

REPORT TO THE MEETING OF COUNCIL

Report No. 11(a)

Date of Meeting	20 May 2008
Title of Report	Local Government and Housing Act 1989 – Review of Allocation of Seats to Political Groups
Link to Corporate Priorities	This report relates to a statutory requirement under the above Act.
Public Report	Yes

Summary of Report

The report advises the Council regarding the allocation of seats on Committees to political groups.

Officer Recommendations

- (1) To note this report and the legal requirements.
- (2) To agree the number of seats for the Standing Committees of the Council as set out in Appendix A of the report.
- (3) To agree the number of seats to be allocated to political groups as set out in Appendix B of the report.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
NONE	YES	NONE	NONE	NONE

Contact Officer	Marie Todd, Senior Democratic Services Officer 01249 706612 mtodd@northwilts.gov.uk
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1. Introduction

- 1.1 At each Annual meeting of the Council a review of the allocation of seats on committees to political groups must be undertaken (Section 15 of the Local Government and Housing Act 1989).

2. Options

- 2.1 Council could decide to approve a different Committee structure from the one set out in this report.

3. Background Information

- 3.1 The Local Government and Housing Act 1989, Section 15, (referred to as the 1989 Act) places the Council under a duty to review the allocation of seats to political groups on the Council's Committees. This duty must be fulfilled at certain prescribed times, one of which is the Annual Meeting.
- 3.2 The 1989 Act and Associated Regulations require that in allocating the seats the Council must make appointments in accordance with the basic principles set out in Section 15.
- 3.3 Under the 1989 Act the minimum number of members of a Political Group is two but Councils may at their discretion appoint seats to individual members not in political groups.

4. Principles

- 4.1 The Act sets out the following principles which must be followed so far as reasonably practicable when allocating seats on Committees. 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 group with an overall majority 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) *Discretion to allocate seats to members not in a political group:* The Council may exercise discretion by allocating seats to individual members not in a political group.

5. Political Groups

- 5.1 Notices have been received creating two political groups as follows:

<u>Name of Group</u>	<u>No. of Members in Group</u>
Conservative	39
Liberal Democrat	14

- 5.2 There is also one Labour Member who is ungrouped.
- 5.3 Under the regulations, two or more members may form and register a group.

6. Committees of the Council

- 6.1 The Council's Constitution provides for the appointment of the following Committees:

Appointments Committee
 Appeals Committee
 Development Control Committee
 Overview and Scrutiny Committee
 Personnel, Licensing and Administration Committee
 Final Accounts and Audit Committee

- 6.2 The rules regarding political proportionality do not apply to the Executive, the Licensing Committee, Area Committees or the Standards Committee.
- 6.3 The Terms of Reference of the existing Committees have previously been agreed by the Council and are set out in the Constitution.

7. Legal Implications

- 7.1 The Local Government and Housing Act 1989, Section 15 places the Council under a duty to review the allocation of seats on the Council's Committees at its Annual Meeting.

Appendices:	Appendix A – Number of Seats on Committees Appendix B – Proposed Scheme of Committee Places 2008/09
Background Documents Used in the Preparation of this Report:	None.

Previous Decisions Connected with this Report:

Report	Committee & Date	Minute Reference
Review of Allocation of Seats to Political Groups	Council:	
	23 May 2006	C11
	27 June 2006	C23
	4 September 2006	C42
	30 January 2006	C82 and C83
	16 May 2007	C10

APPENDIX A

<u>Name of Committee</u>	<u>Number of Seats</u>
Appeals	6
Appointments	6
Development Control	15
Final Accounts and Audit	7
Licensing	15
Overview and Scrutiny	11
Personnel, Licensing and Administration	11
Standards	4 District Council Members 2 Independent Members 2 Local Council Members
Malmesbury Area (1)	8
Cricklade and Wootton Bassett Area (2)	11
Chippenham Area (3)	17
Corsham Area (4)	8
Calne Area (5)	10

Appendix B

SCHEME OF COMMITTEE PLACES 2008/09

<u>Committee</u>	<u>Total Number of Places for Elected Members</u>	<u>Conservative Group Allocation</u>	<u>Liberal Democrat Group Allocation</u>	<u>Labour Allocation</u>
Appeals	6	4	2	
Appointments	6	4	2	
Development Control	15	11	4	
Personnel, Licensing and Administration	11	8	3	
Overview and Scrutiny	11	7	3	1
Final Accounts and Audit	7	5	2	
<u>TOTALS:</u>	56	39	16	1