

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 2.6 of this report**
 - 2. That Council approves the allocation of seats to political groups as shown at Appendix A, taking into consideration any arrangements agreed by the Group Leaders**
 - 3. That delegation is given to the Group Leaders to make any appointments to committees, sub-committees, working parties & panels.**

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1. Introduction

- 1.1 Since the last review of the political balance of the Council in May 2021, 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 In May 2021, a Liberal Democrat member left the Group. On 6th August 2021, he notified the Democratic Services Team that he would be an Independent

non-aligned member. This has resulted in the following change to the composition of the council: Liberal Democrats (26 members), Conservatives (9 members) Independent Group (4 members), Independent non-aligned (1)

2.2 The Local Government (Committees and Political Groups) Regulations 1990 (SI 1990/1553) states that ungrouped members are not entitled to committee seats and any seats given would have to be at the discretion of the majority group.

2.3 Therefore, for the purpose of the political balance calculations, the non-aligned member has been removed from the number of members entitled to committee seats, reducing the total to 39. The revised calculations are made on this basis and reflected in the accompanying table.

2.4 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

2.5 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.

2.6 Political Composition

The political composition of the Council is outlined below:

(As referenced at section 2.2, the non-aligned member is removed from the calculations)

Group	No. of members	%
Liberal Democrat	26	66.67
Conservative	9	23.03
Independent	4	10.25
Total	39	99.99%

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.

2 Entitlement to Places

- 2.4 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
- 2.5 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)
- 2.6 The Employment & Appeals Committee acts as the Councils Disciplinary Panel for Chief Officers and this is required to be politically balanced. A separate report on the Council agenda proposes a change to the terms of reference to reflect this. At the AGM, the Independent Group Leader indicated that his group would not sit on this committee in future. As it is legally required to be politically balanced, there is an expectation that the Independent Group will be allocated a seat. This change increases their allocation by 1 seat.
- 2.7 Overall the percentages have changed slightly as follows:
 The Liberal Democrat Group now has 66.67% of committee seats which equates to 66 in total

 The Conservative Group now has 23.07% of committee seats which equates to 23 in total

 The Independent Group remains unchanged at 10% - 9.9 (10) seats.
- 2.8 As in the previous report to Council in May 2021, the impact of the change falls on the smaller committees. When the last review was undertaken in May 2021, the Conservative Group agreed to give the Independent Group a seat on the Joint Staff Consultative Committee (resulting in a reduction of 1

seat in their allocation). It has been agreed the two group leaders that this seat will return to the Conservative Group to ensure that their allocation is not eroded further. When the seat allocation was calculated in May, the Liberal Democrat Group was entitled to 4 seats on the Council Tax Support Working Party and opted to give one seat to the Independent Group. This allocation has now been reduced to 3 seats for the Liberal Democrat Group and consideration should be given as to where the allocation should now fall. If the Independent Group continue to have a seat on this working party, then their allocation (allowing for the seat on the EAC) is increased to 12. It is proposed therefore that the Group Leaders agree amongst themselves how to address this ahead of the Council Tax Support Working Party being convened.

- 2.9 Full Council will need to approve any change to the calculation, as proposed by the Group Leaders.

3 Conclusion

Council is asked to allocate seats and substitutes to political groups in accordance with the political balance rules and approve any changes proposed by the Group Leaders.

4 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.

5 Financial Implications and Risks

There are no financial implications arising from this report.

6 Sustainability

There no sustainability issues arising from this report.

7 Equality and Diversity

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

8 Section 17 Crime and Disorder considerations

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