

# CHESHIRE EAST COUNCIL

## Council

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**Date of Meeting:** 19 October 2017

**Report of:** Head of Governance and Democratic Services

**Title:** Political Representation on the Council's Committees

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### 1.0 Purpose of Report

- 1.1 Notice has been given to the Proper Officer that Councillor Michael Jones has become a non-grouped independent member of the Council.
- 1.2 No change in the Council's political proportionalities took place following the Crewe East Borough Ward election on 5<sup>th</sup> October 2017.
- 1.3 Therefore this report is required to address only the issue referred to in paragraph 1.1 above. This will ensure that political proportionality is achieved.
- 1.4 The law requires that each relevant Council decision making body must be politically balanced, as far as is reasonably practicable, and that the total of Committee seats allocated to the Council's political groups balances perfectly.

### 2.0 Decision Required

(a) That the political group representation, as set out in the Appendix to this report (or in any updated and circulated Appendix), 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 the Appendix; "(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.

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 (Committees and Political Groups) Regulations 1990.**

5.1 The Appendix to this report sets out the political representation on ordinary committees and sub committees, this being based on the political structure of the Council as a whole.

5.2 The proportionalities in the Appendix 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).
- Where two or more political Groups have an identical residual percentage, the agreement of one Group to sacrifice a seat will be observed. Alternatively, the matter will be resolved by the toss of a coin.

- 5.3 An amended Appendix will be circulated, if necessary, prior to the meeting, or around the Council Chamber, in order to reflect any discussions between the Groups in respect of any required adjustments to committee places. The proportionality rules only apply to those bodies listed in the Appendix.

## **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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