



COUNCIL - WEDNESDAY, 16 OCTOBER 2024

Late Item(s)

13. REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL COMMITTEES AND PANELS (Pages 3 - 10)

Following the recent by-election in the St Neots Eatons Ward, to consider a report by the Elections and Democratic Services Manager on the representation of political groups on Committees and Panels in accordance with Section 15 of the Local Government and Housing Act and the District Council's Constitution.

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Representation of Political Groups on District Council Committees and Panels

Meeting/Date: Council – 16th October 2024

Report by: Elections and Democratic Services Manager

Ward(s) affected: All

Executive Summary:

The Council is required to review regularly the political composition of the Council and to determine the size and constitution of its committees and panels that have been established for the purposes of discharging its functions. This is to ensure that the political balance is reflected and maintained in those committees and panels by allocating seats on each committee and panel to each group in direct proportion to each group's overall representation on the Council.

The report reflects the recent change in political representation of the Council following the recent by-election in the St Neots Eatons Ward.

The Council is

RECOMMENDED

(a) to determine the allocation of seats on District Council Committees and Panels to political groups and to the non-aligned Members in accordance with the distribution illustrated at Appendix A; and

(b) to note the requirements for appointments to advisory/sub-groups in paragraph 5.3.

The proportionality requirements do not apply to the Cabinet and its membership will be determined by the Executive Leader.

1. INTRODUCTION

- 1.1 Members may recall that the Local Government and Housing Act 1989 and associated Regulations describe arrangements for achieving a balance on Committees and Panels, to reflect the representation of political groups and independent Members on the District Council. The Act requires the District Council to review the representation of different political groups at the time when the Authority holds its Annual Meeting and as soon as practicable and over one month after the last review if the Proper Officer receives a request to undertake a further review of the allocation of seats given a change to membership of a political group.
- 1.2 Following the by-election in the St Neots Eatons Ward on 19th September 2024, the constitution of political groups on the Council has changed.

2. PRINCIPLES OF PROPORTIONALITY

- 2.1 Members are reminded that in performing the duty to review representation, the Council must, so far as reasonably practicable, only determine the allocation of seats having regard to the following principles –
- ◆ that not all the seats are allocated to the same political group;
 - ◆ that the majority of seats are allocated to the political group which forms a majority of the Council's membership; and
 - ◆ that the number of seats allocated is in the same proportion as is borne by the number of Members of a political group to the membership of the Council.
- 2.2 Currently it is open to the Council to approve alternative arrangements otherwise than in accordance with the principles of proportionality providing that the alternative arrangements are approved without any Member voting against them.

3. CONSTITUTION OF POLITICAL GROUPS

- 3.1 Following the recent by-election and decision by the successful candidate to join the HDC Independent Group, the constitution of political groups on the Council is as follows:-

| Name of Group | No. of Members |
|-------------------------|-----------------------|
| Conservative | 19 |
| Liberal Democrat | 11 |
| HDC Independent Group | 10 |
| Cambs Independent Group | 7 |
| Labour | 4 |
| Green | 1 |

- 3.2 The membership of groups in proportion to the total membership of the Council is therefore as follows:-

| | % |
|------------------|----------|
| Conservative | 36.54 |
| Liberal Democrat | 21.15 |

| | |
|-------------------------|-------|
| HDC Independent Group | 19.23 |
| Cambs Independent Group | 13.46 |
| Labour | 7.69 |
| Green | 1.92 |

- 3.3 As the former incumbent of the office of Councillor for the St Neots Eatons Ward was a member of the Conservative Group, this has resulted in a change of the proportion of groups to the total members of the Council since it was last reported in May 2024.

4. LOCAL GOVERNMENT ACT 2000

- 4.1 Under the Local Government Act 2000, the proportionality requirements do not apply to the Cabinet or to any Sub-Groups or Sub-Committees, which the Cabinet may appoint. Appointment of the Cabinet also lies with the Executive Leader of the Council. The number of seats to which the Council can appoint to is 67.

- 4.2 The following requirements of the Act also need to be adhered to by the Council in determining the membership of Panels, etc. –

- ◆ the Cabinet may not include either the Chair or Vice-Chair of the Council;
- ◆ Overview and Scrutiny Panels may not comprise any Member of the Cabinet;
- ◆ the Executive Leader, Deputy Executive Leader and any Member of the Cabinet shall not be elected as Chair of any Committee or Panel other than any that may be appointed by the Cabinet.

- 4.3 The Constitution also provides for the Development Management Committee, Licensing and Protection Committee, the Employment Committee and the Licensing Committee to include the relevant Executive Councillor within their respective membership.

The Constitution provides that every Member of the Council shall be appointed to serve on a minimum of one Overview and Scrutiny Panel, or Committee of the Council or the Cabinet.

5. PROPORTIONALITY

- 5.1 Excluding the Cabinet, the aggregate number of seats on Committees is now 67. Using the proportionality percentage referred to in paragraph 3.2 and rounding up or down as appropriate, produces the following entitlement –

| | Seats |
|-------------------------|--------------|
| Conservative | 25 |
| Liberal Democrat | 14 |
| HDC Independent Group | 13 |
| Cambs Independent Group | 9 |
| Labour | 5 |

- 5.2 Applying the principles of the Act and, similarly, rounding the figures as necessary, gives the distribution as set out in the Appendix.
- 5.3 The principles of proportionality apply similarly to advisory/sub-groups appointed or nominated by committees and regard must be given to the following examples of entitlements to seats:-

| No. of Members on Sub-Group, etc | Proportion of Members from Political Groups | | | | | |
|----------------------------------|---|---------|---------------|-----------------|--------|-------|
| | Cons | Lib Dem | HDC Ind Group | Cambs Ind Group | Labour | Green |
| 3 | 1 | 1 | 1 | 0 | 0 | 0 |
| 4 | 1 | 1 | 1 | 1 | 0 | 0 |
| 5 | 2 | 1 | 1 | 1 | 0 | 0 |
| 6 | 2 | 1 | 1 | 1 | 1 | 0 |
| 7 | 3 | 1 | 1 | 1 | 1 | 0 |
| 8 | 3 | 2 | 1 | 1 | 1 | 0 |
| 9 | 3 | 2 | 2 | 1 | 1 | 0 |
| 10 | 4 | 2 | 2 | 1 | 1 | 0 |

- 5.4 The Cabinet may not delegate any of its functions to non-Cabinet Members. Therefore, any Sub-Group of the Cabinet that is exercising any decision-making powers delegated to it by the Cabinet must only include Cabinet Members. This does not prevent any Advisory Group appointed by the Cabinet that has no decision-making powers and whose terms of reference are merely advisory from including non-Cabinet Members.

6. REASONS FOR THE RECOMMENDED DECISIONS

- 6.1 The Council is invited to determine the allocation of seats on District Council Committees to political groups and to the non-aligned Members in accordance with the distribution illustrated in the attached Appendix and to note the requirements for appointments to advisory/sub-groups etc, in paragraph 5.3. The proportionality requirements do not apply to the Cabinet and its membership will be determined by the Executive Leader
- 6.2 The opportunity otherwise is available currently to allocate seats in accordance with an alternative arrangement, with the exception of the Cabinet, provided this arrangement is approved by the Council with no Member voting against.
- 6.3 As a consequence of the review, it is necessary to consider variations to the membership of Committees and Panels under Agenda Item No. 14.


7. LIST OF APPENDICES INCLUDED

Appendix A - Schedule of Allocations

BACKGROUND PAPERS

Local Government and Housing Act 1989
Local Government Act 2000
Localism Act 2011
District Council Constitution

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APPENDIX A – SCHEDULE OF ALLOCATIONS

| Committee / Panel | No. of Seats* | No. of Ex-officio | Cons | Lib Dem | HDC Ind Group | Camb Ind Group | Lab | Green | Cons | Lib Dem | HDC Ind Group | Camb Ind Group | Lab | Green |
|---|---------------|-------------------|------|---------|---------------|----------------|------|-------|-----------|-----------|---------------|----------------|----------|----------|
| Corporate Governance Committee | 7 | 0 | 2.56 | 1.48 | 1.35 | 0.94 | 0.54 | 0.15 | 3 | 2 | 1 | 1 | 0 | 0 |
| Development Management Committee | 16 | 1 | 5.85 | 3.38 | 3.08 | 2.15 | 1.23 | 0.31 | 6 | 4 | 3 | 2 | 1 | 0 |
| Employment Committee | 8 | 1 | 2.92 | 1.69 | 1.54 | 1.08 | 0.62 | 0.15 | 3 | 1 | 1 | 1 | 1 | 1 |
| Licensing & Protection Committee / Committee | 12 | 1 | 4.38 | 2.54 | 2.31 | 1.62 | 0.92 | 0.23 | 5 | 2 | 2 | 2 | 1 | 0 |
| Overview & Scrutiny Panel (Performance and Growth) | 12 | 0 | 4.38 | 2.54 | 2.31 | 1.62 | 0.92 | 0.23 | 4 | 2 | 3 | 2 | 1 | 0 |
| Overview & Scrutiny Panel (Environment, Communities and Partnerships) | 12 | 0 | 4.38 | 2.54 | 2.31 | 1.62 | 0.92 | 0.23 | 4 | 3 | 3 | 1 | 1 | 0 |
| TOTAL | 67 | 3 | | | | | | | 25 | 14 | 13 | 9 | 5 | 1 |

The allocation of these seats must be balanced so that the total entitlement to seats on each group is not exceeded.

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