

# CHESHIRE EAST COUNCIL

## Report to Council

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**Date of Meeting:** 16<sup>th</sup> May 2012

**Report of:** Borough Solicitor

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

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### **1.0 Purpose of Report**

- 1.1 To determine the political representation on the Council's Committees.

### **2.0 Decision Required**

- 2.1 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.

### **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 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 achieves 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 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. These nominations will be circulated at the meeting under item 16.

#### **4.0 Risk Assessment**

4.1 Failure to comply with the legislation 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 After the elections in May 2011 the Group Whips met to consider the allocation of seats prior to the Annual Meeting of Council to ensure that as far as was reasonably practicable the total number of seats on each ordinary committee allocated to each Political Group was in the same proportion to the proportion on full Council. Following the election for Crewe South Ward the allocation of seats was reviewed and the final allocation of seats for 2011/12 was approved at the ordinary meeting of Council in July 2012. The allocation of seats is set out below and applies to the 2012/13 municipal year.

5.2 Appendix 1 to this report sets out the proposed political representation on ordinary committees and sub committees. The following is the basis of the approach adopted:

Conservatives	52	63.41
Labour	16	19.51
Independent/Others	10	12.20
Liberal Democrat	4	4.88
TOTAL	82	100%

5.3 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

- 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 1 shows the proposed allocation of seats taking into account the actual allocation agreed by Council in July 2011 following the recommendations made by the Group Whips.
- 5.5 The proportionality rules do not apply to the Cabinet or to the Standards Committee, Appeals Sub Committee, Licensing Sub Committees or the Local Service Delivery Committees. These bodies are therefore excluded from the proportionality calculation in Appendix 1. However, Council is asked to confirm the size and composition of the Standards Committee, Appeals Sub Committee, Licensing Sub Committee Panel and the Local Service Delivery Committees.

***For further information:***

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***Background Documents: None***