Allocation of Seats to Political Groups
Legal Services Manager (Monitoring Officer)

Report to  Council
Ward(s):  All
Key Decision:  No
Appendix 1:  Committee Sizes - proportionality (to follow if required)
Appendix 2:
Appendix 3:
Papers relied on:

Recommendation to Council:

- In view of the forthcoming by-election, for the Bramley and Sherfield Ward on Thursday 10 October 2019, notice is given that Council may need to review the political composition of the Council to reflect any changes that may occur and to review the allocation of committee places accordingly.

- In the event of changes being required, a detailed report will be submitted to Council for consideration. If no changes are required the report will be withdrawn.

Background, corporate objectives and priorities
This report accords with the council’s Policy and Budget Framework and supports the development of an effective and efficient council.

Glossary of terms

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<th>Term</th>
<th>Definition</th>
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Main considerations

1 Executive Summary

1.1 The Local Government and Housing Act 1989 requires the Council to review the representation of different political groups on committees and sub-committees at, or as soon as practicable after, the Annual Meeting of the Council; or in the event of a change to the Council’s political composition.

1.2 Prior to the forthcoming by-election, the political composition of the Council is now as follows:

- Conservative – 29 seats
- Labour – 21 seats
- Liberal Democrats – 7 seats
- Independent Forum – 2 seats
- Vacancy – 1 seat

1.3 This report therefore gives notice that subject to the outcome of the by-election on 10 October 2019, approval may be sought to make changes to the committee sizes together with the scheme of proportionality for the remainder of 2019/20, arising from that change. A detailed appendix specifying the committee sizes and proportionality will be circulated following the election.

1.4 The current arrangement whereby Council approval is sought to depart from proportionality on Standards Committee, is likely to be sought. This is set out in paragraph 3.2.3.

2 The Proposal

2.1 The Local Government and Housing Act 1989 requires local authorities to review committee membership and political representation annually and following any change to the political composition. By law, seats on committees must be allocated in proportion to the political composition of the Council. In addition, the total number of seats across all of the committees must reflect the overall political balance of the Council. An authority can only decide that it wishes to adopt an arrangement other than a politically proportionate one if no Member votes against the resolution at a meeting of the Council.

3.0 Key Issues for Consideration

3.1 Committees of Council

3.1.1 The Council’s Constitution currently provides for the appointment of the following committees:

- Audit and Accounts Committee
- Community, Environment and Partnerships Committee
- Development Control Committee
- Economic, Planning and Housing Committee
- Human Resources Committee
- Licensing Committee
• Manydown Overview Committee
• Scrutiny Committee
• Standards Committee
• Investigation and Disciplinary Committee

3.1.2 Under the Committee Procedure Rules, which form part of the Constitution, Committees of the Council shall not normally exceed 12 members, unless otherwise stated. The changes are compliant with that requirement.

3.1.3 In order to ensure political proportionality and to ensure minimum disruption, Council agreed to an even number of committee seats in July 2019. This resulted in the Manydown Overview Committee and Audit and Accounts Committee being increased from nine to ten. The Constitution currently states that these Committees will not normally exceed nine places and that any change is subject to review by the Council, hence the request.

3.2 Political Proportionality 2019/20

3.2.1 The scheme of proportionality for 2019/20 was initially considered and approved by Council on 16 May 2019, following the Council elections on 2 May 2019 and as part of the annual review. A further review was undertaken in July 2019, following change in political representation on the Council.

3.2.2 In determining the allocation of seats on ordinary committees, the proportion that each political group forms of the total membership of the Council is applied to the total number of elected Member seats on each committee. Fractional entitlements are rounded appropriately to ensure that this process of rounding up does not result in advantage to one political group. The aggregate membership of all the ordinary committees must also be in line with the proportions on the Council. The allocations are made to comply with the legislation, so far as is reasonably practicable.

3.2.3 In previous years, the council has consistently agreed to provide a seat on the Standards Committee to all political groups on the council because of the important nature of its business. This was agreed again in 2019, and it is likely to be proposed that this committee continues to comprise of one councillor from each party group, four independent members and four parish representatives. Therefore four councillors should continue to be appointed to the committee.

3.2.4 If it is agreed that the composition of this committee continues to depart from political proportionality in appointing members, it can only be agreed if no Member votes against the resolution.

4. Options Analysis

4.1 The Council may only choose to depart from political proportionality in appointing members to any of its committees if no Member votes against the resolution at the meeting. Every effort will be taken to ensure the proportionality is followed. Other options will include not following the proportionality model or reducing the size of the committees. However, it is
likely that both these options will be ruled out to avoid disruption. Proportionality options will be explored with the Group Leaders of the respective political parties represented on the Council.

5. **Legal implications**

5.1 The annual review of the Council’s scheme of political proportionality is a statutory requirement under the Local Government and Housing Act 1989. It is also a requirement to review proportionality following an election or where a change to the political composition of the Council changes.

6. **Financial implications**

6.1 None

7. **Risk Management**

7.1 A risk assessment has been completed in accordance with the council’s risk management process and has identified no significant (Red or Amber) residual risks that cannot be fully minimised by existing or planned controls or additional procedures.

8. **Equalities implications**

8.1 None

9. **Consultation and communication**

9.1 Group Leaders will be given initial sight of the proposed scheme of proportionality, should any changes be required. In that event, the proposed allocation of seats will reflect the outcome of those discussions and be circulated in due course.

10. **HR implications**

10.1 None

11. **Conclusion**

11.1 **Summary and reason for the decision**

11.1.1 Approval of the scheme of political proportionality will enable the Council to appoint members to Committees for the remainder of the municipal year, in accordance with the wishes of political groups.

11.2 **The options considered and rejected**

11.2.1 To not adopt a scheme of proportionality for the remainder of 2019/20 or to decrease the committee sizes.
Date: 17 October 2019  
Decision taken by: Council

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<tr>
<th><strong>Lead officer</strong></th>
<th>Ann Greaves, Legal Services Manager and Monitoring Officer</th>
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<tbody>
<tr>
<td><strong>Report author</strong></td>
<td>Dave Burn, Interim Democratic Services Manager</td>
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<tr>
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<tr>
<td><strong>Confidentiality</strong></td>
<td>It is considered that information contained within this report <em>(and appendix)</em> do not contain exempt information under the meaning of Schedule 12A of the Local Government Act 1972, as amended, and therefore can be made public.</td>
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