

# AGENDA SUPPLEMENT (2)

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**Meeting:** Council

**Place:** Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN

**Date:** Tuesday 9 July 2019

**Time:** 10.30 am

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The Agenda for the above meeting was published on 1 July 2019. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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12 **Membership of Committees** *(Pages 3 - 14)*

DATE OF PUBLICATION: 8 July 2019
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**Wiltshire Council**

**Full Council**

**9 July 2019**

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## **Appendix - Review of Proportionality and Allocation of Seats on Committees to Political Groups**

To be read in conjunction with Item 12

### **Introduction**

1. Following the outcome of the By-election in the Trowbridge Drynam Division on 4<sup>th</sup> July there has been a change in the number of seats held by individual political groups on the Council, a request has been received from the Leader of the Liberal Democrat group for a review of the allocation of seats to political groups.
2. This report guides the Council through the legal requirements in allocating seats to the political groups.

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

#### Legal Position

3. Under the Local Government & Housing Act 1989 (“the Act”) and subsequent Regulations, (“the Regulations”), the Council must review the representation of the different political groups on committees when requested to do so by a leader of a political group where changes have occurred in the size of political groups.
4. It is open to the Council when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations. Notice of such a proposal would have to be given in the Summons, and a decision would need to be made with no one voting against it. The remainder of this report assumes that the Council will not want an alternative arrangement to that prescribed by law.

#### Political Groups

5. There are currently 4 political groups on the Council. The respective strengths of those Groups following these changes are as follows:

Name of Group	Number of councillors
Conservative	65
Liberal Democrat	21*
Independent	9

Labour	3
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\*Vacancy Westbury North division

Under the regulations, two or more councillors may form and register a group.

7. This report has been prepared on the basis of the strengths of the various political groups set out in paragraph 5. The impact of the Westbury North Byelection (18 July) will be considered by Council at its October meeting

### **Principles**

8. The Act sets out four principles which must be followed so far as reasonably practicable. They are:
- (a) *Preventing domination by a single group:* All the seats on a committee should not be allocated to the same political group.
  - (b) *Ensuring a majority group enjoys a majority on all committees:* If one political group has a majority in the full Council, that political group should have a majority on each committee.
  - (c) *Aggregating all committee places and allocating fair shares:* Subject to the above two principles, the total number of seats on all the committees of the Authority allocated to each political group should be in the same proportion as that political group's seats on the full Council.
  - (d) *Ensuring as far as practicable fairness on each committee:* Subject to the above three principles, the number of seats on each committee of the Authority allocated to each political group should be in the same proportion as that political group's seats on the full Council.

### **Application of Principles**

9. The Council must review the establishment of its committees in accordance with the principles laid down in the Act. Immediately after this is done, each political group should state the names of the councillors it wishes to take its allocated places on committees, including substitutes, and when those wishes are known, the Council is under a duty to make the appointment of those councillors as soon as practicable. It is a legal requirement however that the Council formally approves the appointment of councillors to committees and therefore it is essential that each political group notifies Democratic Services of their nominated councillors to serve on committees, preferably before the Council meeting. Group Leaders may also wish to bear in mind the advantages of achieving a geographical spread of appointees.

### **Councillors not in a Political Group**

10. In the case of councillors who are not members of a political group, a proportion of seats on committees equal to the proportion of Council members who do not belong

to a political group has to be reserved, with appointments to these seats being made by the Council at its discretion. There are no ungrouped councillors at this time.

### Joint Committees

11. The Police and Crime Panel constituted under the Police and Social Responsibility Act 2011 is a committee of Swindon and Wiltshire and the two councils are required to meet a “balanced appointment objective” whereby members reflects both the geographical and political nature of the two councils plus the skills and experiences required to fulfil the Panel’s functions. Wiltshire’s PCP comprised 11 councillors, plus two independent members, with the ratio fo councillors 7:4 in favour of Wiltshire.
12. The membership of the PCP must reflect the political proportionality of the two councils when taken together.
13. Swindon’s current political composition is as follows:

Conservative: 31  
 Lib Dem: 2  
 Labour: 24

14. When taken with the political composition of Wiltshire the breakdown is as follows:

Conservative	96	7 seats (6.813)
Lib Dem	23	1 seat (1.632)
Labour	27	2 seats (1.916)
Independent	9	1 seat (0.639)

Swindon is entitled to appoint 2 Conservatives and 2 Labour councillors, leaving Wiltshire to appoint 5 Conservatives, 1 Lib Dem and 1 Independent member. There is therefore no change to the proportionality of this committee.

15. The Wiltshire Pension Fund Committee must also reflect the proportionality of both Wiltshire and Swindon Borough Council when taken together. The Committee is constituted of 5 Wiltshire Councillors, 2 Swindon councillors, 2 voting and 2 non-voting representatives.
16. When taken with the political composition of Wiltshire the breakdown is as follows:

Conservative	96	4 seats (4.335)
Lib Dem	23	1 seat (1.039)
Labour	27	1 seat (1.219)
Independent	9	1 seat (0.406)

Swindon is entitled to appoint 1 Conservative and 1 Labour councillors, leaving Wiltshire to appoint 3 Conservatives, 1 Lib Dem and 1 Independent member. There is therefore no change to the proportionality of this committee.

## **Method to Calculate Places**

17. The principles in paragraph 8 can be applied in the following sequence:
  - (i) Calculate the total number of seats with votes on all the ordinary committees and any Joint Committees.
  - (ii) Calculate the proportion that each political group forms of the total membership of the Authority. Reserve an appropriate number of seats for ungrouped members.
  - (iii) Apply those proportions to the total number of ordinary committee seats to give the aggregate entitlement of each group; the requirement to apply the proportions “so far as reasonably practicable” can be met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats.
  - (iv) Apply the proportions to the number of councillors on each ordinary committee to give provisional entitlement to seats on that committee.
  - (v) If the provisional entitlement gives only one group seats on the committee, adjust the entitlement so that the next largest group has a seat (thus applying principle (a) in paragraph 8).
  - (vi) Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v) (thus applying principle (c) in paragraph 8).
18. The Council is free to adopt any aggregate number of places on ordinary committees so long as it follows the principles in paragraph 8 and the sequence in paragraph 17.
19. Attached to this report at Appendix A is a numerical guide to proportional representation on Committees based on the respective strengths of the political groups set out in paragraph 5.
20. This indicates that the net effect of the change in political group sizes is that the Liberal Democrat Group gain two seats from the Conservative Group. A draft scheme of committee places (Appendix B) is proposed.
21. The allocation of seats to political groups on the Fire Authority is not affected.

## **Matters for Decision**

22. The Council is asked:
- (a) To note this report and the legal requirements.
  - (b) To confirm the aggregate number and the draft scheme of committee places available to members of the Council as set out in Appendix B.
  - (c) To make those changes to the appointment of councillors and substitutes to serve on those committees in accordance with the revised scheme of committee places, until the next occasion membership is reviewed under the provisions of the Local Government & Housing Act 1989.

### **Robin Townsend Director Corporate Function**

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Report Author: Libby Johnstone- Democratic Services Team Leader

Unpublished documents relied upon in the production of this report: NONE

### **Appendices**

Appendix A – Numerical Guide to political proportionality

Appendix B – Draft Scheme of Committee Places

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**SCHEDULE**

**Proportional Representation Table**

	Conservative	Liberal Democrat	Labour	Ind	Ungrouped	
	65	21	3	9	0	
1	0.663	0.214	0.031	0.092	0.000	1.00
2	1.327	0.429	0.061	0.184	0.000	2.00
3	1.990	0.643	0.092	0.276	0.000	3.00
4	2.653	0.857	0.122	0.367	0.000	4.00
5	3.316	1.071	0.153	0.459	0.000	5.00
6	3.980	1.286	0.184	0.551	0.000	6.00
7	4.643	1.500	0.214	0.643	0.000	7.00
8	5.306	1.714	0.245	0.735	0.000	8.00
9	5.969	1.929	0.276	0.827	0.000	9.00
10	6.633	2.143	0.306	0.918	0.000	10.00
11	7.296	2.357	0.337	1.010	0.000	11.00
12	7.959	2.571	0.367	1.102	0.000	12.00
13	8.622	2.786	0.398	1.194	0.000	13.00
14	9.286	3.000	0.429	1.286	0.000	14.00
15	9.949	3.214	0.459	1.378	0.000	15.00
16	10.612	3.429	0.490	1.469	0.000	16.00
17	11.276	3.643	0.520	1.561	0.000	17.00
18	11.939	3.857	0.551	1.653	0.000	18.00
19	12.602	4.071	0.582	1.745	0.000	19.00
20	13.265	4.286	0.612	1.837	0.000	20.00
21	13.929	4.500	0.643	1.929	0.000	21.00
22	14.592	4.714	0.673	2.020	0.000	22.00
23	15.255	4.929	0.704	2.112	0.000	23.00
24	15.918	5.143	0.735	2.204	0.000	24.00
25	16.582	5.357	0.765	2.296	0.000	25.00
26	17.245	5.571	0.796	2.388	0.000	26.00
27	17.908	5.786	0.827	2.480	0.000	27.00
28	18.571	6.000	0.857	2.571	0.000	28.00
29	19.235	6.214	0.888	2.663	0.000	29.00
30	19.898	6.429	0.918	2.755	0.000	30.00
31	20.561	6.643	0.949	2.847	0.000	31.00
32	21.224	6.857	0.980	2.939	0.000	32.00
33	21.888	7.071	1.010	3.031	0.000	33.00
34	22.551	7.286	1.041	3.122	0.000	34.00
35	23.214	7.500	1.071	3.214	0.000	35.00
36	23.878	7.714	1.102	3.306	0.000	36.00
37	24.541	7.929	1.133	3.398	0.000	37.00
38	25.204	8.143	1.163	3.490	0.000	38.00
39	25.867	8.357	1.194	3.582	0.000	39.00
40	26.531	8.571	1.224	3.673	0.000	40.00
41	27.194	8.786	1.255	3.765	0.000	41.00
42	27.857	9.000	1.286	3.857	0.000	42.00
43	28.520	9.214	1.316	3.949	0.000	43.00
44	29.184	9.429	1.347	4.041	0.000	44.00
45	29.847	9.643	1.378	4.133	0.000	45.00
46	30.510	9.857	1.408	4.224	0.000	46.00
47	31.173	10.071	1.439	4.316	0.000	47.00
48	31.837	10.286	1.469	4.408	0.000	48.00
49	32.500	10.500	1.500	4.500	0.000	49.00
50	33.163	10.714	1.531	4.592	0.000	50.00
51	33.827	10.929	1.561	4.684	0.000	51.00
52	34.490	11.143	1.592	4.776	0.000	52.00
53	35.153	11.357	1.622	4.867	0.000	53.00
54	35.816	11.571	1.653	4.959	0.000	54.00
55	36.480	11.786	1.684	5.051	0.000	55.00
56	37.143	12.000	1.714	5.143	0.000	56.00
57	37.806	12.214	1.745	5.235	0.000	57.00
58	38.469	12.429	1.776	5.327	0.000	58.00
59	39.133	12.643	1.806	5.418	0.000	59.00
60	39.796	12.857	1.837	5.510	0.000	60.00
61	40.459	13.071	1.867	5.602	0.000	61.00
62	41.122	13.286	1.898	5.694	0.000	62.00
63	41.786	13.500	1.929	5.786	0.000	63.00
64	42.449	13.714	1.959	5.878	0.000	64.00
65	43.112	13.929	1.990	5.969	0.000	65.00
66	43.776	14.143	2.020	6.061	0.000	66.00
67	44.439	14.357	2.051	6.153	0.000	67.00
68	45.102	14.571	2.082	6.245	0.000	68.00
69	45.765	14.786	2.112	6.337	0.000	69.00
70	46.429	15.000	2.143	6.429	0.000	70.00
71	47.092	15.214	2.173	6.520	0.000	71.00
72	47.755	15.429	2.204	6.612	0.000	72.00
73	48.418	15.643	2.235	6.704	0.000	73.00
74	49.082	15.857	2.265	6.796	0.000	74.00
75	49.745	16.071	2.296	6.888	0.000	75.00
76	50.408	16.286	2.327	6.980	0.000	76.00
77	51.071	16.500	2.357	7.071	0.000	77.00
78	51.735	16.714	2.388	7.163	0.000	78.00
79	52.398	16.929	2.418	7.255	0.000	79.00
80	53.061	17.143	2.449	7.347	0.000	80.00
81	53.724	17.357	2.480	7.439	0.000	81.00
82	54.388	17.571	2.510	7.531	0.000	82.00
83	55.051	17.786	2.541	7.622	0.000	83.00
84	55.714	18.000	2.571	7.714	0.000	84.00
85	56.378	18.214	2.602	7.806	0.000	85.00
86	57.041	18.429	2.633	7.898	0.000	86.00
87	57.704	18.643	2.663	7.990	0.000	87.00
88	58.367	18.857	2.694	8.082	0.000	88.00
89	59.031	19.071	2.724	8.173	0.000	89.00
90	59.694	19.286	2.755	8.265	0.000	90.00
91	60.357	19.500	2.786	8.357	0.000	91.00

	Conservative	Liberal Democrat	Labour	Ind	Ungrouped	
	65	21	3	9	0	
92	61.020	19.714	2.816	8.449	0.000	92.00
93	61.684	19.929	2.847	8.541	0.000	93.00
94	62.347	20.143	2.878	8.633	0.000	94.00
95	63.010	20.357	2.908	8.724	0.000	95.00
96	63.673	20.571	2.939	8.816	0.000	96.00
97	64.337	20.786	2.969	8.908	0.000	97.00
98	65.000	21.000	3.000	9.000	0.000	98.00
99	65.663	21.214	3.031	9.092	0.000	99.00
100	66.327	21.429	3.061	9.184	0.000	100.00
101	66.990	21.643	3.092	9.276	0.000	101.00
102	67.653	21.857	3.122	9.367	0.000	102.00
103	68.316	22.071	3.153	9.459	0.000	103.00
104	68.980	22.286	3.184	9.551	0.000	104.00
105	69.643	22.500	3.214	9.643	0.000	105.00
106	70.306	22.714	3.245	9.735	0.000	106.00
107	70.969	22.929	3.276	9.827	0.000	107.00
108	71.633	23.143	3.306	9.918	0.000	108.00
109	72.296	23.357	3.337	10.010	0.000	109.00
110	72.959	23.571	3.367	10.102	0.000	110.00
111	73.622	23.786	3.398	10.194	0.000	111.00
112	74.286	24.000	3.429	10.286	0.000	112.00
113	74.949	24.214	3.459	10.378	0.000	113.00
114	75.612	24.429	3.490	10.469	0.000	114.00
115	76.276	24.643	3.520	10.561	0.000	115.00
116	76.939	24.857	3.551	10.653	0.000	116.00
117	77.602	25.071	3.582	10.745	0.000	117.00
118	78.265	25.286	3.612	10.837	0.000	118.00
119	78.929	25.500	3.643	10.929	0.000	119.00
120	79.592	25.714	3.673	11.020	0.000	120.00
121	80.255	25.929	3.704	11.112	0.000	121.00
122	80.918	26.143	3.735	11.204	0.000	122.00
123	81.582	26.357	3.765	11.296	0.000	123.00
124	82.245	26.571	3.796	11.388	0.000	124.00
125	82.908	26.786	3.827	11.480	0.000	125.00
126	83.571	27.000	3.857	11.571	0.000	126.00
127	84.235	27.214	3.888	11.663	0.000	127.00
128	84.898	27.429	3.918	11.755	0.000	128.00
129	85.561	27.643	3.949	11.847	0.000	129.00
130	86.224	27.857	3.980	11.939	0.000	130.00
131	86.888	28.071	4.010	12.031	0.000	131.00
132	87.551	28.286	4.041	12.122	0.000	132.00
133	88.214	28.500	4.071	12.214	0.000	133.00
134	88.878	28.714	4.102	12.306	0.000	134.00
135	89.541	28.929	4.133	12.398	0.000	135.00
136	90.204	29.143	4.163	12.490	0.000	136.00
137	90.867	29.357	4.194	12.582	0.000	137.00
138	91.531	29.571	4.224	12.673	0.000	138.00
139	92.194	29.786	4.255	12.765	0.000	139.00
140	92.857	30.000	4.286	12.857	0.000	140.00
141	93.520	30.214	4.316	12.949	0.000	141.00
142	94.184	30.429	4.347	13.041	0.000	142.00
143	94.847	30.643	4.378	13.133	0.000	143.00
144	95.510	30.857	4.408	13.224	0.000	144.00
145	96.173	31.071	4.439	13.316	0.000	145.00
146	96.837	31.286	4.469	13.408	0.000	146.00
147	97.500	31.500	4.500	13.500	0.000	147.00
148	98.163	31.714	4.531	13.592	0.000	148.00
149	98.827	31.929	4.561	13.684	0.000	149.00
150	99.490	32.143	4.592	13.776	0.000	150.00
151	100.153	32.357	4.622	13.867	0.000	151.00
152	100.816	32.571	4.653	13.959	0.000	152.00
153	101.480	32.786	4.684	14.051	0.000	153.00
154	102.143	33.000	4.714	14.143	0.000	154.00
155	102.806	33.214	4.745	14.235	0.000	155.00
156	103.469	33.429	4.776	14.327	0.000	156.00
157	104.133	33.643	4.806	14.418	0.000	157.00
158	104.796	33.857	4.837	14.510	0.000	158.00
159	105.459	34.071	4.867	14.602	0.000	159.00
160	106.122	34.286	4.898	14.694	0.000	160.00
161	106.786	34.500	4.929	14.786	0.000	161.00
162	107.449	34.714	4.959	14.878	0.000	162.00
163	108.112	34.929	4.990	14.969	0.000	163.00
164	108.776	35.143	5.020	15.061	0.000	164.00
165	109.439	35.357	5.051	15.153	0.000	165.00
166	110.102	35.571	5.082	15.245	0.000	166.00
167	110.765	35.786	5.112	15.337	0.000	167.00
168	111.429	36.000	5.143	15.429	0.000	168.00
169	112.092	36.214	5.173	15.520	0.000	169.00
170	112.755	36.429	5.204	15.612	0.000	170.00
171	113.418	36.643	5.235	15.704	0.000	171.00
172	114.082	36.857	5.265	15.796	0.000	172.00
173	114.745	37.071	5.296	15.888	0.000	173.00
174	115.408	37.286	5.327	15.980	0.000	174.00
175	116.071	37.500	5.357	16.071	0.000	175.00
176	116.735	37.714	5.388	16.163	0.000	176.00
177	117.398	37.929	5.418	16.255	0.000	177.00
178	118.061	38.143	5.449	16.347	0.000	178.00
179	118.724	38.357	5.480	16.439	0.000	179.00
180	119.388	38.571	5.510	16.531	0.000	180.00
181	120.051	38.786	5.541	16.622	0.000	181.00
182	120.714	39.000	5.571	16.714	0.000	182.00
183	121.378	39.214	5.602	16.806	0.000	183.00
184	122.041	39.429	5.633	16.898	0.000	184.00

## SCHEDULE OF COMMITTEE PLACES

**July 2019**

Committee	Total Number of Places for Elected Members	Conservative Group Allocation (65 seats)	Liberal Democrat Group Allocation (21 seats)*	Labour Group Allocation (3 seats)	Independent Group Allocation (9 seats)
Strategic Planning	11	7 (-1)	3 (+1)	0	1
Area Planning Committees					
North	11	8	3	0	0
South	11	7	1	1	2
East	8	7	0	0	1
West	11	7	3	0	1
Licensing	12	8	3	0	1
Electoral Review	10	6	2	1	1
Overview and Scrutiny Management	15	10	3	1	1
Children's Select	13	9	3	0	1
Environment Select	13	8	3	1	1
Health Select	13	8	3	0	2
Standards	11	7 (-1)	3 (+1)	0	1
Police and Crime Panel	7	5	1	0	1

Audit	11	7	2	1	1
Appeals	8	5	2	0	1
Staffing Policy	9	6	2	1	0
Officer Appointments	5	4	1	0	0
Pension Fund	5	3	1	0	1
TOTALS:	184	122 (-2) (122.041)	39 (+2) (39.429)	6 (5.663)	17 (16.898)

\*One seat is currently vacant.

**Wiltshire Council**

**Council**

**9 July 2019**

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**Appointment of Chairmen and Vice-Chairmen of Committees**

In light of the change to the Leader and Cabinet, Council is asked to reflect these changes in the chairmanship of the relevant committees according to convention.

Council is asked to appoint a Chairman and Vice Chairman to the following Committees:

<b>Committee</b>	<b>Chairman</b>	<b>Vice-Chairman</b>
Health and Wellbeing Board	Leader	NA
Officer Appointments Committee	Leader	Deputy Leader

**Robin Townsend**  
**Director - Corporate Function**

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Background papers: None

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