

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – THURSDAY, 23 FEBRUARY 2017

Title of report	ALLOCATION OF SEATS ON COMMITTEES (POLITICAL BALANCE)
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Purpose of report	To agree any changes to proportionality following the recent change of political affiliation of a district councillor.
Council priorities	All
Implications:	
Financial/Staff	None applicable
Link to relevant CAT	None applicable
Risk Management	Failure to review the proportionality and appoint to the Council's Committees accordingly will see the Council failing in its duties set out in the Local Government and Housing Act.
Equalities Impact Screening	None applicable
Human Rights	None applicable
Transformational Government	None applicable
Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.

Comments of Monitoring Officer	The report is satisfactory.
Consultees	None
Background papers	Local Government and Housing Act, Constitution and the declaration of results of the local elections available at www.nwleicestershire.gov.uk
Recommendations	<p>(1) THAT THE CHANGES TO THE POLITICAL PROPORTIONALITY OF THE COUNCIL BE NOTED;</p> <p>(2) THAT COUNCILLOR R ADAMS BE APPOINTED TO THE LABOUR SEAT LEFT VACANT ON THE APPOINTMENTS COMMITTEE WITH COUNCILLOR J LEGRYS BEING THE SUBSTITUTE;</p> <p>(3) THAT COUNCILLOR S MCKENDRICK BE APPOINTED TO THE SEAT CURRENTLY ALLOCATED TO COUNCILLOR R ADAMS ON THE AUDIT & GOVERNANCE COMMITTEE;</p> <p>(4) THAT COUNCILLOR D EVERITT BE APPOINTED AS REPLACEMENT LABOUR GROUP SUBSTITUTE MEMBER ON THE INVESTIGATORY COMMITTEE AND LOCAL PLAN ADVISORY COMMITTEE;</p> <p>(5) THAT COUNCILLOR S SHEAHAN BE APPOINTED AS REPLACEMENT LABOUR GROUP SUBSTITUTE MEMBER ON THE POLICY DEVELOPMENT GROUP;</p> <p>(6) THAT NO CHANGES BE MADE TO THE MEMBERSHIP OF THE ELECTORAL REVIEW WORKING PARTY, WITH THE EXCEPTION OF COUNCILLOR F FENNING NO LONGER BEING A LABOUR GROUP SUBSTITUTE.</p>

1.0 BACKGROUND

- 1.1 On 10 January 2017, the Council was advised that Councillor Sue McKendrick had resigned from the Labour Group to become an independent Member.
- 1.2 Due to the consequential shift in the political balance of the Council, the proportionality has been recalculated.
- 1.3 The requirements regarding political proportionality in the membership of Committees are embodied in the Local Government and Housing Act 1989, Section 15. It is a statutory requirement that where a relevant authority has a membership divided into different political groups then the decision making bodies on the Council must be proportional to the overall make-up of the Council. The Monitoring Officer has a statutory responsibility for ensuring the council implements proportionality correctly.

1.4 The rules state that:-

- No Committee is allowed to be made up entirely of one political group
- A political group with an overall Council majority gets a majority of the seats
- No political group can have more than they are entitled to
- The proportion of seats on each Committee should be in proportion to strengths on the Council
- When proportionality has been agreed, the group nominates the person to fill the seat.
- Council seat proportionality must incorporate 100% of the members on the Authority irrespective of whether or not they are in a group, non aligned or single party councillors.

1.5 Exceptions to the rules include seats on the Cabinet, area-based Committees or any alternative arrangement that is unanimously passed by all Members on the Council.

1.6 A registered group must be allocated the same proportion of Committee places that they have seats on the Council Groups are unlikely to have the same number on every Committee. If Committees are the same size there has to be some negotiating between the group whips on where the additional places should be.

2.0 IMPLICATIONS

2.1 Recalculating the political balance has resulted in Labour losing two seats. One on the Electoral Review Working Party which will now fall to Councillor McKendrick in her capacity as an independent member. She was a Labour representative on this group so effectively no changes need to be made to the membership. The other is one seat from either the Policy Development Group or the Audit and Governance Committee. Discussion with the Labour Group whip has concluded that their seat on the Audit & Governance Committee, currently held by Councillor Adams will fall to Councillor McKendrick.

Committee/Group	No. Of seats	CON	LAB	IND GROUP	LIB DEM	IND	Total
Planning Committee	17	11	4	1	1	0	17
Licensing Committee	17	11	4	1	1	0	17
Audit and Governance	10	6	2	1	0	1	10
Policy Development/Scrutiny	10	6	3	1	0	0	10
Investigatory Committee	3	2	1	0	0	0	3
Appointments Committee	5	4	1	0	0	0	5
Employee Joint Consultative	6	4	2	0	0	0	6
Local Plan Advisory Committee	7	5	2	0	0	0	7
Electoral Review Working Party	5	3	1	0	0	1	5
TOTAL	80	52	20	4	2	2	80

- 2.2 Further consequential changes are to those Committees on which Councillor McKendrick sat as a Labour Councillor to which Labour still have an entitlement. These seats were also discussed with the whip and the following is proposed:-
- 2.2.1 Member of the Appointments Committee – This seat will be taken up by Councillor R Adams
 - 2.2.2 Substitute Members of the Appointments Committee – This seat will be changed from Councillor S Sheahan to Councillor J Legrys.
 - 2.2.3 Member of the Electoral Review Working Party – No changes required (para 2.0 refers)
 - 2.2.4 Substitute Member of the Investigatory Committee – This seat will be taken up by Councillor D Everitt
 - 2.2.5 Substitute Member of the Local Plan Advisory Committee – This seat will be taken up by Councillor D Everitt
 - 2.2.6 Substitute Member of the Policy Development Group – This seat will be taken up by Councillor S Sheahan
- 2.3 The reduced Labour group membership results in the loss of a substitute member on the Electoral Review Working Party due to a change to the ratios as set out in the substitution scheme. Therefore the substitute position on the Electoral Review Working Party currently held by Councillor F Fenning will cease.
- 2.4 No other Committees are affected.