



Report To: Council
Lead Officer: Legal and Democratic Services Manager

21 May 2015

Allocation of seats to Committees for 2015/16

Purpose

1. To seek Council's approval of the establishment of committees, the allocation of seats on committees and the appointment of members and substitute members to committees. This report also requests that Council appoints the Chairmen and Vice-Chairmen of committees and re-appoints the lead independent person and deputy independent person.

Recommendations

2. That Council approves:
 - (a) The allocation of seats on committees.
 - (b) The nominations of the political group leaders to seats on committees.
 - (c) The appointment of Chairmen and Vice-Chairmen of committees.
 - (d) The re-appointment of Grant Osbourn as the Council's lead independent person and Gillian Holmes as the Council's deputy independent person.

Reasons for Recommendations

3. The details set out in the appendices to this report have been drawn up in consultation with the Council's political group leaders.

Background

4. 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 Proper Officer, of their wish to be treated as a political group.
5. Section 15 of the Local Government and Housing Act 1989 imposes a duty on the local authority at its annual meeting, or as soon as possible after it, to review the allocation of seats on the committees of the Council between the political groups. The Council may carry out such a review at any other time and may do so if requested by a political group.

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 the 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 practicable. Where adjustments are required to reflect rounding up and down of fractions, officers will make recommendations as to which figures best meet the principles, but the final decision rests with Council on the recommendation of political group leaders.
8. There is provision for non-group members to be offered seats on certain Council bodies, but this has no basis in legislation. It is a matter for the political groups to determine if they wish to offer seats from their allocation to non-group members.
9. Although the appointment of non-group members to any bodies technically upsets the political balance calculations, these appointments may be made by the Council so long as there is no dissent expressed by any councillor (a "no dissent alternative"). 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.
10. 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.

Considerations

Political Proportionality and Nominations

11. Further to the local elections held on 7 May 2015, the current political makeup of the Council's 57 seats is as follows:

Conservative – 38
Liberal Democrat – 11
Independent Group – 6
Labour – 1
Independent (non-group) – 1

12. This equates to 55 Councillors in political groups who are entitled to committee seats.

13. The political balance of the Council can be calculated by using the formula below (to two decimal places):

$$\frac{\text{Number of Councillors in a specific political group}}{\text{Number of Councillors in all political groups (55)}} \times 100$$

14. The breakdown of each political group is therefore as follows:

Conservative – 69.09%
Liberal Democrat – 20%
Independent Group – 10.91%

15. 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 upon their group's percentage representation, as detailed above.

16. 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:

$$\frac{\% \text{ for each political group (para. 14 above)} \times \text{number of committee seats (75)}}{100}$$

17. The notional entitlement to committee seats for each political group is therefore as follows:

Conservative	51.8175	=	52 seats
Liberal Democrat	15	=	15 seats
Independent Group	8.1825	=	8 seats
	75	=	75 seats

Joint Committees

18. Unlike a Council's ordinary committees, the proportionality for joint committees or outside bodies cannot be aggregated. There are therefore six seats available for each joint committee (the Joint Development Control Committee – Cambridge Fringes and the Northstowe Joint Development Control Committee).

19. The calculation to determine the entitlement of political groups to seats on each joint committee is as follows:

$$\frac{\% \text{ for each political group (para. 14 above)} \times \text{number of joint committee seats (6)}}{100}$$

20. The notional entitlement to joint committee seats for each political group is therefore as follows per committee:

Conservative	4.1454	=	4 seats
Liberal Democrat	1.2	=	1 seat
Independent Group	0.6546	=	1 seat
	6	=	6 seats

21. Group Leaders have been unable to reach agreement in respect of the size of committees and the allocation of committee seats for each political group.

22. The Leader of the Conservative Group has proposed a reduction in the size of the Civic Affairs Committee and Planning Committee from 13 seats to 12 seats and an increase in the Corporate Governance Committee and Employment Committee from 8 seats to 9 seats. The proposed allocation of seats to committees, taking account of these changes, is set out at **Appendix A**.
23. The Leader of the Liberal Democrat Group, supported by the Convenor of the Independent Group, has proposed the same increase in the Corporate Governance Committee and Employment Committee from 8 seats to 9 seats, but also proposes a decrease in the membership of the Civic Affairs Committee from 13 seats to 9 seats and an increase in the Planning Committee from 13 seats to 15 seats. The proposed allocated of seats to committees, taking account of these changes, is set out at **Appendix B**. Her reason for the alternative proposal is as follows:

“The Planning Committee is going to be concerned with a very large number of complex, large scale applications in the coming years and this will require that its membership is made up of the most experienced and best qualified Councillors, drawn from all three political groups. By limiting its size to 12 the Council risks losing Councillors who will contribute valuable experience and expertise to the process. A reduction in the size of the Civic Affairs Committee can be justified as its workload has been greatly reduced by the removal of the Standards Board.”

Nominations and Substitutes

24. Council is required to appoint up to five substitutes per committee from each political group in a hierarchical list to all Council committees. Council may also appoint substitutes to any bodies where provisions for substitutes exist in that body's terms of reference. The Constitution, in Section A of Part 5, requires that the nominations of the groups be accepted by Council. The nominations of political groups to seats on committees, including substitute members, are attached as **Appendix C**.

Mandatory Training Requirements

25. Political group leaders have been reminded that members and substitute members of the Planning Committee, Licensing Committee and Employment Committee may only serve on these bodies once they have received the necessary training.

Appointment of Chairmen and Vice-Chairmen of committees

26. Nominations for the appointment of Chairmen and Vice-Chairmen of committees are attached as **Appendix D**.

Re-appointment of lead independent person and deputy independent person

27. The Council, at its Annual General Meeting on 23 May 2013, appointed Grant Osbourn as the lead independent person and Gillian Holmes as the deputy independent person to assist in the assessment of conduct complaints. These appointments were for the period 1 July 2013 to 30 June 2016, subject to annual ratification at Full Council. This report therefore seeks ratification for the two appointments.

Options

28. Two proposals have been put forward in respect of the allocation of seats to committees. Council can opt to approve one of these proposals, or agree another proposal that reflects the principles of political proportionality.
29. 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). Paragraph 9 of the report should be noted when considering this option.

Implications

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

Effect on Strategic Aims

31. Appointing councillors to committees, in accordance with the political balance of the Council, and the associated allocation of seats on committees, 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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