

COUNTY COUNCIL – 14 SEPTEMBER 2021

REVIEW OF POLITICAL BALANCE ON COMMITTEES

Report by the Director of Law & Governance

RECOMMENDATIONS

1. **The Council is RECOMMENDED:**
 - (a) to note the revised political balance on committees shown in Annex 2 to the report;
 - (b) to make the consequential appointments to the Committees named in paragraph 11 and as listed in paragraph 13 and Annex 3 (to follow), to give effect to the wishes of the respective Group Leaders.

Executive Summary

2. The Council is required by the Local Government & Housing Act 1989 to review the political balance on its committees on an annual basis and then in any circumstances set out in Regulations under the 1989 Act. A note is attached (**Annex 1**) which summarises how the rules operate.
3. Following the May 2021 elections and the subsequent formation of political groups on the Council, the political balance was formally reviewed at the Annual Council Meeting on the 18 May.
4. Since that time, Cllr Mark Cherry has been confirmed as the duly elected member for the Banbury Ruscote Division. As a result, the Monitoring Officer has formally received notification from Cllr Cherry and from the Leader of the Labour & Co-operative Party Group, that Cllr Cherry has become a member of that Group.
5. Following the addition to the Labour & Co-operative Party Group, a further review of political balance now needs to occur to reflect the relative proportion of each Group with regards to seats on the Council, and given that more than a month has elapsed since the last review of political balance. This review also reflects that the Conservative-Independent Alliance Group now has one fewer member than previously.
6. This report therefore invites Full Council to note the revised proportionality and to make the consequential appointments to committees arising from this. **Annex 2** shows the revised arithmetical product of the rules for the Council's committees. The figures in brackets show the adjustments which are necessary to achieve the balance across and within committees to comply with the rules.
7. **Annex 3** (to follow) shows the group nominations which have been received to fill the vacancies arising from the revised proportionality, as set out in paragraph 11.
8. Members may recall that at its July meeting, Council appointed an additional member from each group to each of the three new overview and scrutiny committees. This is because there was a numerically spare seat on each of these committees after political

balance had been satisfied, and each group had (overall) a need for an additional seat. Council's decision in July resolved that. The revised political balance does not undo this and so that decision does not need to be revisited. The only matters that Council needs to address are those set out in paragraphs 11-13.

Implications of the revised proportionality

9. The relative sizes of the Council's Political Groups, and their entitlements to seats, are now as follows:

Political Group	Liberal Democrat/Green Alliance Group	Conservative-Independent Alliance Group	Labour & Co-operative Party Group
Group Size	24	22	16
Revised number of seats – legal/notional entitlement	30	28	20
Actual current number of seats	29	29	19
Number of seats over or under entitlement	-1	+1	-1

10. Cllr Gawrysiak is not a member of a political group on the Council.
11. Looking at the overall proportionality in the table above, the position is that the Labour and Co-operative Party Group is now entitled to one further seat. The Liberal Democrat/Green Alliance Group also has one fewer seats overall than its notional entitlement; and the Conservative-Independent Alliance Group has one more seat, overall, than its notional entitlement.
12. As such, the specific implications are these:
- (a) **Remuneration Committee:** the revised political balance for this 6 person committee means that the Labour & Co-operative Party Group is entitled to an additional seat because its entitlement is now to two seats rather than one. Cllr Brighouse, the Leader of this Group has confirmed her wish to make this appointment. The consequence of this is that the 'spare' seat allocated to Cllr Gawrysiak under the previous balance, would be yielded to the Labour and Co-operative Party Group.
 - (b) **Horton Health Overview & Scrutiny Committee:** the Liberal Democrat/Green Alliance Group has one fewer seats on this committee than its entitlement. The Conservative-Independent Alliance Group has one more seat on this Committee than its entitlement. Cllr Leffman, Leader of the Liberal Democrat/Green Alliance Group has confirmed her wish for her Group to take its full entitlement of seats on this committee. This has the effect of achieving the appropriate balance for the committee itself. It also has the effect of correcting and achieving the overall political balance on the Council outlined in paragraph 11.

Appointments

13. Council is asked to make the appointments to both of these committees to give effect to the wishes of the leaders of the Labour & Co-operative Party Group and the Liberal Democrat/Green Alliance Group respectively in relation to paragraph 11. The nominations from the respective Group Leaders in relation to both (a) and (b) are as follows:
- (a) **Remuneration Committee:** nomination from Labour & Co-operative Party Group to follow as Annex 3
 - (b) **Horton Health Overview & Scrutiny Committee:** the Liberal Democrat/Green Alliance Group nomination for this Committee is: Cllr Dr Nathan Ley.

Legal Implications

14. Seats must be allocated in relation to political proportionality unless there is a decision to the contrary taken with no member voting against. Where appointments to committees fall to be made to any particular political group in order to reflect their entitlement to seats overall, and on individual committees, the Council must give effect to the wishes of the relevant Group as expressed through that Group's Leader or Deputy Leader. The rules on political balance are contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. This report is consistent with these.

Financial Implications

15. There are no financial implications arising from the recommendations in this report.

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Background Papers: Nil

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Local Government & Housing Act 1989 - Political Balance

General Description of the Rules

1. For most local authority committees and sub-committees and for certain other appointments, the 1989 Act requires the Council to allocate seats to political groups in accordance with the groups' proportionate strength on the Council as a whole.
2. The political balance requirement applies only where political groups have been set up, but where it does apply the allocation to committees has to be reviewed annually. A review is also required on the formation of a new political group or if requested by a member newly joining a group.
3. A committee must review the allocation of seats on its sub-committees following any change in the committee's membership as a result of a 1989 Act review.

The Allocation

4. The allocation process depends on the proportionate strengths of the political groups and the nature of the committee, sub-committee or other body concerned. The following rules apply:
 - (i) Where a group has an overall majority on the Council, that group is entitled to a majority of the seats on each committee and sub-committee. For this purpose only, the calculation must include seats occupied by voting co-optees on a scrutiny committee or sub-committee concerned with education.
 - (ii) Each political group is entitled to its proportion of the total number of seats on all the committees added together, according to the ratio of the number of members of the group to the number of members of the Council.
 - (iii) Subject to (i) and (ii) above, each group is entitled to its proportion of the number of seats on each individual committee.
 - (iv) For sub-committees and some other bodies, a group is entitled to its proportion of the number of seats regardless of the total number of seats involved (but still subject to the majority rule in (i) above).
 - (v) The allocations of seats to political groups are rounded up or down to the nearest whole number. Where the allocations leave a seat or seats unfilled on a committee, sub-committee or other body those seats must be allocated to any independent members of the Council.
5. Except where a "no dissent" alternative (as described below) is adopted, application of these principles, "so far as reasonably practicable", is mandatory. Once the allocations have been agreed under this procedure, the appointment of individual members must then be made in accordance with the wishes of the respective groups.

Alternatives where "No Dissent"

6. 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-

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committee or other body, provided that no councillor votes against the alternative arrangement when it is proposed.