

To: Council  
14 July 2021

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**Revised proportionality calculations and membership  
Executive Director of Delivery - Democratic & Registration Services**

**1 Purpose of Report**

- 1.1 This report sets out the position regarding the overall allocation of seats on committees following the reduction in the number of councillors in the Conservative Group by one and requests consideration of the consequential membership changes. The establishment and size of committees, sub-committees and panels agreed at the Annual Council meeting on 28 April 2021 are not affected by this review.

**2 Recommendations to the Chief Executive from Council, meeting informally in accordance with the process agreed by Council on 28 April 2021:**

- 2.1 That the revised proportionality calculations are agreed;
- 2.2 That changes to the membership of overview and scrutiny, committees and other groups tabled at the meeting are agreed, in accordance with political group wishes; and
- 2.3 That any changes to the Leader's appointments tabled at the meeting are noted.

**3 Reasons for Recommendations**

- 3.1 The Council is required to review the representation of political groups as soon as practicable after any change occurs, and to appoint to vacant seats in accordance with the wishes of the political groups.

**4 Alternative Options Considered**

- 4.1 This report reflects the majority group's proposals for the allocation of seats on committees which have been discussed with the Labour Group and the two independent councillors.

**5 Supporting Information**

**Background**

- 5.1 On 5 July 2021 the Proper Officer received notice that Councillor Tullett was no longer a member of the Conservative Group which triggered the requirement for the Council to review the representation of political groups and to determine any changes to the allocation of seats on committees, as required by the Local Government and Housing Act 1989 and its associated regulations.
- 5.2 The composition of the Council is now as follows:

	<b>Number of councillors</b>	<b>Proportionality</b>
Conservative Group	37	88.1%
Labour Group	3	7.14%
Liberal Democrat	1	2.38%
Independent Conservative	1	2.38%
	42	100%

- 5.4 Councillors Parker and Tullett are not currently members of any political group and therefore have no right to nominate which committees they should be appointed to.

#### **Political balance requirements**

- 5.5 At the Annual Council Meeting on 28 April 2021 the Council established committees and allocated seats in line with the relevant provisions of the Local Government and Housing Act 1989, following the principles set out below:
- (a) that not all seats on the committee are allocated to the same political group;
  - (b) that the majority of seats on each Committee should be allocated to a particular political group if the number of members of the group is a majority of the Authority's membership;
  - (c) subject to paragraphs (a) and (b) above, that the total number of all seats allocated to each political group on ordinary committees should reflect the political balance of the Council; and
  - (d) subject to paragraphs (a) to (c) above, that the number of seats on each Committee allocated to each political group should reflect the political balance of the Council.
- 5.6 Principles (a), (b) and (d) apply to all appointments to the authority's own committees and sub-committees and to certain outside bodies. However, principle (c) only relates to appointments to the 'ordinary' committees of the Council.

#### **Allocation of seats on ordinary committees**

- 5.7 The table below sets out the Conservative Group's proposed allocation of seats on ordinary committees. This satisfies three of the four principles set out in paragraph 5.5 above, (a) (b) and (c) but not (d). It is not possible for political balance to be achieved in both the total number of all seats allocated to each political group and across the total number of seats on each committee. There are no alternative options which satisfy all the principles or are a closer match.
- 5.8 In order to achieve this the Labour Group is required to lose a seat to an independent councillor on either the Employment Committee or Governance & Audit Committee. The Group has decided to lose the seat on the Governance & Audit Committee which is reflected in the table below. This results in two of the three committees achieving political balance.

<b>Proposed allocation of seats on ordinary committees</b>					
<b>Committee</b>	<b>Number of seats</b>	<b>Conservative Group</b>	<b>Labour Group</b>	<b>Liberal Democrat</b>	<b>Independent Conservative</b>
Employment Committee	9	8	1	0	0
Governance and Audit Committee	8	7	0	0	1
Planning Committee	18	16	1	1	0
<b>Total allocation of places</b>	<b>35</b>	<b>31</b>	<b>2</b>	<b>1</b>	<b>1</b>
<b>Overall political balance</b>	<b>35</b>	<b>31</b>	<b>2</b>	<b>1</b>	<b>1</b>
<b>Adjustments required to achieve overall political balance</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### **Allocation of seats on other committees/sub-committees**

- 5.9 There are a further 15 seats on the Licensing and Safety Committee and 12 seats on the Overview and scrutiny Commission. These committees have not been included in the table above which shows the overall allocation of seats on ordinary committees as neither of these committees are 'ordinary' committees for the purposes of the provisions within the Local Government and Housing Act 1989. They must be politically proportionate however principle (d) does not apply. Committees are also required to observe political proportionality when setting the membership of sub-committees.
- 5.10 The proposed allocation of seats on these committees/sub-committee is set out below. To achieve political balance on the Licensing & Safety Committee the Conservative Group has given up a seat to one of the independent councillors. The allocation of seats on the Overview and Scrutiny Commission and the Education Employment Sub-Committee are unaffected.

<b>Proposed allocation of seats on committees/sub-committees</b>					
<b>Committee</b>	<b>Number of seats</b>	<b>Conservative Group</b>	<b>Labour Group</b>	<b>Liberal Democrat</b>	<b>Independent Conservative</b>
Licensing and Safety Committee	15	13	1	0	1
Overview & Scrutiny Commission	12	11	1	0	0
Education Employment	7	6	1	0	0

Sub-Committee					
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### **Membership of committees and external organisations**

- 5.11 The appointments to Conservative seats currently held by Councillor Tullett are set out in Appendix A. The Conservative Group is asked to review these appointments, in light of the changes to the Group membership, and to advise the meeting of alternative nominations for the Conservative seats.
- 5.12 Appendix A also includes appointments made by the Leader and in light of the changes to the Group membership, the Leader will notify Council of any changes.

## **6 Consultation and Other Considerations**

### Legal Advice

- 6.1 The recommendations in this report reflect the requirement for political balance in the allocation of seats on committees as set out in the Local Government and Housing Act 1989.

### Financial Advice

- 6.2 There are no additional revenue implications arising from the above recommendations.

### Other Consultation Responses

- 6.3 These have been incorporated in the report.

### Equalities Impact Assessment

- 6.4 Not relevant to this report.

### Strategic Risk Management Issues

- 6.5 Not relevant to this report.

### Climate Change Implications

- 6.6 The recommendations in Section 2 above are expected to have no impact on emissions of CO<sub>2</sub>. The reason the Council believes that this will have no impact on emissions is that there will be no change to the number of appointments.

### Background Papers

None

### Contact for further information

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**Appendix A - Conservative seats on Overview and Scrutiny, committees and other Groups currently held by Councillor Tullett**

	<b>Appointed by</b>	<b>Conservative Group nomination</b>
<b>Overview and Scrutiny</b>		
Overview and Scrutiny Commission	Council	To be tabled at meeting
Wellbeing and Finance Overview and Scrutiny Panel	Overview and Scrutiny Commission	To be tabled at meeting
<b>Non-Executive Decision-Making Committees</b>		
Appeals Committee (pool of 11 councillors)	Council	To be tabled at meeting
Education Employment Sub Committee	Employment Committee	To be tabled at meeting
Employment Committee	Council	To be tabled at meeting
Governance and Audit Committee	Council	To be tabled at meeting
		Note: Labour seat becomes independent councillor seat to be taken by Cllr Tullett
Licensing and Safety Committee	Council	Note: Conservative seat becomes independent councillor seat to be taken by Cllr Tullett
Local Joint Committee (substitute member)	Employment Committee	To be tabled at meeting
<b>Other Bodies</b>		
Climate Change Advisory Panel	Leader	Note: Cllr Tullett to retain seat as Panel is cross party
<b>Other Joint Committees, Panels and Groups</b>		
Community Safety Partnership Working Group	Council	To be tabled at meeting
<b>Portfolio Review Groups</b>		
Finance PRG	Leader	To be tabled at meeting
Care PRG	Leader	To be tabled at meeting
Community PRG	Leader	To be tabled at meeting