

Eden District Council

Council

10 May 2018

Allocation of Seats on Committees

Report from:	Deputy Chief Executive
Wards:	All Wards
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 The purpose of this report is to make appointments to the Committees for the 2018-2019 municipal year.

2 Recommendation

That the appointment of Members to Committees as set out in Appendix 2 be approved.

3 Report Details

- 3.1 The seats on the Council's Committees should be allocated in accordance with the principles set out in the Local Government and Housing Act 1989 to the political groups amongst the Members of the Council so far as is reasonably practicable. The principles seek to achieve proportionality in the allocation of seats. The principles, which are paraphrased, are in order of priority:
- a) all seats on a committee cannot be allocated to the same political group;
 - b) the majority of the seats allocated on any body, including each Committee, are allocated to the group, if any, which has a majority on the Council;
 - c) the number of seats on the total of all committees allocated to each political group bears the same proportion as the proportion the membership of that group has to the membership of the entire Council; and
 - d) the number of seats on each committee allocated to each group bears the same proportion as the proportion the membership of that group has to the total membership of the entire Council.

- 3.2 The political composition of the Council is:

Conservative Group	20
Independent Group	10
Liberal Democrat Group	7
Labour	1
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	38

The Conservative Group has an overall majority.

3.3 There are sixty six seats on the seven Council Committees. The Conservative Group has a majority of seats on each Committee and has thirty six seats. The Liberal Democrat Group has two seats on each Committee and the Independent Group make up the balance of seats with sixteen seats.

3.4 The Liberal Democrat Group has expressed a desire to allocate two of their Committee places and one standing deputy place to the Labour Councillor. It needs to be acknowledged in terms of calculating political proportionality that these seats are Liberal Democrat seats they intend to 'gift' to the Labour Councillor.

3.5 The Conservative Group has a majority of seats on each Committee and has thirty six seats. The Liberal Democrat Group has two seats on each Committee and the Independent Group make up the balance of seats with sixteen seats.

3.6 The allocation of the seats of the political groups are as follows:

Conservative Group	36
Independent Group	16
Liberal Democrat	14

3.7 An explanation of the calculation for determining the allocation can be found at appendix 1 to this report.

Accounts and Governance Committee – 9 Members

Independent Group	2
Conservative Group	5
Liberal Democrat Group	2
Standing Deputies	Up to 2 standing deputies each for the Independent Group and Liberal Democrat Group and up to 5 for the Conservative Group

Scrutiny Co-ordinating Board – 9 Members

Independent Group	2
Conservative Group	5
Liberal Democrat Group	2

Standing Deputies	Up to 2 standing deputies each for the Independent Group and Liberal Democrat Group and up to 5 for the Conservative Group
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Environment and Economy Scrutiny Committee - 9 Members

Independent Group	2
Conservative Group	5
Liberal Democrat Group	2
Standing Deputies	Up to 2 standing deputies each for the Independent Group and Liberal Democrat Group and up to 5 for the Conservative Group

Housing and Communities Scrutiny Committee - 9 Members

Independent Group	2
Conservative Group	5
Liberal Democrat Group	2
Standing Deputies	Up to 2 standing deputies each for the Independent Group and Liberal Democrat Group and up to 5 for the Conservative Group

Human Resources and Appeals Committee - 9 Members

Independent Group	2
Conservative Group	5
Liberal Democrat Group	2
Standing Deputies	Up to 2 standing deputies each for the Independent Group and Liberal Democrat Group and up to 5 for the Conservative Group

Licensing Committee - 10 Members

Independent Group	3
Conservative Group	5
Liberal Democrat Group	2
Standing Deputies	Up to 2 standing deputies each for the Independent Group and Liberal Democrat Group and up to 5 for the Conservative Group

Planning Committee - 11 Members

Independent Group	3
Conservative Group	6
Liberal Democrat Group	2
Standing Deputies	Up to 2 standing deputies each for the Independent Group and Liberal Democrat Group and up to 5 for the Conservative Group

4 Policy Framework

4.1 The Council has four corporate priorities which are:

- Decent Homes for All;
- Strong Economy, Rich Environment;
- Thriving Communities; and
- Quality Council

4.2 This report meets Quality Council corporate priority

5 Consultation

5.1 Leaders of the three political groups have been contacted and asked to provide the names of members that they wish to nominate to sit on the Council's Committees. The wishes of the Group Leaders will be outlined in Appendix 2 of this report which will follow.

6 Implications

6.1 Financial and Resources

- 6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2015-19 as agreed at Council on 17 September 2015.

There are no proposals in this report that would reduce or increase resources.

6.2 Legal

- 6.2.1 Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the representation of political groups on its committees where the members of the Council are split into different political groups.
- 6.2.2 The Act requires that the Council should allocate seats on committees in accordance with the following principles set out at paragraph 3.1 of this report.
- 6.2.3 Once political group allocations have been determined, it is the duty of the Council to exercise the power to make appointments committees to give effect to the nominations of the political groups concerned. These political balance requirements also apply to the 3 Scrutiny Committees.

6.3 Human Resources

- 6.3.1 There are no additional Human Resources implications associated with this report.

6.4 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	None arising from this report.
Health, Social Environmental and Economic Impact	None arising from this report.
Crime and Disorder	None arising from this report.
Children and Safeguarding	None arising from this report.

6.5 Risk Management

Risk	Consequence	Controls Required
There is a need to allocate the appointment of Members to seats, in so far as it is possible, with regard to the statutory principles set out in the Local	Failure to allocate seats in line with these principles may result in error or legal challenge.	Appendix 1 to the report sets out the calculations used in relation to the principles of proportionality.

Government and Housing Act 1989.		
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7 Other Options Considered

7.1 There are no alternative options.

8 Reasons for the Decision/Recommendation

8.1 To comply with the Local Government and Housing Act 1989 and associated regulations in relation to the appointment of members to Committees in accordance with express wishes of the political groups to which seats have been allocated.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	27 April 2018
Monitoring Officer (or Deputy)	30 April 2018
Relevant Assistant Director	30 April 2018

Background Papers:

Appendices:

Appendix 1 – Explanation of calculations

Appendix 2 – Allocation of seats to Committees (to follow)

Contact Officer:

Vivien Little, Member Services Team Leader

Appendix 1 - Explanation of calculations

Calculation and Allocation of Seats with regard to the Four Principles

Principle 1:

All seats on a committee cannot be allocated to the same political group.

Each Committee must contain Members from different groups.

Principle 2:

The majority of the seats allocated on any body, including each committee, are allocated to the group, if any, which has a majority on the Council.

The Conservative Group has a majority on the Council and is therefore entitled to a majority of seats on the Council.

Principle 3:

The number of seats on the total of all committees allocated to each political group bears the same proportion as the proportion the membership of that group has to the membership of the entire Council.

There are 66 seats on all the Council's Committees. There are 38 Members. The proportions for each group as a whole and the number of seats, subject to principles 1 and 2, which must be allocated to each group are:

Political Group	Proportion of seat allocation
Independent Group	10 of 38 = 0.263
Conservative Group	20 of 38 = 0.526
Liberal Democrat Group	7 of 38 = 0.184
Labour	1 of 38 = 0.026

Principle 4:

The number of seats on each committee allocated to each group bears the same proportion as the proportion the membership of that group has to the total membership of the entire Council.

Committee name	Proportion of seat allocation	Number of seats
Planning	(11 Seats)	
Independent Group	0.263 = (2.89)	3
Conservative Group	0.526 = (5.79)	6

Liberal Democrat Group	0.184 = (2.03)	2
Labour	0.026 = (0.29)	0

Licensing (10 Seats)

Independent Group	0.263 = (2.63)	3
Conservative Group	0.526 = (5.26)	5
Liberal Democrat Group*	0.184 = (1.84)	2
Labour*	0.026 = (0.26)	0

*

Scrutiny Co-ordinating Board (9 Seats)

Independent Group	0.263 = (2.37)	2
Conservative Group	0.526 = (4.74)	5
Liberal Democrat Group	0.184 = (1.66)	2
Labour	0.026 = (0.24)	0

**Environment and Economy
Scrutiny Committee** (9 Seats)

Independent Group	0.263 = (2.37)	2
Conservative Group	0.526 = (4.74)	5
Liberal Democrat Group	0.184 = (1.66)	2
Labour	0.026 = (0.24)	0

**Housing and Communities
Scrutiny Committee** (9 Seats)

Independent Group	0.263 = (2.37)	2
Conservative Group	0.526 = (4.74)	5
Liberal Democrat Group	0.184 = (1.66)	2
Labour	0.026 = (0.24)	0

Accounts and Governance	(9 Seats)	
Independent Group	0.263 = (2.37)	2
Conservative Group	0.526 = (4.74)	5
Liberal Democrat Group	0.184 = (1.66)	2
Labour	0.026 = (0.24)	0

Human Resources and Appeals	(9 Seats)	
Independent Group	0.263 = (2.37)	2
Conservative Group	0.526 = (4.74)	5
Liberal Democrat Group	0.184 = (1.66)	2
Labour	0.026 = (0.24)	0