

## Full Council 25<sup>th</sup> April 2024

<b>Report Title</b>	<b>Political Balance on Council Committees</b>
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<b>Lead Member</b>	Cllr Jason Smithers, Leader of the Council

<b>Are there public sector equality duty implications?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Does the report contain confidential or exempt information (whether in appendices or not)?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972</b>	Not Applicable
<b>Which Corporate Plan priority does the report most closely align with? <a href="#">Our priorities for the future   North Northamptonshire Council (northnorthants.gov.uk)</a></b>	Modern Public Services

### List of Appendices

#### Appendix A – Proportionality Allocations

#### 1. Purpose of Report

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- 1.1 This report sets out the revised political balance of the Council following the results of the Council's Desborough Ward by-election held on 4<sup>th</sup> April 2024 in which Cllr Bill McElhinney was elected and joined the Conservative Group on the Council.
- 1.2 This report confirms the methodology proposed to be applied to determine the revised political balance of the authority following the above change to the makeup of the Council.
- 1.3 It also proposes the apportionment of seats on committees in accordance with the application of the calculations.

## **2. Executive Summary**

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- 2.1. The political balance on Council Committees was last reported to the meeting of Council held on 7<sup>th</sup> March 2024. This report sets out the revised political balance of the council as of 5<sup>th</sup> April 2024, how many voting seats are available on committees and the political group nominations available for allocation to those seats.

## **3. Recommendations**

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- 3.1 It is recommended that Council approves the recommendations set out in Appendix A inclusive of the revised allocation of seats for the committees to the recognised political groups, in accordance with statutory proportionality requirements and the Constitution.
- 3.2 *Reason for Recommendations – To ensure that the revised political balance of the Council is applied to the governance structure of the Council, in accordance with law and approved guidelines contained in the Council Constitution.*
- 3.3 *Alternative Options Considered – None, as the revised political balance calculation is required to be reported to full Council under the Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990.*

## **4. Report Background**

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- 4.1 The Council must allocate seats on committees and sub-committees in accordance with the provisions set out in the Local Government and Housing Act 1989 (“the 1989 Act”). Section 15(5) of the 1989 Act requires the Council to allocate seats on committees and sub-committees to political groups to give effect, as far as possible, to the following principles:
- a) not all the seats on the committee or sub-committee are allocated to the same political group (if the rules apply to that body);
  - b) that the political group having a majority of seats on the Council should have a majority on each committee and sub-committee;
  - c) that, subject to paragraphs (a) and (b) above, the number of seats on the Council’s committees and sub-committees allocated to each political group bears the same proportion to the total number of such committee seats as the number of members of that group bears to the membership of the full Council; and
  - d) that, subject to paragraphs (a) to (c) above, seats are allocated on each committee and sub-committee in the same ration as exists on the authority.

- 4.2 Section 16 of the 1989 Act requires the Council to give effect to the allocation of seats determined as set out above in accordance with the wishes of the political groups.
- 4.3 The Council can only depart from the principles set out above by passing a resolution with no member voting against the resolution.
- 4.4. Council will note that the political balance provisions only apply directly to committees and sub-committees and do not apply to the following:
- a) The Executive;
  - b) Bodies established by the Executive (e.g., Executive Advisory Panels, although Council has agreed that they may be applied subject to appointment by the Leader);
  - c) Health and Wellbeing Board;
  - d) Joint bodies established by the Executive.

## 5. Issues and Choices

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- 5.1 Council last received an update on political balance at its annual meeting on 7<sup>th</sup> March 2023, when the political group composition was as follows:-

	<b>Council</b>	<b>Conservative</b>	<b>Labour</b>	<b>Green Alliance</b>	<b>Independent Alliance</b>	<i>Vacant Seat</i>
<b>Members</b>	78	52	17	4	4	1
<b>%</b>	100	66.67	21.79	5.13	5.13	1.28

- 5.2 Following the group changes detailed in section 1.1 of this report, the political group composition is now as follows:-

	<b>Council</b>	<b>Conservative</b>	<b>Labour</b>	<b>Green Alliance</b>	<b>Independent Alliance</b>
<b>Members</b>	78	53	17	4	4
<b>%</b>	100	67.95	21.79	5.13	5.13

- 5.3. Appendix A sets out the breakdown of the allocation of seats to the political groups in accordance with the above percentages, taking account of the law and the provisions of the Constitution.
- 5.4. Council has already determined that the membership of the two strategic Area Planning Committees (each representing roughly half of the council area) should reflect the political balance of each local area only.

- 5.5. It should be noted that some appointments are made by the Leader of the Council and cannot therefore be made by full Council.
- 5.6. The recognised political groups will be invited to submit their nominations for the revised committee seats allocated to them to the monitoring officer.
- 5.7. Should a member or members not form a group, those members are not entitled to a seat unless a unanimous decision is made by Council to allocate them committee seats.

## **6. Next Steps**

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- 6.1 Arising from appointments to committees made by Group Leaders, Democratic Services will provide details of revised committee appointments, dates of meetings and any training requirements to the new committee members.

## **7. Implications (including financial implications)**

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### **7.1. Resources and Financial**

- 7.1.1 There are no resources or financial implications arising from the proposals.

### **7.2. Legal and Governance**

- 7.2.1 The Council must allocate seats on committees and other prescribed bodies to give effect to political balance rules set out in Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

### **7.3. Relevant Policies and Plans**

- 7.3.1 The Council's meeting procedure rules (Part 3.2 of the Constitution) sets out that it is the responsibility of full Council to approve the allocation of seats in accordance with political balance rules.

- 7.3.2 The terms of reference for Area Planning Committees (Part 4.3 of the Constitution) sets out the requirement for political balance to be drawn from within each of the defined planning committee areas.

### **7.4. Risk**

- 7.4.1 Council is required to determine the arrangements for committees and subcommittees, and to approve the allocation of seats with adherence to the law and approved local choices detailed within the approved Constitution. Failure to comply with such a statutory requirement could leave the Council open to successful legal challenge and disrupt the decision-making process.

### **7.5. Consultation**

7.5.1 The recognised political groups have been notified of the changes to political balance during the preparation of this report.

**7.6. Consideration by Executive Advisory Panel**

7.6.1. Not applicable

**7.7. Consideration by Scrutiny**

7.7.1. Not applicable

**7.8. Equality Implications**

7.8.1. There are no discernible equality implications arising from the contents of this report.

**7.9. Climate and Environment Impact**

7.9.1. Not applicable to this report.

**7.10. Community Impact**

7.10.1. Not applicable to this report.

**7.11. Crime and Disorder Impact**

7.11.1. Not applicable to this report.

**8. Background Papers**

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8.1 [Report to Council, 7<sup>th</sup> March 2024 – Political Balance on Council Committees \(Minute 319 refers\)](#)