



Report to:	Council	24 November 2022
Lead Officer:	Democratic Services Manager	

Review of proportionality and allocation of seats on committees and other appointments November 2022

Executive Summary

1. To seek Council's approval of a review of political proportionality on the Council following a change of political group membership arising from the by election for Longstanton Ward.
- 2. Key Decision**
No

Recommendations

3. It is recommended that Council:
 - i. Approves the allocation of seats on committees as set out at Table 2 in Appendix A; and
 - ii. Notes the nominations of the Political Group leaders to seats on the Audit and Corporate Governance Committee and Licensing Committee as set out in Appendix B.

Reasons for Recommendations

4. To comply with Standing Order 1.3 "Selection of Councillors on Committees and Outside Bodies"; to enable the Council to comply with its obligations under the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.
5. Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when two or more Councillors notify the Chief Executive, as the proper officer, of their wish to be treated as a Political Group. A review of allocation of seats to political groups must take place under section 17 of these regulations as soon as practicable after a change in the composition of Political Groups on the Council. At the by election on 3 November 2022 for the Longstanton ward, one Liberal Democrat Councillor and one Conservative Councillor were elected. As this is a change in the number

of Members in each Political Group on the Council, a review of political proportionality is required.

6. The following principles laid down in the Act apply to the allocation of seats:
 - a. That not all the 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 the 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 the seats on the body as is borne by the number of members of that Group on the membership of the authority.
7. These principles must be applied as far as reasonably practical. Where adjustments are required to reflect rounding up and down of fractions, the final decision rests with Council, ideally on the recommendation of the Political Group leaders.
8. The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the Political Groups, the Council must then appoint the nominees of the Political Groups to the committees.
9. Following the by election for the Longstanton Ward on 3 November 2022, the political makeup of the Council's 45 seats is as follows:

Liberal Democrat	35
Conservative	9
Unaligned	1

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

$$\frac{\text{Number of Councillors in a specified Political Group}}{\text{Number of Councillors in all Political Groups (44)}} \times 100$$

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

Liberal Democrat – 79.545%
Conservative – 20.455%

12. Each of the Political Groups (formed when two or more Councillors notify the Chief Executive, as Proper Officer, of their wish to be treated as a Group) is

entitled to a certain number of seats on committees. This is based on their Group's percentage representation, as detailed above.

13. The Council's current committee structure comprises 62 seats.
14. The calculation to determine the entitlement of Political Groups to seats on committees is as follows:

$$\frac{\% \text{ for each Political Group (para. 11 above) } \times \text{ number of committee seats (62)}}{100}$$

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

Liberal Democrat	49.318	= 49	seats
Conservative	12.682	= 13	seats
			62 seats

16. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. So that this process of rounding does not result in disproportionate advantage to any one political group, the aggregate membership of all the ordinary committees must be in line with the proportions on the Council.
17. Political Groups may give any seat allocated to them to any other Group or, if there are any non-Grouped Members, to any non-Grouped Member.

Joint Committees/Advisory Committees

18. Unlike the ordinary committees, the seats on joint committees and advisory committees are not aggregated. Proportionality is applied as far as reasonably practical on each individual joint or advisory committee. The majority Group must have a majority on each such committee.

Allocation of seats to committees

19. The proposed allocation of seats to committees is set out at Table 2 of Appendix A.

Nominations and Substitutes

20. Substitute members may be appointed from each Political Group and must be appointed by Council in a hierarchical list per committee.
21. The nominations of Political Groups to seats on the two committees on which allocations have changed as a result of this review (Licensing Committee and Audit and Corporate Governance Committee), are set out at Appendix B.

Mandatory Training Requirements

22. Members are reminded that members and substitute members of the Planning Committee and Licensing Committee may only serve on these bodies once they have received the necessary training. Members sitting on an employee appeals panel will also be required to undertake appropriate training before being eligible for appointment to the panel.

Options

23. Council can opt to approve the proposals set out in the report in respect of allocation of seats on committees or agree another proposal that reflects the principles of political proportionality.

24. 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 no Councillor votes against the alternative arrangement when it is proposed (a "no dissent" alternative).

25. The Council is therefore not obliged to follow the proportionality rules and may make different arrangements, provided the following procedures set out in Section 17 of the Local Government and Housing Act 1989 are followed:

- i. Due notice is given in the agenda for the meeting.
- ii. No Member of the Council votes against the proposal, although there may be abstentions.

Implications

26. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, there are no significant implications.

Background Papers

The following background information was 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

Appendices

Appendix A: Revised Committee seat allocation

Appendix B: Nominations for revised seat allocations on Licensing Committee and Audit and Corporate Governance Committee.

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Appendix A

Committee seat allocation at November 2022

Political Proportionality

Liberal Democrat – 79.545

Conservative – 20.455

Political Group committee seat entitlement on ordinary committees

Liberal Democrat – 49 seats

Conservative – 13 seats

Table 1: indicative committee seat allocation

In Table 1 below, the application of proportionality to each committee results in a calculation which is indicative, shown in brackets. The figures in brackets are indicative because rounding up in all cases where the fraction is over 0.5 would result in a total number of committee seats which differs from the total to which each Political Group is entitled.

The allocation changes for Licensing Committee as a result of the recalculation, reducing the Liberal Democrat Group's entitlement by one seat to 11 and increasing the Conservative Group entitlement by one seat to three. There are two committees, Audit and Corporate Governance Committee and Employment and Staffing Committee, on which the recalculation indicates that the seat allocation could change. However, in order to result in the correct aggregate entitlement for each Group, only one seat on either of these two committees may be given to the Conservative Group. Please see the next Table for the recommendations of the Political Group Leaders.

Committee	Number of seats	Liberal Democrat	Conservative
Audit and Corporate Governance Committee	7	6 or 5 (5.568)	1 or 2 (1.432)
Civic Affairs Committee	9	7 (7.159)	2 (1.841)
Employment and Staffing Committee	7	6 or 5 (5.568)	1 or 2 (1.432)
Licensing Committee	14	11 (reduction of 1) (11.136)	3 (gain of 1) (2.864)
Planning Committee	11	9 (8.750)	2 (2.250)
Scrutiny and Overview Committee	14	11 (11.136)	3 (2.864)
Total required to reflect overall proportionality:	62	49	13

Table 2: proposed committee seat allocation

In order to result in allocation of committee seats which reflects overall proportionality, the recommendation of the Political Groups is that one additional seat on the Audit and Corporate Governance Committee should be allocated to the Conservative Group.

The proposed seat allocation for all committees is therefore as set out in Table 2.

Committee	Number of seats	Liberal Democrat	Conservative
Audit and Corporate Governance Committee	7	5	2
Civic Affairs Committee	9	7	2
Employment and Staffing Committee	7	6	1
Licensing Committee	14	11	3
Planning Committee	11	9	2
Scrutiny and Overview Committee	14	11	3
Total	62	49	13

Appendix B

Nominations for seats on committees

The nominations to the two committees where there is a change in seat allocation to each Political Group are set out below.

Licensing Committee

As the Liberal Democrat entitlement has reduced by 1 to 11 seats, one Liberal Democrat Member, Councillor Peter McDonald will no longer be appointed to this Committee. As the Conservative Group entitlement has increased by 1, to 3 seats, the nomination for the additional place for the Conservative Group is Councillor Bunty Waters.

Notes	Liberal Democrat	Conservative
14 members	1. Anna Bradnam (C) 2. Annika Osborne (VC) 3. Geoff Harvey 4. Sally Ann Hart 5. Peter Sandford 6. John Loveluck 7. Jose Hales 8. Brian Milnes 9. Lisa Redrup 10. Sunita Hansraj 11. Corinne Garvie	1. Shrobona Bhattacharya 2. Mark Howell 3. Bunty Waters
	Substitutes 1. Peter Fane 2. Carla Hofman 3. Pippa Heylings 4. Michael Atkins 5. Stephen Drew	Substitutes 1. Heather Williams 2. Graham Cone 3. Sue Ellington 4. Lina Nieto

Audit and Corporate Governance Committee

As the Liberal Democrat entitlement has reduced by 1 to 5 seats, one Liberal Democrat Member, Councillor Jose Hales, will no longer be appointed to this Committee. As the Conservative Group entitlement has increased by 1, to 2 seats, the nomination for the additional place for the Conservative Group is Councillor Mark Howell.

Notes	Liberal Democrat	Conservative
7 members	1. Michael Atkins (C) 2. Peter Sandford (VC)	1. Heather Williams 2. Mark Howell

<p>Cabinet Members may not serve on this committee. Scrutiny and Overview Committee Chair may be a member but not Chair of this committee.</p>	<p>3.Helene Leeming 4.Geoff Harvey 5.Richard Stobart</p>	
	<p><i>Substitutes</i></p> <p>1.James Hobro 2.Lisa Redrup 3.Pippa Heylings 4.Stephen Drew</p>	<p><i>Substitutes</i></p> <p>1.Graham Cone 2.Sue Ellington 3.Richard Williams 4.Bunty Waters</p>