

Full Council

Report to: Full Council

Date 6 December 2023

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Review date for release N/A



Political Proportionality and Allocation of Committee places

Report summary:

In accordance with legislation and the Council's Constitution, this is a report to notify a change to the allocation and appointments of members for seats on the Council's committees for the remainder of the 2023/2024 municipal year following the resignation of a member of the Conservative Group and joining the Independent Group.

Recommendation:

That the Council:

- (1) Notes the revised political balance of the Council and agree the proposed allocation of committee places as set out in this report and its appendices;
- (2) Delegates authority to the Monitoring Officer, in consultation with the appropriate political group leader, to make in-year changes to committee and joint committee appointments (excluding the appointment of Chairs and Vice-Chairs) in accordance with the allocation of places to political groups by the Council and the wishes of the relevant political group leader.

Reason for recommendation:

To meet the requirements of legislation and the Council's Constitution following a change in the membership of a political group on the Council.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Consultation carried out:

Consultation with Political Group Leaders

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Financial implications:

There are no financial implications relating to the change in members from the Conservative Group to the Independent Group as no Special Responsibility Allowance Payments are affected.

Legal implications:

The rules governing the allocation of seats on Committees and Sub-Committees to political groups are set out in the Local Government and Housing Act 1989 and regulations made thereunder including the Local Government (Committees and Political Groups) Regulations 1990. The provisions of the 1989 Act include the requirement that, where Members of the Council are divided into political groups, then the membership of its committees and sub-committees must reflect the political balance of the Council as a whole. The proposals set out in this report comply with the Council's Constitution.

Equalities impact Low Impact

The Council's duty under Section 149 of the Equality Act 2010 is to have "due regard" to the matters set out in relation to equalities when considering and making decisions on the provision of services. There are no direct impacts of these recommendations on the provision of services. There are no direct impacts on sustainability, health and safety, community safety or privacy aspects as a result of this proposal.

Climate change Low Impact

Risk: Low Risk; This report ensures that the political balance of the committee allocations is in line with the relevant legislation and guidance.

Links to background information None.

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

1. Background

- 1.1 Where membership of East Devon District Council is divided into political groups the Council is required to review and allocate the total number of seats on committees in accordance with the strength of each political group.
- 1.2 Following the resignation from the Conservative Group of 1 member and confirmation that the member is now a member of the Independent Group, this results in members of each political group on the Council having the following political balance:
 - Democratic Alliance = 29 members
 - Conservative = 16 members
 - Independent Group = 10 members
 - Labour Group = 3 members
 - Independent Councillor Group = 2 members

The Democratic Alliance form the majority administration from 2023 to 2027. This report has been prepared on the basis of the political groups reflecting the revised position set out above.
- 1.3 The revised political balance results in the following entitlement to seats for committees where political balance rules apply:

Total Number of Seats			
Democratic Alliance Group	29 members	48%	53 seats
Conservative Group	16 members (17 members)	27% (28%)	30 seats (31 seats)
The Independents	10 members (9 members)	16% (15%)	18 seats (17 seats)
Labour Group	3 members	5%	6 seats
Independent Councillor Group	2 members	4%	4 seats
TOTALS	60 members	100%	111 seats

2. Appointments / Allocation of places

- 2.1 The Council's committee places (also known as seats) to be allocated to the political groups has been calculated and the political group leaders informed.
- 2.2 Appendix 1 sets out guidance regarding the method of allocation of seats / places on committees and comments on the application of this in relation to Appendix 2. Appendix 2 sets out the calculation of aggregate entitlement to places on Committees on the basis that the Council continues to agree the recommendation of the political group leaders .
- 2.3 Appendix 3 sets out the political group leaders proposed nominations to the committee places to reflect the Independent Groups additional member. When approving Appendix 3 the Council will meet the requirements of the Local Government and Housing Act 1989 which requires the application of certain rules to the appointment of council committees. The Schedule provides for:
- (a) The appointment of members to the committees of the Council.
 - (b) The appointment of chairs and vice-chairs of the committees – no changes proposed to appointments made a Annual Council in May 2023.
- 2.4 A numerical guide to political proportionality representation on Committees is set out at Appendix 4 and reflects the Council's political composition.
- 2.5 Full Council may waive the political balance rules for any committee(s) where the Council wishes to appoint an alternative number of members from political groups. In order for political balance to be waived no member must vote against this motion, an objection by a single member would make it necessary to apply political balance rules.
- 2.6 It is proposed that the Council delegates authority to the Monitoring Officer to make in-year changes between Annual General Meetings to committee appointments (excluding Chairs and Vice-Chairs) in accordance with the wishes of the political group leader that relates to the relevant place(s) on a committee.

