



East  
Northamptonshire  
Council

## Council – 16 July 2012

### Local Government and Housing Act 1989 – Proportional Allocation of Seats on Committees & Sub-Committees

#### Purpose of report

To undertake a review of the representation of different political groups on committees as required by the Local Government and Housing Act 1989.

#### 1.0 Background

- 1.1 Sections 15-17 of the Local Government and Housing Act 1989 cover political balance on committees and sub-committees. Section 15 requires an authority, where an annual meeting is held and members are already divided into different political groups, to undertake at, or as soon as practicable after the meeting, a review of the allocation of seats to political groups.
- 1.2 In view of the vacancy for the position of councillor in the Barnwell ward at the time of the annual meeting, the Proper Officer delayed the annual review of the allocation of seats until a new councillor had been elected.

#### 2.0 Review of Allocation of Seats to Political Groups

- 2.1 Following the all-out district elections in May 2011, the Council reviewed the membership of its committees after all members had signed the appropriate formal notice to indicate to which political group, if any, they wished to belong.
- 2.2 Whilst the outcome of the Barnwell by-election has not altered the political balance of the Council, the decision to re-establish a Finance Sub-Committee and create a Welfare Reform Sub-Committee has increased the number of available seats on sub-committees, which has had an effect on the way in which seats should be allocated on those sub-committees.
- 2.3 The allocation of seats is governed by the following four principles contained in the Act, namely that so far as reasonably practicable:
- (i) no single group has all the seats;
  - (ii) that the party having a majority of seats on the council should have a majority on the committees and sub-committees;
  - (iii) subject to (i) and (ii), the number of seats on the ordinary committees of the authority allocated to political groups bears the same proportion to the total ordinary committee seats on the authority as the number of members of those groups bears to the membership of the full Council; and
  - (iv) again, subject to (i) and (iii) above, seats will be allocated on each committee and sub-committee in the same ratio as exists on the full Council.
- 2.4 Section 16 of the 1989 Act (Duty to Give Effect to Allocations) requires to the Council to give effect to the allocations determined as set out above in accordance with the wishes of the relevant group.

2.5 The percentage of seats each group is entitled to is:

Conservative (35 Members) = 87.5% of seats

Independent (3 Members) = 7.5% of seats

Labour (2 Members) = 5% of seats

2.6 It is proposed to increase the number of seats on the Finance and Welfare Reform Sub-Committees by one per sub-committee. This gives the following proportionality of seats:

Sub-Committee	Size	Seat Entitlement		
		Con	Ind	Lab
Finance	7	6.125	0.525	0.35
Personnel	5	4.375	0.375	0.25
Welfare Reform	6	5.25	0.45	0.3
<b>Total Seats on Sub-Committees</b>	<b>18</b>	<b>15.75(16)</b>	<b>1.35 (1)</b>	<b>0.9 (1)</b>

2.7 The Independent Group and the Labour Group are entitled to a seat each. It is a matter for the Group Leaders to nominate councillors who are currently members of the Policy and Resources Committee as members of these sub-committees.

### 3.0 Equality and Diversity Implications

3.1 There are no equality and diversity implications arising from the proposals.

### 4.0 Legal Implications

4.1 The Council is required to comply with the provisions of the Local Government and Housing Act 1989 and the subsequent Local Government (Committees and Political Groups) Regulations 1990.

### 5.0 Recommendation

5.1 That the Council appoint additional members to the Finance Sub-Committee and Welfare Reform Sub-Committee, having regard to the allocation of seats following the Proper Officer's review of entitlement on the basis of political proportionality and the nominations provided by the Leaders of the Independent Group and the Labour Group.

<b>Legal</b>	Power: Local Government and Housing Act 1989				
	Other considerations: Local Government (Committees and Political Groups) Regulations 1990				
<b>Background Papers:</b> None					
<b>Person Originating Report:</b> James McLaughlin (Democratic & Electoral Services Manager) Tel. 01832 742113 E-mail – jmclaughlin@east-northamptonshire.gov.uk					
<b>Date:</b> 6 July 2012					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	