

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 10 SEPTEMBER 2019

Title of report	ALLOCATION OF SEATS ON COMMITTEES (POLITICAL BALANCE)
Contacts	<p>Councillor Robert Ashman Robert.ashman@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 Bev.smith@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
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 1989.
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 Section 151 Officer	The report is satisfactory
Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	Group Leaders and Whips
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 COUNCILLOR JOHNSON BE APPOINTED TO THE PLANNING COMMITTEE TO REPLACE COUNCILLOR TEBBUTT;</p> <p>(2) THAT COUNCILLOR BIGBY BE APPOINTED AS A SUBSTITUTE ON THE PLANNING COMMITTEE TO REPLACE COUNCILLOR JOHNSON;</p> <p>(3) THAT COUNCILLOR TEBBUTT BE APPOINTED TO THE SEAT CURRENTLY ALLOCATED TO COUNCILLOR SEWELL ON THE COMMUNITY SCRUTINY COMMITTEE;</p> <p>(4) THAT COUNCILLOR SEWELL BE APPOINTED AS SUBSTITUTE ON THE COMMUNITY SCRUTINY COMMITTEE TO REPLACE COUNCILLOR TEBUTT;</p> <p>(5) THAT THE UNCHANGED MEMBERSHIP OF THE CORPORATE SCRUTINY COMMITTEE BE NOTED.</p>

1.0 BACKGROUND

- 1.1 On 29 August 2019, the Council was advised that Councillor Daniel Tebbutt would no longer be a member of the Labour Group.
- 1.2 Councillor Tebbutt has advised that he wishes to be a non-aligned Councillor and, 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 (eg for a group with 10 councillors on a 50 member Council, 10 committee places must be allocated in every 50). To start with we add up the total of all Committee places. If the total was, say, 150 seats, then a group consisting of 10 councillors on a 50 council seat authority is entitled to 30 seats (150 x10/50ths). 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

Recalculating the political balance has resulted in Labour losing two seats. One on the Corporate Scrutiny Committee and one on the Community Scrutiny Committee which will now fall to Councillor Tebbutt in his capacity as an individual unaligned councillor. As he was already a representative on the Corporate Scrutiny Committee then effectively no changes need to be made to the membership of this Committee. In terms of the seat on the Community Scrutiny Committee, a discussion has been held with the Labour Group whip which concluded that the seat on this Committee which they will be giving up is that currently held by Councillor Sewell.

- 2.1 Further consequential changes are to those Committees on which Councillor Tebbutt 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:-

- 2.11 Member of the Planning Committee - This seat will be taken up by Councillor Johnson.
- 2.12 Substitute Member of the Planning Committee - This seat will be taken up by Councillor Bigby.
- 2.13 Substitute Member of the Community Scrutiny Committee - This seat will be taken up by Councillor Sewell.

- 2.2 No other Committees are affected.