

HUNTINGDONSHIRE DISTRICT COUNCIL

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

Meeting/Date: Council – 15 October 2025

Report by: Elections and Democratic Services Manager

Ward(s) affected: All

Executive Summary:

In September 2025, the Proper Officer received notification that Cllr Roger Brereton no longer wished to be a member of the Conservative Group. Accordingly, this report sets out the indicative proportionality of the Council for the remainder of year 2025/26 municipal year.

The report informs Council of its powers under the Constitution, the Local Government & Housing Act 1989, and the Local Government (Committees and Political Groups) Regulations 1990.

Noting the Constitution's requirements for every Councillor to have a seat on a Committee, Group Leaders have undertaken discussions and have advised Officers that they wish to waive proportionality in order to enable the two non-Group aligned Councillors to sit on a Committee. Group Leaders have been advised that any amendments are required to be agreed unanimously by Council. The following amendments to pure proportionality provided by Group Leaders are as follows:

- The Liberal Democrat Group will give their allocated seat on the Employment Committee to the Green (non-group aligned) Councillor
- The Conservative Group will give their allocated seat on the Development Management Committee to the Independent (non-group aligned) Councillor)

Officers have prepared the indicative proportionality for the use of Group Leaders in considering their Group nominations. This, and associated Committee nominations are out at Appendix A. However, as noted above, alternative arrangements can be applied if they are agreed by Council without any member voting against them. Group Leaders have undertaken such negotiations, and have indicated that all Groups are willing to support the alternative arrangements and associated Committee allocations provided at Appendix B.

Council will therefore be asked to vote on Appendix B first. Abstentions will not count as voting against. In the event that Appendix B is not agreed by Council,

then Council will be asked to vote on Appendix A. Should Appendix A be passed, then the two independent Councillors will not be allocated a seat on a Committee.

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

To ensure robust democratic oversight of the decision of submission for Local Government Reorganisation (LGR), it is proposed that an Overview and Scrutiny Joint Group be created, drawn from the membership of the existing two Overview and Scrutiny Panels and will be politically proportionate from both Panels.

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 Appendices A and B;**
- (b) that, in accordance with section 17(1) of the Local Government and Housing Act 1989, the political balance requirements of sections 15 and 16 of the Act in be waived in respect of the Employment Committee Development Management for the remainder 2025/26 Municipal year in order to enable Council to meet provision 3.5 of the Committee Procedure Rules which requires all Councillors to have a seat on a Committee.**
- (c) to note the requirements for appointments to advisory/sub groups in paragraph 5.3;**
- (d) to agree to the establishment of a new Local Government Reorganisation Overview and Scrutiny Joint Group; and**
- (e) to appoint 12 Members to an Overview and Scrutiny Joint Group, with a membership to comprise six Members from each Overview and Scrutiny Panel and be politically proportionate from each Panel.**

1. INTRODUCTION

- 1.1 Council is required by law to review the proportionality that must be applied to the allocation of seats on Council's Committees and other bodies. The Local Government and Housing Act 1989 and associated Regulations describe arrangements the requirements.
- 1.2 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 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.

2. PRINCIPLES OF PROPORTIONALITY

- 2.1.1 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:
 - a) that not all the seats are allocated to the same political group;
 - b) that the majority of seats are allocated to the political group which forms a majority of the Council's membership;
 - c) that subject to a) and b) above, the number of seats allocated on ordinary committees allocated to each political group is the same proportion to the total of all seats on committees as is borne by the number of Members of a political group to the membership of the Council; and
 - d) that subject to a) to c) above, the number of seats allocated to each political group is the same proportion to the number of seats as is borne by the number of Members of that 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

- 3.1.0 Following notification of a resignation from a member of the Conservative Group, the constitution of political groups on the Council is as follows:-

Name of Group	No. of Members
Conservative	18
Liberal Democrat	11
HDC Independent Group	10
Cambs Independent Group	7
Labour	4

- 3.1.1 One Green Member and one Member are not aligned to a political group. Under the Local Government and Housing Act 1989, the rule states that only political groups of two or more Members can be formally recognised

and therefore allocated seats on committees under the political balance rules.

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

	%
Conservative	36
Liberal Democrat	22
HDC Independent Group	20
Cambs Independent Group	14
Labour	8

- 3.4 Officers have prepared an indicative proportionality for the use of Group Leaders in considering their Group nominations.

Exceptions:

- 3.5 Alternative arrangements can be applied if they are agreed by Council without any member voting against them.
- 3.6 The Constitution requires at paragraph 3.5 of the Committee Procedure Rules that “every member of the Council shall be appointed to serve on a minimum of one Overview and Scrutiny Panel, committee or panel of the Council or of the Cabinet”.
- 3.7 As a result of the way in which the new indicative proportionality has been applied, in order to ensure that the two “non group” Councillors can have a seat on a Committee, Group Leaders have unanimously agreed to waive proportionality in respect of the Development Management Committee and the Employment Committee. The Liberal Democrat Group and the Conservative Group have informed Officers with the unanimous agreement of other Group Leaders that they are willing to “give up” a seat to enable the two Independent Councillors to both secure a seat. Such a decision would require a decision at Council which no Councillor votes against, as set out at recommendation b) of this report.

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.
- 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.
- 4.4 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.
- 4.5 Currently Councillor Davenport-Ray is a serving Cabinet Member and although not recognised as a political group complies with the rule stated in the Constitution. Councillor Brereton has indicated his intention to remain on the Council as an unaligned Independent and is also not recognised as a political group. Therefore, Members must decide whether to waive the political balance requirements under the Local Government and Housing Act 1989 in order to bring the Council in line with the Constitutional requirements for all Members to have a minimum of one seat.

5. PROPORTIONALITY

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

	Seats
Conservative	24
Liberal Democrat	15
HDC Independent Group	14
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
3	1	1	1	0	0
4	1	1	1	1	0
5	2	1	1	1	0
6	2	1	1	1	1

7	3	2	1	1	0
8	3	2	1	1	1
9	3	2	2	1	1
10	4	2	2	1	1

- 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. OVERVIEW AND SCRUTINY JOINT GROUP

- 6.1 Ahead of the forthcoming decision on Local Government Reorganisation (LGR), it is proposed to create a dedicated Overview and Scrutiny Joint Group providing a clear and focussed forum for scrutiny of the important decision relating to the LGR submission.
- 6.2 The membership of the Committee shall comprise a balanced representation of six Members each from both existing Overview and Scrutiny Panels in line with proportionality.
- 6.3 The rationale for appointing this Group from Council as opposed to Cabinet is to ensure the clear separation and delineation between the Cabinet and the Overview and Scrutiny function.

7. REASONS FOR THE RECOMMENDED DECISIONS

- 7.1 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 Appendices 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.
- 7.2 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.
- 7.3 Section 17 of the Local Government & Housing Act 1989 requires that in order for a non-group aligned Councillor to sit on a Committee, a specific motion must be passed by Council "without any member of the authority or committee voting against" it.
- 7.4 Council is required by law to review the representation of the political groups and appoint according to proportionality. Group Leaders have been consulted for nominations. Any alternative considerations for committee allocation may only occur when there is unanimous agreement by Council.

- 7.5 The Council is invited to consider the creation of an Overview and Scrutiny Joint Group as a single issue Group as a forum for scrutiny of the LGR decision, comprising a balanced number of Councillors drawn from the existing Overview and Scrutiny Panels and be politically proportionate from both Panels.

Waiving of Call-In:

- 7.6 In order to ensure the best interests of the public and Huntingdonshire District Council, the Monitoring Officer has approached the Chairs of both Overview & Scrutiny Panels in order to propose the waiving of call-in of the LGR decision, in line with the Constitutional provision provided for at Section 16 of the Overview & Scrutiny Procedure Rules.
- 7.7 The Chairs of both the Overview and Scrutiny Panel (Environment, Communities and Partnerships) and the Overview and Scrutiny Panel (Performance and Growth) have confirmed their agreement to waive call-in on the basis that both the public and Council's interests would be seriously prejudiced if Huntingdonshire District Council's submission could not be made by 28th November 2025 due to the impact of a call-in.
- 7.8 The Constitution requires that decisions taken as a matter of urgency must be reported to the next available meeting of the relevant Overview and Scrutiny Panel together with the reasons for urgency. For clarity, both Overview & Scrutiny Panels will receive a report on the exemption of call-in.

8. LIST OF APPENDICES INCLUDED

- Appendix A - Schedule of Allocations
Appendix B - Schedule of Allocations (Waiving Proportionality)

BACKGROUND PAPERS

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

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