
Representation of Political Groups on District Council Panels, etc

Report by the Head of Legal and Democratic Services

1. INTRODUCTION

- 1.1 The Local Government and Housing Act 1989 and associated Regulations describe arrangements for achieving a balance on Panels etc, 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.

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 by election in Earith Ward on 21st June 2012, the constitution of political groups on the Council is varied as follows:-

Name of Group	No. of Members
Conservative	39
Liberal Democrat	7
UKIP	3
Labour	1

There are two Members of the Council who are not aligned to a political group.

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

	%
Conservative	75
Liberal Democrat	13.46
UKIP	5.77
Labour	1.92

The Independent Members represent 3.85% of the membership of the Council.

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. The Council has recently altered arrangements for the appointment of the Cabinet which is now at the discretion of the Executive Leader of the Council. The Localism Act repealed Section 55 of the Local Government Act 2000 which imposed a statutory duty to appoint a Standards Committee. The existing Standards Committee (to 30th June 2012) recommended the Council to appoint a new Committee comprising seven elected Members of the District Council based on appropriate political proportionality and to include one Member of the Executive. Agenda Item No 7(a) refers. This Committee would be established under Section 102 of the Local Government Act 1972 and thus the number of seats to which the Council normally would appoint has increased.

- 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 Chairman or Vice-Chairman of the Council;
- ◆ Overview and Scrutiny Panels may not comprise any Member of the Cabinet;
- ◆ The present restriction to only one member of the Executive on the Standards Committee will cease to apply;
- ◆ the Executive Leader, Deputy Executive Leader and any Member of the Cabinet shall not be elected as Chairman 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 Panel, Licensing and Protection Panel, the Employment Panel and the Licensing Committee to include the relevant Executive Councillor within their respective membership.

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 the Cabinet.

5. PROPORTIONALITY

- 5.1 Excluding the Cabinet the aggregate number of seats on Panels is now 80. Using the proportionality percentage referred to in paragraph 3.2 and rounding up or down as appropriate, produces the following entitlement -

	Seats
Conservative Group	60
Liberal Democrat Group	11
UKIP	5
Independent Members	3
Labour	1

- 5.2 Applying the principles of the Act and, similarly, rounding the figures as necessary, gives the distribution as set out in the Annex.
- 5.3 The principles of proportionality apply similarly to advisory/sub-groups appointed or nominated by panels and regard must be given to the entitlement to seats although it is the expectation that the appointments made to Advisory Groups/Sub Groups etc at the Annual Meeting or by the Cabinet will remain unchanged.

6. CONCLUSION

- 6.1 The Council is invited to determine the allocation of seats on District Council Panels to political groups and to the non-aligned Members in accordance with the distribution illustrated in the attached Appendix.
- 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.

BACKGROUND PAPERS

Local Government and Housing Act 1989

Local Government Act 2000

District Council Constitution

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