

CHESHIRE EAST COUNCIL

Report to Council

Date of Meeting: 21st July 2011

Report of: Borough Solicitor

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

1.0 Purpose of Report

- 1.1 To review the political representation on the Council's committees following the election in the Crewe South Ward.

2.0 Decision Required

- 2.1 That the political group representation, as set out in Appendices 1 and 2 to this report and the methods, calculations and conventions used in arriving at them as outlined in the report be adopted.

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 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 allocated to each Political Group bears the same proportion to the proportion on the full Council. Following the election for the Crewe South Ward the total number of seats on all ordinary committees has been recalculated. Details are given at Appendix 1.

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 Group's 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 Owing to the sad death of Councillor B Howell and the subsequent necessity to countermand the poll for the Crewe South Ward the proportionality calculation at the Annual Meeting of Council was made on a membership of 80, with 2 vacancies. A new Poll for Crewe South Ward took place on 16th June 2011. The 2 vacant seats were filled by Labour candidates and the proportionality calculations have been revised accordingly. On this basis Appendix 1 to this report sets out the proposed political representation on ordinary committees. The following is the basis of the approach adopted:

Conservatives	52	63.40
Labour	16	19.52
Independent/Others	10	12.20
Liberal Democrat	4	4.88
TOTAL	82	100%

5.2 After the local elections in May the Group Whips met to consider the allocation of seats prior to the Annual Meeting of Council to ensure that as far as reasonably practicable the number of seats on each ordinary committee allocated to each Political Group was, so far as reasonably practicable in the same proportion to the proportion on full Council. This was approved by Annual Council. Following the election for Crewe South Ward the allocation of seats has been reviewed and Appendix 2 gives a revised proportional distribution of seats across all committees. The definition of an ordinary committee does not include sub-committees or joint committees. They are therefore excluded from Appendix One, but shown at Appendix 2, except where these are ad-hoc bodies. The proportionality rules do not apply to the Cabinet or to the Standards Committee. These are also excluded from Appendix 1.

5.3 The proportionalities in Appendices 1 and 2 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

5.4 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 2 includes the calculations to show how the reallocation has been made.

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.

For further information:

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Background Documents: None