

MEETING
21 November 2000

**REVIEW OF ALLOCATION OF SEATS ON COMMITTEES
TO POLITICAL GROUPS**

Introduction

1. The political balance of the County Council has changed since the last review of the allocation of seats on committees to political groups was undertaken at your annual meeting on 9 May 2000. A further review of the arrangements under Section 15 of the Local Government & Housing Act 1989 has been requested.
2. This report will guide the Council in constituting committees and following legal requirements in appointing members to serve on them.

Legal Position

3. Under the Local Government & Housing Act 1989 (“the Act”) and subsequent Regulations, (“the Regulations”), the County Council must review the representation of the different political groups on committees on receipt of a notice requesting a review following a change in the size of the 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 have to be by unanimous resolution, ie no-one should vote against it. The remainder of this report assumes that the Council will not want an alternative arrangement to that prescribed by law, except possibly in the case of the Salisbury Transportation Plan Joint Committee.
5. The Salisbury Transportation Plan Joint Committee was re-established by the County and Salisbury District Councils last May as an executive body with delegated highway authority powers within the transport plan area. Both Councils set aside the joint area committees and political proportionality provisions of the Local Government & Housing Act 1989 and subsequent regulations so that:
 - ☐ the committee has a membership of twelve divided equally between each appointing Council
 - ☐ one or both of the appointing Councils are free to appoint members not necessarily in proportionality to the overall position on their Councils.
6. The County Council, in taking this decision, decided it should be reviewed at this County Council meeting.

7. There are two routes available for the establishment of joint committees. They are described in Appendix A.

Events Since Last Review

8. There was a by-election in the Bedwyn and Pewsey County Electoral Division on 20 July 2000. Mrs Jenny Scott had previously held the seat and been a member of the Liberal Democrat Group. The by-election was won by Mr D H F Lay who has joined the Conservative Group and requested a review of arrangements.
9. On 21 August 2000, Mr M Connolly, previously a member of the Liberal Democrat Group, gave notice that he wished to join the Conservative Group. He was admitted and also requested a review of arrangements.

Strengths of Political Groups

10. Those events adjusted group strengths as follows:

Name of Group	Number of Members in Group
Conservative	26
Liberal Democrat	15
Labour	4

Principles and Procedure for Review

11. Appendix B sets out the four principles of the 1989 Act and how they should be applied.

Members not in Membership of a Group

12. In law, two or more members may form and register a Group.
13. Two members of the County Council – Mr T P Chivers and Mr C Newbury – are not in membership of a Group.
14. The Council should reserve 2/47ths (4.256%) of the total number of seats on committees for the members who do not belong to a political group: see paragraph 5(ii) of Appendix B.
15. At the last review, the Council reserved two committee places for the members not in membership of a Group and made appointments as follows:

Environment & Transport:	Mr T P Chivers
Social Services:	Mr C Newbury

Subsequently, the Conservative Group made one of its places on the Education Committee available to Mr Newbury. A Group is entitled to use nomination rights in this way.

Committees of the Council

16. The Council must constitute the following committees by statute:
 - (a) Social Services Committee (which may be of any size).
 - (b) Committee for Making Appointments to the Wiltshire Police Authority (which is a joint committee of ten members, of whom Wiltshire County Council appoints seven and Swindon Borough Council three).
17. At present the Council operates through four committees and two joint committees:
 - ☐ Education
 - ☐ Environment & Transport
 - ☐ Policy & Resources
 - ☐ Social Services
 - ☐ Appointments to Wiltshire Police Authority (a joint committee with Swindon Borough Council)
 - ☐ Salisbury Transportation Plan (a joint committee with Salisbury District Council)
18. The Education Committee includes nominees of the Church of England and the Roman Catholic Church. Furthermore, there are four places for parent governors to serve on the Education Committee (appointed to serve from May 2000 until May 2003) and, like the church appointees, they too have votes. Other non-County Council members of the Education Committee do not have voting rights. The majority group is entitled to a majority of all the voting members on committees if it does not naturally occur, and thus the size of the Education Committee is bound to increase accordingly.
19. There is also the Wiltshire and Swindon Fire Authority to which the County Council appoints nine members, but that is outside the scope of this report and appears as a separate item on the Summons.
20. Also outside the scope of this report are the various sub-committees, panels and working parties. The relevant parent committees appoint them.

Scheme of Allocation of Committee Places

21. Last May, a scheme was approved giving 55 places on committees with nine further being added to provide a majority for the majority group. Appendix C shows details.
22. To assist members wishing to propose a scheme, a “ready reckoner” for proportional representation on committees forms Appendix D to this report.
23. I may circulate one or more possible schemes before the Council’s meeting, after discussion with the Group Leaders.

Matters for Decision

24. The Council is asked:

- (i) to note this report and the legal requirements;
- (ii) to review arrangements for the Salisbury Transportation Plan Joint Committee bearing in mind the choices described in Appendix A;
- (iii) to set aside 2/47ths of the aggregate number of places for the members who are not in membership of groups;
- (iv) except in the cases of the Committee for Making Appointments to Wiltshire Police Authority (which must have seven County Council members), to decide how many members shall serve on each of the committees the Council wishes to constitute to undertake its business;
- (v) to appoint Messrs Chivers and Newbury to committees reserved for members not in membership of groups. The Council has discretion over these appointments, but may wish to take account of any preferences the members concerned express. When last asked both expressed identical first and second preferences (1 = Environment & Transport; 2 = Policy & Resources) with third choices being Education for Mr Newbury and Social Services for Mr Chivers.

25. Subsequently, the political parties will be expected to provide the names of their members whom they wish to take the committee places allocated to them. The following item on the Council Summons provides for the appointment of members to the committees currently in existence and for which the current membership lists have been circulated. It will probably suit the party leaders to announce the variations they propose to these lists at the Council meeting.

Keith Robinson
Chief Executive

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

Environmental impact of the recommendations contained in this report: None