

ANNUAL COUNCIL

14 May 2018

POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS

Report of the Director for Resources

| | | |
|--------------------------------|---|--|
| Strategic Aim: | All | |
| Exempt Information | No | |
| Cabinet Member(s) Responsible: | N/A | |
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| Ward Councillors | Not Applicable | |

DECISION RECOMMENDATIONS

That Council:

1. Appoints the Scrutiny Panels and Standing Committees as set out at paragraph 2 of the report for the Municipal Year 2018/19.
2. Agrees the terms of reference and number of voting places on Scrutiny Panels and Committees as detailed at paragraph 2 of the report for the Municipal Year 2018/19.
3. Approves the political balance calculation as per paragraph 3.3 of this report.
4. Approves the allocation of seats to Political Groups shown at paragraph 3.4 and notes the membership of each committee as set out in Appendix 1.
5. Appoints non-aligned members to the remaining seats on Committees and Scrutiny Panels as set out at paragraph 3.4.
6. Approves that non-aligned members may substitute for other non-aligned members and Procedure Rule 20 of the Constitution be updated accordingly.
7. Approves a mandatory requirement that all members appointed as Chairman of Committees and/or Scrutiny Panels attend appropriate training in Chairing skills.

1 PURPOSE OF THE REPORT

- 1.1 To approve the political balance calculation for the Council, agree the number of voting places and approve and allocate seats on relevant committees and panels appointed by Council to political groups.

2 ESTABLISHMENT OF SCRUTINY PANELS AND STANDING COMMITTEES

- 2.1 The RCC Constitution provides that under Part 4 Section 1, Procedure Rule 22 that the Annual Council meeting considers the establishment and terms of reference of Scrutiny Panels and Standing Committees.
- 2.2 There are currently 51 seats/voting places on the Council, as set out in the table below:

| Committee | No. of places |
|---|----------------------|
| Audit and Risk Committee | 7 |
| Conduct Committee | 6 |
| Planning and Licensing Committee | 10 |
| Employment and Appeals Committee | 7 |
| Adults and Health Scrutiny | 7 |
| Children's Scrutiny | 7 |
| Sustainable Growth and Resources Scrutiny | 7 |
| Total | 51 |

- 2.3 There have been no changes to the terms of reference for Scrutiny Panels and Standing Committees which can be viewed at the links below:

- Terms of Reference of Scrutiny Panels

[RCC Constitution, Part 4, Section 4, Procedure Rule 212](#)

- Terms of Reference for Standing Committees

[RCC Constitution, Part 8, Sections 6 - 10](#)

3 POLITICAL BALANCE

- 3.1 Section 15 of the Local Government and Housing Act 1989 (the Act) imposes a duty on the Council at its Annual meeting to review the allocation of seats on its committees between political groups.
- 3.2 The Councils' duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet. The purpose is to ensure that there is proportionality across all formal activities of the Council, representing the overall political composition. It affects all formally constituted panels, committees and sub-committees which discharge functions on behalf of the authority, and some external bodies if they are in the nature of joint committees and the Council appoints at least three members. The exception is the Health and Wellbeing Board which is not covered by the Act and so the political balance rules are not applied. Political balance is not compulsory for working parties, forums or joint partnerships.

- 3.3 The composition of the Council is shown in the following table. Using 51 as the total number of voting places across all Committees and Panels, the final column shows the total number of places each group is entitled to, using the calculated proportions.

| Group | No. of cllrs | | Number of seats | Rounded number of seats |
|-------------------|--------------|-------|-----------------|-------------------------|
| Conservatives | 17 | 65.39 | 33.35 | 33 |
| Independent Group | 5 | 19.23 | 9.81 | 10 |
| Non-aligned | 4 | 15.38 | 7.85 | 8 |
| | 26 | 100% | 51 | 51 |

- 3.4 The allocations set out in the table below show the allocation of seats to political groups, as agreed between the political groups. This provides for the remaining seats to be allocated to the non-aligned Members.

| Committee or Panel | Conservative | Independent | Non-aligned |
|---|--------------|-------------|-------------|
| Audit and Risk (7) | 4 | 1 | 2 |
| Conduct (6) | 4 | 1 | 1 |
| Planning and Licensing (10) | 7 | 2 | 1 |
| Employment and Appeals (7) | 5 | 1 | 1 |
| Adults and Health Scrutiny Panel (7) | 5 | 1 | 1 |
| Children and Young People Scrutiny Panel (7) | 4 | 2 | 1 |
| Growth, Infrastructure and Resources Scrutiny Panel (7) | 4 | 2 | 1 |
| TOTAL | 33 | 10 | 8 |

- 3.5 **Appendix A** shows the membership of each panel and committee, as informed by Group Leaders where membership is known at the time of publication.

4 OTHER CHANGES

- 4.1 At their meeting on the 24 April 2018, the Constitution Review Working Group (CRWG) requested that substitutions be allowed for non-aligned members should there be no statutory restriction on this. It has been confirmed that this is a local

choice matter which can be agreed by Council, subject to the arrangements regarding political balance.

- 4.2 It is proposed that Chairman Training should be mandatory for all councillors appointed to these roles. The most suitable training will be sourced through the Governance Team dependent on the role.

5 CONSULTATION

- 5.1 The information presented in the report has been compiled in consultation with the Group Leaders.

6 ALTERNATIVE OPTIONS

- 6.1 In line with the relevant legislation, the Council must review the Political Balance and allocation of seats at its Annual Council. Therefore there is no alternative option.

7 FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications arising from this report.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Procedure 13 of the Council Constitution – Appointment of Standing Committees and Procedure Rule 22 – Agenda for Annual Meeting, state that Annual Council must appoint at least one overview and scrutiny committee and such other committees as it considers appropriate to deal with the matters which are neither reserved to the Full Council nor are executive (Leader and Cabinet) functions and determine the terms of reference and number of voting places on those committees and scrutiny panels.
- 8.2 The allocation of seats shall conform to the following principles (Local Government and Housing Act 1989 Part 1 Section 15(5)(a) – (d)) in the order shown:
- Not all the seats on a body are allocated to the same political group;
 - A majority of the seats on a body are allocated to a group if it comprises a majority of the total membership of the authority;
 - The number of seats on ordinary committees allocated to each group bears the same proportion to the total of all seats on ordinary committees as is borne by the number of members of that group to the total membership of the authority; and
 - The number of seats on a body allocated to each group bears the same proportion to the number of seats on that body as is borne by the number of members of that group to the total membership of the authority.
- 8.3 Constitutionally, the Council is required to review the representation of Groups at its Annual Meeting each year and as soon as practicable after an event, which alters the political balance between the Groups and to determine the allocation of seats to be filled by appointments by the Council. This is in accordance with Sections 15 to 17 of the Local Government and Housing Act 1989 and Section 8 of the Local Government (Committees and Political Groups) Regulations 1990 (Requirement to Constitute Political Groups).

9 EQUALITY IMPACT ASSESSMENT

9.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

10 COMMUNITY SAFETY IMPLICATIONS

10.1 There are no community safety implications arising from this report.

11 HEALTH AND WELLBEING IMPLICATIONS

11.1 There are no health and well-being implications arising from this report.

12 BACKGROUND PAPERS

12.1 None

13 APPENDICES

13.1 Appendix A: Council Structure.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.