

## Full Council 31<sup>st</sup> March 2022

Report Title	Political Balance of Committees
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### List of Appendices

#### Appendix A – Proportionality Allocations [TO FOLLOW]

##### 1. Purpose of Report

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- 1.1. This report confirms the methodology proposed to be applied to determine the revised political balance of the authority following the recent Oundle by-election. It also proposes the apportionment of seats on committees in accordance with the application of the calculations.
- 1.2. The law says that the Council should determine the arrangements for committees of the Council. In anticipation of Council agreeing the revised apportionment of seats to political parties, the Monitoring Officer will invite nominations from the political groups to the proposed structure. Approval is therefore sought for the allocation of seats to political groups, and the consequent nomination of members to those seats by the political groups.

##### 2. Executive Summary

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- 2.1. Following the election on 6th May 2021, 78 Members were elected to the newly formed unitary authority for the first time. Following the Oundle by-election of 17<sup>th</sup> February 2022, this report sets out the revised political balance of the council as of 23<sup>rd</sup> March 2022, how many voting seats are available and sets out political groups nominations for allocation to those seats.

##### 3. Recommendations

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- 3.1. It is recommended that Council:
  - a) Approves the revised allocation of seats for the committees set out in Appendix A to the recognised political groups in accordance with the proportionality provisions and the Constitution;

- 3.2. *(Reason for Recommendations – To ensure that the revised political balance of the Council following the by-election held on 17<sup>th</sup> February 2022 is applied to the governance structure of the Council, under 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 ratio 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);

- c) Health and Wellbeing Board;
- d) Joint bodies established by the Executive.

4.5. This report reflects the principles detailed above and applies it to the arrangements of the Council. Council's approval of the proposed allocation and distribution of seats, applying the appropriate principles as set out in law, is sought.

## 5. Issues and Choices

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5.1. Following the election on 6 May 2021 the political composition of the Council was as follows, with figures being rounded up or down as appropriate:-

	Council	Conservative	Labour	Green	Independent
Members	78	60	14	3	1
%	100	77 (76.92%)	18 (17.95%)	4 (3.84%)	1 (1.28%)

5.2. Following the recent Oundle by-election and also taking into account changes to political groups made since May 2021, the revised political balance is as follows:-

	Council	Conservative	Labour	Green Alliance	Liberal Democrat	Independent
Members	78	58	14	4	1	1
%	100	74 (74.36%)	18 (17.95%)	5 (5.13%)	1 (1.28%)	1 (1.28%)

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 four Area Planning Committees (each representing a former district 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 and these will be presented to Council. Details of the nominations received are detailed in Appendix B. Those members who do not form a group are not entitled to a seat unless a unanimous decision was made by Council to allocate.

## 6. Next Steps

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6.1. Arising from appointments to committees made by Group Leaders, Democratic Services will provide details of 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 statutory requirement may 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 Impact**

7.9.1. There is no impact on climate or the environment arising from the proposals within 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. The following documents have been utilised in the preparation of this report:

- a) [North Northamptonshire Council Constitution](#)
- b) [Local Government and Housing Act 1989](#)
- c) [Local Government \(Committees and Political Groups\) Regulations 1990](#)