



**Report To:** Council

25 January 2018

**Lead Officer:** Head of People and Organisational Development

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## Appointments to Committees

### Purpose

1. Following the resignation of Councillor Crocker to report on the political composition of the Council; to note that this change is not sufficient to affect the political balance on committees and invite Council to make appointments to fill vacancies.

### Recommendations

2. That Council:
  - (a) Notes the resignation of Councillor Crocker and that since the resignation is within six months of the 3 May 2018 elections, there will be no by election to fill this vacancy.
  - (b) Notes the political composition of the Council as set out in paragraph 5 but that no adjustments to the allocation of seats are required.
  - (c) Makes an appointment to fill current vacancy on Audit and Corporate Governance Committee in accordance with the wishes of the Leader of the Conservative Group.
  - (d) Confirms the appointment of Councillor Bard to serve on the Civic Affairs Committee.

### Reasons for Recommendations

3. To advise the Council of the resignation of a Councillor; to report on the revised composition of the Council but note that this change is not sufficient to affect the political balance on committees and to fill resultant vacancies.

### Background

4. The Council at its Annual Meeting on 25 May 2017 established its committees and allocated seats to political groups in accordance with the relevant provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, as amended.
5. Councillor Simon Crocker tendered his resignation as a Councillor on 23 November 2017. As the vacancy has arisen within 6 months of the date on which the term of office expires there is no requirement to hold a by-election to fill the vacancy and thus the vacancy will remain unfilled until the District elections on 3 May 2018. Ordinarily, a review of political balance would only take place upon the filling of a vacancy following a by-election, not upon the occurrence of the vacancy, but as this vacancy

will not be filled until May, this report has been submitted to advise of the revised political composition of the Council as follows:-

Conservative – 35  
Liberal Democrat – 14  
Independent Group – 6  
Non group member – 1  
Vacancy - 1

6. The political balance of the Council can be calculated by using the formula below:

$$\frac{\text{Number of Councillors in a specific Political Group}}{\text{Number of Councillors in all Political Groups (55)}} \times 100$$

7. The breakdown of each Political Group is therefore as follows:

Conservative – 63.636% (\*64.3%)  
Liberal Democrat – 25.455% (\*25%)  
Independent Group – 10.909% (\*10.7%)

(\* The number in brackets denotes the breakdown at the Annual Meeting in May 2017)

8. The Council's current committee structure comprises of 75 seats. The calculation to determine the entitlement of Political Groups to seats on committees is as follows:

$$\frac{\% \text{ for each Political Group (para. 7 above)} \times \text{number of committee seats (75)}}{100}$$

9. The notional entitlement to committee seats for each Political Group is as follows:

|                   |              |                   |
|-------------------|--------------|-------------------|
| Conservative      | 47.727       | = <b>48 seats</b> |
| Liberal Democrat  | 19.091       | = <b>19 seats</b> |
| Independent Group | <u>8.182</u> | = <b>8 seats</b>  |
|                   | 75           | <b>75 seats</b>   |

*(The allocation at 25 May 2017 for comparison purposes was:*

|                          |                     |                          |
|--------------------------|---------------------|--------------------------|
| <i>Conservative</i>      | <i>48.225</i>       | <i>= <b>48 seats</b></i> |
| <i>Liberal Democrat</i>  | <i>18.75</i>        | <i>= <b>19 seats</b></i> |
| <i>Independent Group</i> | <u><i>8.025</i></u> | <i>= <b>8 seats</b></i>  |
|                          | <i>75</i>           | <i><b>75 seats</b></i>   |

10. As can be seen from paragraphs 9 above, even though there has been a change to the political composition of the Authority, the overall proportional entitlement to seats on Committees remains unchanged.

## Vacancies

11. Councillor Crocker served upon the Civic Affairs and Audit and Corporate Governance Committees.
12. In accordance with Council Standing Order No 4.5, the Leader of the Conservative Group appointed Councillor Bard to fill the vacancy on the Civic Affairs Committee until such time as the Council has appointed a replacement.
13. As there is no requirement to adjust seat allocation, these seats continue to be allocated to the Conservative Group. The Council is therefore requested:-
  - (a) To confirm the appointment of Councillor Bard to serve upon the Civic Affairs Committee; and
  - (b) To make an appointment to fill the vacancy upon the Audit and Corporate Governance Committee in accordance with the nomination from the Leader of the Conservative Group.

### **Options**

14. The requirement to allocate seats according to Political Groups' proportionate strengths can be overridden by some other arrangement, either in relation to all committees, sub-committees and other bodies or in relation to any individual committee, sub-committee or other body, provided that notice is given in the agenda for the meeting and no Councillor votes against the alternative arrangement when it is proposed (a "no dissent" alternative).

### **Implications**

15. In the writing of this report, the following implications have been considered:-

#### ***Legal***

16. In accordance with the legislation, the Council is required to allocate committee seats to political groups in proportion, as far as is reasonably practicable, to the size of those groups on the Council.
17. In achieving political proportionality as far as reasonably practicable, the Local Government and Housing Act 1989 requires the Council to apply the following principles in allocating seats:-
  - (a) That not all seats on the body are allocated to the same political group;
  - (b) That the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership.
  - (c) Subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority.
  - (d) Subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all seats on the body as is borne by the number of members of that group on the membership of the authority.

18. Having determined the allocation of the seats, the Council is obliged to make appointments so as to give effect to the wishes of the political group to which the seat has been allocated.
19. The Council's Procedure for the Annual Establishment of, and Appointments to, Council and Outside Bodies in Part 4 of the Constitution provides that if the political balance changes at any time in the civic year sufficiently to affect the political balance on committees, a meeting of Group Leaders will be held to review political balance.

***Other***

20. Taking into account financial, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no significant implications.

**Effect on Strategic Aims**

21. Appointing councillors to fill vacancies on committees, in accordance with the political balance of the Council, will enable the Council to properly discharge its functions.

**Background Papers**

The following background papers were used in the preparation of this report:

- South Cambridgeshire District Council's Constitution
- The Local Government and Housing Act 1989
- The Local Government (Committees and Political Groups) Regulations 1990

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