

<b>Title of Report</b>	<b>ALLOCATION OF SEATS ON COMMITTEES (POLITICAL BALANCE )</b>	
<b>Presented by</b>	Councillor Robert Ashman, Deputy Leader	
<b>Background Papers</b>	<a href="#">Local Government and Housing Act 1989, Section 15.</a>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	These are no financial implications.	
	<b>Signed off by the Deputy Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	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.	
	<b>Signed off by the Deputy Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	There are none.	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To agree any changes to proportionality following the recent change of political affiliation of a district councillor.	
<b>Recommendations</b>	<p><b>THAT</b></p> <p><b>(1) THE CHANGES TO THE POLITICAL PROPORTIONALITY OF THE COUNCIL BE NOTED;</b></p> <p><b>(2) COUNCILLOR E ALLMAN RETAIN HIS SEATS ON THE LICENSING COMMITTEE AND THE CORPORATE SCRUTINY COMMITTEE AS A CONSERVATIVE MEMBER;</b></p> <p><b>(3) COUNCILLOR S GILLARD TO BE APPOINTED AS AN ADDITIONAL SUBSTITUTE MEMBER OF THE CORPORATE SCRUTINY COMMITTEE AS THE CONSERVATIVE GROUP IS ENTITLED TO ONE MORE SEAT;</b></p> <p><b>(4) COUNCILLOR C BENFIELD BE REMOVED AS A SUBSTITUTE MEMBER OF THE CORPORATE SCRUTINY COMMITTEE AS THE INDEPENDENT GROUP IS NO LONGER ENTITLED TO A SEAT;</b></p> <p><b>(5) COUNCILLOR R CANNY BE REMOVED AS A SUBSTITUTE MEMBER OF THE LICENSING COMMITTEE AS THE INDEPENDENT GROUP IS ENTITLED TO ONE LESS SEAT;</b></p> <p><b>(6) COUNCILLOR T SAFFELL BE APPOINTED AS</b></p>	

	<p><b>REPLACEMENT INDEPENDENT GROUP SUBSTITUTE MEMBER ON THE PLANNING COMMITTEE AND COMMUNITY SCRUTINY COMMITTEE;</b></p> <p><b>(7) COUNCILLOR C BENFIELD BE APPOINTED AS REPLACEMENT INDEPENDENT GROUP SUBSTITUTE MEMBER ON THE INVESTIGATORY COMMITTEE;</b></p> <p><b>(8) THE ABOVE CHANGES TAKE IMMEDIATE EFFECT.</b></p>
--	--

## **1.0 BACKGROUND**

- 1.1 On 21 August 2020, the Council was advised that Councillor Elliott Allman had joined the Conservative Group from being an Independent Member.
- 1.2 Members may recall that for the purposes of decision-making, the independents and the Green Party member have formed the Independent Group which helps them to secure seats on some of the larger Committees.
- 1.3 Due to the consequential shift in the political balance of the Council, the proportionality has been recalculated.
- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 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**

- 2.1 Recalculating the political balance has resulted in the Independent Group losing two seats to the Conservative Group. The affected Committees are the Licensing Committee and the

Corporate Scrutiny Committee on which Councillor Allman sits. Therefore no changes need to be made to the membership of these Committees.

- 2.2 Consequential changes need to be made to the substitutions of these two Committees. The Independent Group will lose their substitute member for the Corporate Scrutiny Committee which is currently Councillor Benfield; and one of their substitute members of the Licensing Committee. The Conservative Group are entitled to one more substitute member on the Corporate Scrutiny Committee. In consultation with the Group whips it is proposed that Councillor Canny lose their substitution seat on the Licensing Committee and that Councillor S Gillard be appointed as an additional substitute member of the Corporate Scrutiny Committee .
- 2.3 Councillor Allman was a substitute member on behalf of the Independent Group on three other Committees and he will need to be replaced.
- 2.4 The Group whip has been consulted and it is proposed that the following substitution seats be appointed to as follows:-
- 2.41 Planning Committee – Councillor Saffell
- 2.41 Community Scrutiny Committee - Councillor Saffell
- 2.42 Investigatory Committee - Councillor Benfield
- 2.5 No other Committees or political groups are affected.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Not applicable
Policy Considerations:	Not applicable
Safeguarding:	No issues identified
Equalities/Diversity:	No issues identified
Customer Impact:	No issues identified
Economic and Social Impact:	No issues identified
Environment and Climate Change:	No issues identified
Consultation/Community Engagement:	Not applicable
Risks:	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 which would potentially invalidate any future decisions.
Officer Contact	Melanie Long, Democratic Services Team Manager <a href="mailto:Melanie.long@nwleicestershire.gov.uk">Melanie.long@nwleicestershire.gov.uk</a> 01530 451511