

REPORT TO COUNCIL

REPORT OF: Chief Executive

REPORT NO: LDS144

DATE: 2nd March 2015

TITLE:	Arrangements for the membership of committees and policy development groups	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Decision of Council	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Not applicable	
CONTACT OFFICER:	Jo Toomey, Principal Democracy Officer Telephone: 01476 40 60 80 (Ext. 6152) E-mail: j.toomey@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact analysis Required:
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Local Government and Housing Act 1989 http://www.legislation.gov.uk/ukpga/1989/42/part/I/crossheading/political-balance-on-committees-etc Local Government (Committees and Political Groups) Regulations 1990 http://www.legislation.gov.uk/uksi/1990/1553/contents/made	

1. RECOMMENDATIONS

1.1 The Council makes the following adjustments to the membership of the Council's Committees:

- Appointment of one Conservative Member to the Licensing and Alcohol, Entertainment and Late Night Refreshment Licensing Committees
- Removal of one Conservative Member from **EITHER** the Communities Policy Development Group **OR** the Resources Policy Development Group
- Appointment of one member of the UKIP group to the Communities Policy Development Group or the Resources Policy Development Group (whichever has the vacancy)

- Removal of one Conservative Member from the Development Control Committee
- Appointment of one member of the UKIP group to the Development Control Committee
- Removal of one Conservative Member from the Governance and Audit Committee
- Appointment of one member of the group of Independents to the Governance and Audit Committee
- Appointment of one member of the Conservative Group to the Chief Executive's Performance Panel.

2. PURPOSE OF THE REPORT

- 2.1 This report sets out the requirements for political balance arising from the provisions of the Local Government and Housing Act 1989 following the formation of a new UKIP group.

3. DETAILS OF REPORT

- 3.1 On 30 January 2015, the Proper Officer received notification that a new UKIP group had been formed comprising two Councillors.

- 3.2 Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 introduced statutory requirements that, where a relevant authority has a membership divided into different political groups, it must ensure that appointments reflect the overall proportion as that in which the council as a whole is divided. Those appointments to which the rules of political balance apply are:

- Ordinary committees or subcommittees of the authority
- Advisory committees and any subcommittees appointed by an advisory committee
- Specified prescribed bodies where at least three seats have to be filled by the relevant authority.

- 3.3 The legislation also requires that in appointing members on a politically proportional basis, it should, as far as possible conform with the following principles:

- (a) That not all seats are appointed to the same political group
- (b) That a political group with an overall council majority gets a majority of seats allocated
- (c) Subject to (a) and (b) that the total number of seats each political group has on all ordinary committees is in proportion to that group's share of the total council elected membership
- (d) Subject to (a) and (c) that each political group has the same proportion of seats as it holds on the council as a whole

- 3.4 The creation of a new group has caused the political balance of the Council's committees and policy development groups to be recalculated (see appendix 1). A number of adjustments are required to ensure the ongoing political balance of the Council as follows.

3.5 Development Control Committee

3.5.1 The UKIP group gains one seat on this Committee from the Conservative group.

3.6 Policy Development Groups (PDGs)

3.6.1 The Conservative Group will lose a seat in favour of the UKIP Group.

3.6.2 The current membership of the PDGs is detailed in the table below:

	Engagement	Communities	Resources
Conservative	4	5	5
Independent	3	1	1
Labour	0	1	1

3.6.3 To ensure the political balance of the PDGs reflects the wider political balance of the Council, the Conservative Group must remove one Member from either the Communities or the Resources Policy Development Group. This vacancy will be filled by a member of the UKIP group.

3.7 Governance and Audit

3.7.1 Changes to the political balance mean that the Conservative Group will lose a seat to the group of Independents.

3.8 Licensing Committee and Alcohol, Entertainment and Late Night Refreshment Licensing Committee and Chief Executive’s Performance Panel

3.8.1 While the formation of a new group does not affect the political balance of these Committees, one Member of the new group was formerly a member of these Committees and Panel. Consequently, vacancies have been created. The Conservative Group must nominate a Councillor to fill these vacancies.

4. OTHER OPTIONS CONSIDERED

4.1 The Council must comply with the provisions of the Local Government and Housing Act 1989 and either apply the principles of political balance to those committees noted in paragraph 3.3 to 3.7 or vote for alternative arrangements. Alternative arrangements would permit the Council to operate with the same committee memberships as present until the appointment of members to committees and PDG’s at the Annual meeting to be held in May.

5. RESOURCE IMPLICATIONS

5.1 This report has no resource implications.

6. RISK AND MITIGATION

6.1 No significant risks were identified in preparation of this report.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

7.1 An equality analysis is not applicable.

8. CRIME AND DISORDER IMPLICATIONS

8.1 No crime and disorder implications arise as a result of this report.

9. COMMENTS OF FINANCIAL SERVICES

9.1 There are no financial comments arising from this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 In making appointments to its committees and subcommittees the Council is required to comply with the Local Government and Housing Act 1989 (LGHA) and the Local Government (Committees and Political Groups) Regulations 1990. These set out requirements relating to political balance and the application of this principle to prescribed categories of meeting and makes provision for alternative arrangements. To agree alternative arrangements, no members of the authority present at the meeting may vote against the alternative arrangements. This means that abstentions would not defeat the vote.

10.2 If no alternative arrangements can be agreed, the changes to address political balance must be put in place.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 Not applicable

12. APPENDICES:

- Appendix 1: Political balance calculations

Appendix 1

Stage 1 Allocation to decision-making Committees ensuring balance on each Committee

Party	Seats	%	DC Prop	DC Rounded	Lic Prop	Lic Rounded	Const'n Cttee	Const'n Cttee rounded	Gov & A	Gov&A rounded	Scrutiny	Scrutiny Rounded
Conservative	36	62.07%	10.55172414	10	6.827586	7	3.103448	3	4.344828	4	6.827586	7
Independents	13	22.41%	3.810344828	4	2.465517	3	1.12069	1	1.568966	2	2.465517	3
Labour	7	12.07%	2.051724138	2	1.327586	1	0.603448	1	0.844828	1	1.327586	1
UKIP	2	3.45%	0.586206897	1	0.37931	0	0.172414	0	0.241379	0	0.37931	0
Total	58			17		11		5		7		11

Stage 2: Allocation to Policy Development Groups to ensure balance in totality

Total seats available 21

Party	Seats	%	Proportion of seats	Seats Rounded	Eng	Com	Res
Conservative	36	62.07%	13.0345	13	4	4	5
Independents	13	22.41%	4.7069	5	3	1	1
Labour	7	12.07%	2.5345	2	0	1	1
UKIP	2	3.45%	0.7241	1	0	1	0
Total	58		0	21	7	7	7

Stage 3: Chief Executive Panels

Party	Seats	%	Proportion of seats	Seats rounded
Conservative	36	62.07%	1.8621	2
Independents	13	22.41%	0.6724	1
Labour	7	12.07%	0.3621	0
UKIP	2	3.45%	0.1034	0
Total	58			3