

# CHESHIRE EAST COUNCIL

## Council

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<b>Date of Meeting:</b>	23 February 2017
<b>Report of:</b>	Head of Governance and Democratic Services
<b>Title:</b>	Political Representation on the Council's Committees

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### 1.0 Purpose of Report

- 1.1 The Constitution Committee, on 13<sup>th</sup> February 2017, will make recommendations to Council, which will result in the creation of two new decision-making bodies. Council must therefore determine any consequential changes to the political representation on the Council's Committees.
- 1.2 In addition, if the Cheshire East Council-Bollington Ward by-election results in a change to the Council's political proportionalities, the Council will similarly need to determine the changed political representation on the Council's Committees.
- 1.3 This will ensure that political proportionality is achieved.
- 1.4 At the time this report was written and published with the Council agenda, the result of the election was not known, and the minute of the Constitution Committee was not available.
- 1.5 In summary, each relevant Council decision making body must be politically balanced, as far as is reasonably practicable, and the total of Committee seats allocated to the Council's political groups must balance perfectly.

### 2.0 Decision Required as a consequence of the creation of two new decision-making bodies, and in the event that the Cheshire East Council-Bollington Ward by-election results in a change to the Council's political proportionalities

(a) That the political group representation, as set out in a circulated and amended Appendix to this report and the methods, calculations and conventions used in determining this, as outlined in the report be adopted, and the revised allocations of places to Committees be approved;

(b) That the adjustments to Committee places indicated as being required in such Appendix, to achieve the correct political proportionality across all Committees, be agreed; and

(c) That the unchanged Committee Chairman and Vice Chairmen allocations be noted as set out in Appendix 1; "(C)" denoting the allocation of the office of Chairman to political groups and "(VC)" denoting the allocation of the office of Vice Chairman to political groups.

### **3.0 Legal Implications**

- 3.1 The Local Government (Committees and Political Groups) Regulations 1990, made pursuant to the Local Government and Housing Act 1989, make provisions in respect of the political group representation on a local authority's committees in relation to the overall political composition of the Council. The legislation applies to overview and scrutiny committees and the decision-making committees and sub committees of the Council.
- 3.2 The legislation requires that, where proportionality applies, and seats are allocated to different political groups, the authority must abide by the following principles, so far as is reasonably practicable:
  - 3.2.1 Not all of the seats can be allocated to the same political group. (i.e. there are no single group committees.)
  - 3.2.2 The majority of seats on a body are to be allocated to a political Group with a majority membership of the authority.
  - 3.2.3 The total number of seats on all ordinary committees and sub committees allocated to each Political Group bears the same proportion to the proportion on the full Council. Appendix 1 indicates the proportionalities which apply at the time of writing this report, as agreed by Council on 15<sup>th</sup> December 2016.
  - 3.2.4 The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.
- 3.3 The proposals contained in this report meet the requirements of the legislation.
- 3.4 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

### **4.0 Risk Assessment**

- 4.1 Failure to comply with the Act and Regulations when appointing its committee memberships would leave the Council open to legal challenge.

### **5.0 Local Government (Committee and Political Groups) Regulations 1990.**

- 5.1 Appendix 1 to this report sets out the political representation on ordinary committees and sub committees which applied prior to: the proposed creation of two new bodies (which will be considered at the Council meeting); and the Cheshire East Council-Bollington Ward by-election, this being based on the political structure of the Council as a whole.

5.2 The proportionalities in Appendix 1 have been arrived at by the following methods and conventions:

- applying the relevant percentage to each body
- rounding up from 0.5 and above and rounding down below 0.5
- where the required numbers of members for a decision-making body cannot be achieved using the above methods and calculations, the political group having the largest residual percentage for that body will be entitled to be awarded the additional place (eg, if one group is entitled to 4.25 places, and another group is entitled to 1.48 places, the first group will awarded 4 places on the body in question, and the second group will be awarded 2 places).

5.3 The Act provides that where this approach results in a Group having a total of more or fewer seats than its proportional entitlement, the number of seats will be adjusted to ensure that the final allocation to each Group equals the proportional entitlement. Appendix 1 shows the allocation of seats which applied at the time of writing this report. An amended Appendix will be circulated, if possible, prior to the meeting, or around the Council Chamber. The proportionality rules only apply to those bodies listed in Appendix 1.

## **6. Reasons for Recommendations**

6.1 To determine political representation on the Council's committees and to receive the Groups nominations to the different bodies referred to in the report.

## **7.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer.

Name: Brian Reed  
Designation: Head of Governance and Democratic Services  
Tel No: 01270 686670  
E-mail: [brian.reed@cheshireeast.gov.uk](mailto:brian.reed@cheshireeast.gov.uk)