

Council

Date of Meeting: 19 April 2021

Report Title: Political Representation on the Council's Committees

Senior Officer: Jane Burns, Executive Director Corporate Services

1. Report Summary

- 1.1. The law requires that each relevant Council decision making body must be politically balanced, as far as is reasonably practicable, and that there is an appropriate total balance of Committee seats across the political structure of the Council as a whole.
- 1.2. This report addresses the changes which will take place following the Council's Annual General Meeting, when the new committee system is implemented.

2. Recommendations

- 2.1 That the political group and other representation, as set out in Appendix A to the report (which will be superseded by a replacement circulated Appendix), and the methods, calculations and conventions used in determining this, as outlined in the report be adopted, and the allocation of places to Committees be approved.

3. Background

- 3.1. Appendix A sets out the political representation on committees, this being based on the political structure of the Council as a whole.
- 3.2. 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 rounding up would result in more than one political Group receiving an additional seat, and the total allocation of seats

exceeding what is required, the Group having the lowest residual entitlement will not receive an additional seat

- where the required number of members for a decision making body cannot be achieved using the above methods and calculations, the political group having the largest residual entitlement for that body will be entitled to be awarded the additional place (e.g. if one group is entitled to 4.25 places, and another group is entitled to 1.48 places, the first group will be 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.

- 3.3 The Appendix also acknowledges the fact that there are now two non-grouped independent Members of the Council. Following a question raised at a recent Full Council meeting about the allocation of committee places to those Members who were not members of a political Group, the legal position and the practice of other local authorities have been researched, and such allocation of places has been agreed to be appropriate.
- 3.4 At the time of writing this report, the political groups were still working together in order to arrive at the requisite balance of committee places, as is needed to ensure that the Appendix properly reflects the requirements of legislation. It is intended that an updated and balanced Appendix be circulated to Members in advance of the meeting, and it is this which will form the basis of the recommendation to Council at Recommendation 2.1 of this report.
- 3.5 This report is being brought to Council for formal decision in advance of the usual practice of reporting to the Council's Annual General Meeting, in order to address a change in legislation.
- 3.6 The legislation which currently provides for formal local authority meetings to take place virtually, ceases to have effect after 6th May 2021. After this date, all formal meetings must take place as "face to face" meetings with Members, officers and members of the public physically present "in the room".
- 3.7 However, separate arrangements have been made, and communicated to Members, which will enable the Council to retain the facility of an informal virtual meeting of Full Council on 12th May 2021. The decisions made at

that meeting will, following the meeting, be formalised using urgency powers.

3.8 However, given the nature and importance of the political representation on the Council's committees, and the fact that the opportunity exists for this report to be considered in advance of the Annual General Meeting, it is being brought before Full Council on 19th April 2021 for decision.

3.9 Members will see from an earlier report on the Council agenda, the recommendation that provision be made for a meeting of Full Council to take place on 22nd June 2021. In addition to other business which might need to be brought before that meeting, the political representation on the Council's committees can be reaffirmed.

4. Implications of the Recommendations

4.1. Legal Implications

4.1.1. 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.

4.1.2. 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:

4.1.2.1. Not all of the seats can be allocated to the same political Group (i.e. there are no single group committees).

4.1.2.2. The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.

4.1.2.3. 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.

4.1.2.4. The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.

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

4.1.4 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

4.2. Finance Implications

4.2.1. There are no direct finance implications.

4.3. Policy Implications

4.3.1. There are no direct implications for policy.

4.4. Equality Implications

4.4.1. There are no direct implications for equality.

4.5. Human Resources Implications

4.5.1. There are no direct human resource implications.

4.6. Risk Management Implications

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

4.7. Rural Communities Implications

4.7.1. There are no direct implications for rural communities.

4.8. Implications for Children & Young People/Cared for Children

4.8.1. There are no direct implications for children and young people/Cared for Children.

4.9. Public Health Implications

4.9.1. There are no direct implications for public health.

6.10 Climate Change Implications

6.10.1. There are no direct climate change implications.

5. Ward Members Affected

5.1. All ward members

6. Access to Information

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

7. Contact Information

7.1. Any questions relating to this report should be directed to the following officer:

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