

REVIEW OF POLITICAL BALANCE AND ALLOCATION OF SEATS TO COMMITTEES, SUB-COMMITTEES, WORKING PARTIES AND PANELS

Summary: Following a change to the membership of the political groups at North Norfolk District Council, the Council is required to review the allocation of seats on committees, sub committees and working parties to reflect the political balance of the Council, in accordance with Section 15 of the Local Government and Housing Act 1989 and regulations made thereunder.

Conclusions: Following a change in the political balance it is necessary to review the allocation of seats on committees, sub-committees, working parties and panels.

Recommendations:

- 1. That Council approves the revised political balance calculation as per section 2.4 of this report**
- 2. That Council approves the allocation of seats to political groups as shown at Appendix A**
- 3. That delegation is given to the Group Leaders to make any appointments to committees, sub-committees, working parties & panels subsequent to the Annual Meeting of Council.**

Contact Officer(s), telephone number and email: Emma Denny, Democratic Services Manager, 01263 516010, emma.denny@north-norfolk.gov.uk ;
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1. Introduction

1.1 Since the last review of the political balance of the Council in November 2020, there has been a change to the political make-up of the Council. As a result of this change, it is necessary to review the political balance again and determine the allocation of seats on committees to ensure that they reflect the revised balance.

1.2 Council's duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet. The purpose is to ensure that there is proportionality across all formal activities of the Council, reflecting the overall political composition. It affects all formally constituted committees, sub-committees, working parties and panels which discharge functions on behalf of the authority.

2. Background

2.1 On 5th February 2021, a Conservative member of the Council stood down as a District Councillor. Then, on 3rd April a Liberal Democrat member stood

down. A by-election for both vacancies was held on 6th May 2021, resulting in two Conservative members being elected to the District Council. This has resulted in a change to the political balance of the Council. The Council composition is as follows: Liberal Democrats (27 members), Conservatives (9 members) Independent Group (4 members)

2.2 Section 15(1) of the Local Government & Housing Act 1989 requires the Council to review the representation of the different political groups on committees and sub-committees:

- at, or as soon as practicable after the Annual Meeting of the Council or,
- where notice is received of a change in the composition of political groups

2.3 The Head of Paid Service has a duty, whenever such a review takes place, to submit a report to the Council showing what the allocation of seats, in their opinion, best meet the requirements of the above Act.

2.4 Political Composition

The political composition of the Council is outlined below:
(As there is one vacancy for the purposes of the political balance calculation they are not included in the table below – see section 2.6)

Group	No. of members	%
Liberal Democrat	27	67.5
Conservative	9	22.5
Independent	4	10
Total	40	100%

2.5 The Council needs to approve the allocation of seats to the political groups on those committees which are required by law to be politically balanced.

2.6 The obligation to ensure that there is proportionality in the political composition of the Council's committees extends only to proportionate representation of members of political groups and does not require that a vacant seat is represented.

2.7 In carrying out any review, the Council is obliged to adopt the following principles and to give effect to them 'so far as is reasonably practicable':

- a) That not all seats on the Council are allocated to the same political group
- b) That the majority of the seats on the Council are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership
- c) Subject to the above, that the number of seats on ordinary committees of the Council which are allocated to each political group, have the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority and
- d) Subject to a) and c) above, that the number of the seats on the Council which are allocated to each group have the same proportion to the

number of all the seats on that Council as is borne by the number of members of that group to the membership of the Council.

- e) It was agreed at the Annual meeting of Full Council on 15th May 2019 that delegation should be given to the Group Leaders to make any changes required to appointments to committees, sub-committees, working parties and panels as long as they are in accordance with the political balance. Group Leaders will inform the Democratic Services Manager of any changes and Members will be informed via the Members' Bulletin. In addition, and to ensure they changes are recorded formally, an update will be provided to the next meeting of Full Council. IT is proposed that this convention is continued to allow appointments to be filled without waiting for approval from Council.

3. Entitlement to Places

- 3.1 The table at Appendix A shows those Committees that are required to be politically balanced. Generally, the approach taken has been to round up percentages where they are above 0.5% or close to 0.5
- 3.2 According to NNDC's Constitution, Chapter 5 section 6.2 'Working Parties shall in law be Committees of the Council' and consequently the political balance rules will also apply to working parties – unless they are Cabinet sub-committees. Cabinet sub-committees are not required to be politically balanced but it is the practice at NNDC that they are and for this reason they are included in the table (marked with an asterisk)
- 3.3 Previously, the Employment & Appeals Committee has not been included in the table as it was rarely convened prior to 2019 and appointed to as and when required. The terms of reference (as set out in the Constitution) state that it does not have to be politically balanced. Since 2019, it has been convened on several occasions and the Group Leaders have agreed that it should be politically balanced. It is therefore included in Appendix A, to reflect this and the fact that it is a committee that has met on several occasions in the last 18 months. Its inclusion brings the total number of committee places available to 99 (from 94). IT is recognised that Group Leaders may wish to appoint members to this committee 'as and when required', so there is no expectation that appointments are agreed at the AGM.
- 3.4 Overall the percentages have changed as follows:
The Liberal Democrat Group now has 67.5% of committee seats which equates to 67 in total (67.5% of 99 = 66.86)
- The Conservative Group now has 22.5% of committee seats which equates to 22 in total (22.5% of 94 = 22.2)
- The Independent Group remains unchanged at 10% - 10 seats.
- 3.5 As Appendix 1 shows, the impact of the change falls on the smaller committees. When the last review was undertaken in 2020, the Liberal Democrat Group was entitled to 4 seats on the committees which had 5 seats. They chose to relinquish a seat on these committees to allow the Independent Group to sit on them. With the latest change in the balance, the Liberal Democrat allocation has been eroded and there is no obvious way to allocate the seats on these committees/working parties (highlighted on the

table). A suggested approach is included in the table, but the Group Leaders can negotiate the allocation between themselves. The only requirement is that the overall political balance of 67 seats (LD), 22 seats (Conservative) and 10 seats (Independent Group) should be reflected, unless agreement is reached to transfer additional seats to another group.

Members are therefore advised that the Conservative Group has agreed to allocate a seat on Joint Staff Consultative Committee to the Independent Group. This is reflected in the committee appointments (agenda item 13).

4. Conclusion

Council is asked to allocate seats and substitutes to political groups in accordance with the political balance rules.

5. Implications and Risks

In line with the relevant legislation, the Council must review the political balance and allocation of seats following the formation of a new political group. There is no alternative.

6. Financial Implications and Risks

There are no financial implications arising from this report.

7. Sustainability

There no sustainability issues arising from this report.

8. Equality and Diversity

An Equality Impact Assessment has not been completed because there are no service, policy or organisational changes being proposed.

9. Section 17 Crime and Disorder considerations

There are no Crime and Disorder implications arising from this report.