



Report of: Aidan Rave – The Chief Executive

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| Report to: | <b>Council</b>  |
| Date:      | <b>26<sup>th</sup> September 2018</b>                                 |
| Subject:   | <b>Apportionment of Seats on Committees<br/>Report Number LDS 308</b> |

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| <b>Decision Proposal:</b>        | Council Decision   |
| <b>Relevant Cabinet Member:</b>  | Councillor Kelham Cooke - The Deputy Leader of Council   |
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| <b>Signed off by:</b>            | Aidan Rave, Chief Executive. E-mail:<br><a href="mailto:Aidan.rave@southkesteven.gov.uk">Aidan.rave@southkesteven.gov.uk</a> . Tel: 01476 40<br>Date:26.7.18             |
| <b>Approved for publication:</b> | Councillor Kelham Cooke<br>Date:26.7.18  |

**SUMMARY**

The Chief Executive has received notification that Councillor Judy Stevens, a former Independent Group Member, has joined the Conservative Group of Members. This will impact on the political balance of the Council. There is a requirement that such a change is reported to full Council and consequential adjustments made to committee membership in relation to rules on proportionality.

Councillor Dobson has also resigned from the Culture and Tourism Overview and Scrutiny Committee, leaving a vacancy that needs filling.

## **RECOMMENDATION**

It is recommended that Council note the allocation of seats on committees of the Council as set out at the Appendix to Report LDS308 and make the appointments necessary to effect the proportionality required as follows:

- The Independent Group are to remove one Member from the Development Management Committee and the Chief Executive's Appeal Panel. It is proposed that Councillor Judy Stevens will cease to be an Independent Member on Development Management Committee and on the Chief Executive's Appeal Panel;
- The Conservative Group nominate Councillor Judy Stevens to sit on the Development Management Committee as the new Conservative Member;
- The Conservative Group gift one seat on the Chief Executive's Appeal Panel to the Independent Group and the Independent Group nominate Councillor Bob Sampson as the Independent Member to the seat gifted;
- The Independent Group nominate Councillor Paul Wood to replace Councillor Stevens on the Culture and Tourism Overview and Scrutiny Committee;
- The Conservative Group nominate Councillor Judy Stevens to replace Councillor Dobson on the Culture and Tourism Overview and Scrutiny Committee

## **1. BACKGROUND TO REPORT**

### **1.1 Membership of Committees and Panels**

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

**1.2** 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

- 1.3 Following the change in Group membership, with one Member leaving the Independent Group and joining the Conservative Group, there has been a change in the political composition of the Council. The political composition is set out in the table below:

|                |    |
|----------------|----|
| Conservative   | 43 |
| Independent    | 5  |
| SK Independent | 4  |
| Labour         | 3  |
| Unaligned      | 1  |

- 1.4 As a result of the change in political composition, it is necessary for the Independent Group to remove one Member from both the Development Management Committee and the Chief Executive's Appeal Panel and for the Conservative Group to nominate one Member to sit on the Development Management Committee and the Chief Executive's Appeal Panel.
- 1.5 The change to the Council's composition does not affect the proportional allocation of seats on the Council's Overview and Scrutiny Committees, Councillor Stevens was appointed as the Independent Group's representative on the Culture and Tourism Overview and Scrutiny Committee. Consequently, the Independent Group needs to nominate a replacement Member to sit on the Culture and Tourism Overview and Scrutiny Committee.
- 1.6 Notice has been received that Councillor Dobson has resigned as a Member of the Culture and Tourism Overview and Scrutiny Committee. The Conservative Group will need to nominate a Member to fill this seat.

## **2. OTHER OPTIONS CONSIDERED**

- 2.1 The Council must either comply with the provisions of the Local Government and Housing Act 1989 and apply the principles of political balance or agree to make alternative arrangements. If a Group does not wish to take up all the seats to which it is entitled, it may gift that seat to another group or an unaligned member.

## **3. RESOURCE IMPLICATIONS**

- 3.1 This report has no resource implications.

## **4. RISK AND MITIGATION**

- 4.1 Risk has been considered as part of this report and no significant risks were identified.

## **5. ISSUES ARISING FROM IMPACT ANALYSIS (EQUALITY, SAFEGUARDING etc.)**

- 5.1 An equality analysis is not applicable.

## **6. CRIME AND DISORDER IMPLICATIONS**

6.1 There are no crime and disorder implications arising as a result of this report.

## **7. COMMENTS OF FINANCIAL SERVICES**

7.1 There are no financial comments arising from this report.

## **8. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

8.1 In making appointments to its committees and panels, the Council is required to comply with the Local Government and Housing Act 1989 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.

## **9. COMMENTS OF OTHER RELEVANT SERVICES**

9.1 Not applicable.

## **10. APPENDIX**

10.1 Political Balance Calculations

## **11. 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>