

CHESHIRE EAST COUNCIL

Council

Date of Meeting:	15 December 2016
Report of:	Head of Governance and Democratic Services
Title:	Political Representation on the Council's Committees

1.0 Purpose of Report

- 1.1 In the event that the earlier report on the Council agenda (item 10) in relation to a proposed review of structure of the Overview and Scrutiny Committees is agreed, the Council must determine the changed political representation on the Council's Committees to ensure that political proportionality is achieved.
- 1.2 In summary, each relevant 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 in the event that Council agrees the recommended changes to the structure of the Council's Overview and Scrutiny Committees

(a) That the political group representation, as set out in Appendix 1 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 Appendix 1 and paragraph 5.4 of the report, to achieve the correct political proportionality across all Committees be agreed; and

(c) That the Committee Chairman and Vice Chairmen allocations be confirmed 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, makes 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 adjustments needed to achieve this.

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 At the time of publication of this report, discussions were taking place between the political groups in respect of the allocation of committee places in order to achieve the required proportional balance. An agreed amended Appendix will be circulated at the Council meeting.

3.4 The proposals contained in this report meet the requirements of the legislation.

3.5 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Group's nominations to the bodies in question; which accords with an earlier recommendation on the Council agenda.

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 proposed political representation on ordinary committees and sub committees, based on the political structure of the Council as a whole. The following is the basis of the approach adopted:

Conservatives	53	64.63%
Labour	16	19.51%
Independent Group	11	13.42%
Liberal Democrat	2	2.44%
TOTAL	82	100%

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 results in a Group having a total of more or fewer actual seats than its proportional entitlement, any surplus seats are re-allocated to ensure that the final actual allocation to each Group equals the proportional entitlement. Appendix 1 shows the proposed allocation of seats taking into account the actual allocation and the adjustments required. The proportionality rules only apply to those bodies listed in Appendix 1.

5.4 In order to achieve political proportionality, and considering the “Total Places Allocated” column in the appendix, the Conservative Group need to lose two seats; the Labour Group need to increase their number of seats by one, the Independent Group need to reduce their number of seats by three and the Liberal Democrat Group need to increase their seats by four.

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.

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