
Representation of Political Groups on District Council Panels, etc.

Report by the Corporate Team Manager

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 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. Following the by election in Warboys and Bury Ward on 7th August 2014, the Executive Leader and newly elected Councillor have requested a review of the allocation of seats.

2. PRINCIPLES OF PROPORTIONALITY

- 2.1 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 After the by election in the Warboys and Bury Ward, the constitution of political groups on the Council is as follows:-

Name of Group	No. of Members
Conservative	35
UKIP	7
Liberal Democrat	5
Labour	1

There are now four 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	67.30
UKIP	13.46
Liberal Democrat	9.61
Labour	1.92

The Independent Members represent 7.69% 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. Appointment of the Cabinet also lies with the Executive Leader of the Council. Recent changes to the Constitution and the impact of the Localism Act 2011 on the standards regime have varied and increased to 88, the number of seats to which the Council can appoint.

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 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. The Council has previously appointed the Standards Committee to include one Member of the Executive.

The Constitution provides 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 the Cabinet.

5. PROPORTIONALITY

- 5.1 Excluding the Cabinet, the aggregate number of seats on Panels is now 88. Using the proportionality percentage referred to in paragraph 3.2 and rounding up or down as appropriate, produces the following entitlement –

	Seats
Conservative Group	59
UKIP	12
Liberal Democrat Group	8
Independent Members	7
Labour	2

- 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 For information the principles of proportionality apply similarly to advisory/sub-groups appointed or nominated by panels and regard must be given to the impact of the review on the following examples of entitlements to seats:-

No. of Members on Sub-Group, etc	Proportion of Members from Political Groups				
	Cons	UKIP	Lib Dem	Indep	Lab
3	2	1	0	0	0
4	3	1	0	0	0
5	3	1	1	0	0
6	4	1	1	0	0
7	5	1	1	0	0
8	5	1	1	1	0
9	6	1	1	1	0
10	7	1	1	1	0

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 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, the Conservative Group are invited to nominate to vacancies on the Development Management and Overview and Scrutiny (Environmental Well-Being) Panels under Agenda Item No. 9.


BACKGROUND PAPERS

Local Government and Housing Act 1989

Local Government Act 2000

Localism Act 2011

District Council Constitution

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