

COUNTY COUNCIL – 17 MAY 2022

COMMITTEES AND REVIEW OF POLITICAL BALANCE

Report by the Director of Law & Governance

The Council is **RECOMMENDED**:

- (a) To note how the rules operate and approve necessary adjustments to achieve the balance across and within Committees to comply with the rules.
- (b) To appoint Councillors to the scrutiny and other committees of the Council as required by any changes necessary as a result of applying the proportionality rules, and subject to any changes on the nomination of the political groups.

1. 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.
2. 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 and then revised in September 2021 as a result of the election of Cllr Mark Cherry.
3. As a result of the establishment of the Berks/ Oxfordshire/ Bucks Joint Health Overview and Scrutiny Committee and the Charlotte Coxe Trust Committee by Council, 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.
4. This report therefore invites Full Council to note the revised proportionality and to make any consequential amendments to appointments to committees arising from this. **Annex 2** shows the revised arithmetical product of the rules for the Council's committees.

Implications of the revised proportionality

5. 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	35	32	23

Actual current number of seats	35	31	23
Number of seats over or under entitlement		Minus 1 (One further seat to be allocated)	

6. Cllr Gawrysiak is not a member of a political group on the Council and has 2 committee places.
7. Looking at the overall proportionality in the table above, the position is that the seat allocation is in balance overall save for a deficit of one for the Conservative Independent Alliance (CIA). This Group should be allocated one further seat to rectify this deficit.
8. As such, no specific implications arise save for the deficit of one. This should be rectified by allocating a seat on the Remuneration Committee to the CIA as their entitlement is 2. The Council may decide to make other changes although these must still reflect party strength (only if the Council decides with no dissenting vote can the seat entitlements be varied).

Appointments

9. Council is asked to consider the appointments to committees and to confirm them as reflecting party strength subject to allocating an extra seat to the CIA and any changes on the nomination of the political groups.

Legal Implications

10. 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

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

ANITA BRADLEY

Director of Law & Governance

Background Papers: Nil

Contact Officers: Michael Bowness: 077910 38758

Annex 1

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