase in the size of three committees by one seat would however lead to additional expenditure on Members Allowances of £78 in the current year.
- 4.9 The allocation of seats will be brought before the Annual Council meeting in May for a full review in accordance with the statutory requirements.

Background Papers

None – Published Works Only

Contact for further information

Malcolm Biggs (ext 2006)

Doc. Ref

C:\docs98\council\3-3-99\appointment of members.doc

**CONSERVATIVE GROUP RECOMMENDATIONS**

**(The following recommendations will be proposed by the Leader of the Council)**

**THAT**

- (i) the total number of seats on Committees appointed by the Council and the allocation of those seats to political groups for the remainder of the current year be as set out in paragraph 4.7.**
- (ii) the Minority Group be requested to submit nominations to the Committee seats allocated for the remainder of the Municipal Year**
- (iii) basic allowance paid to each Member be reduced from £1,523.64 to £1,511.64 per annum with immediate effect to offset the additional cost of the 3 extra committee places.**