

COMMITTEE: COUNCIL

DATE: 30TH MARCH 2022

Political Proportionality

Cabinet Member: Cllr Richard Wearmouth, Deputy Leader

Report Authors: Monitoring Officer and Interim Senior Service Director

Purpose of report

To determine the political proportionality of the registered political groups on the council and to allocate seats on committees in accordance with that proportionality in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989.

Recommendations

It is recommended that Council:

- 1. Notes that immediately following the Seghill with Seaton Delaval by-election and notified changes to the Labour Group, the total number of councillors in each political group on the County Council was Conservative 33, Labour 20, Independent 6, Liberal Democrat 4, Green 2 and 2 un-grouped members.**
- 2. Confirms that the political proportionality of the Groups is as follows: Conservative 49.25%, Labour 29.85%, Independent 8.96%, Liberal Democrat 5.97%, Green 2.99% and un-grouped 1.49% and 1.49%.**
- 3. Agrees to continue to use the method for determining allocations to Committees as agreed by Full Council at its meeting of 23rd February 2022.**
- 4. Approves the provisions of Appendix 1 which sets out the proportional allocation of places on committees in accordance with the proportionality approved above.**
- 5. Agrees the allocation of seats to Northumberland County principal/decision making Committees set out in Appendix 2 to this report.**
- 6. Agrees allocations to advisory/non-decision-making committees set out in Appendix 3 to this report.**

7. **Agrees Group Leaders will appoint members to fill the committee places allocated to their respective Groups and agree that Group Leaders will provide a finalised list of members for each committee (in line with their respective allocations) to the Head of Democratic Services to fill the allocated positions.**

Link to Corporate Plan

This report links to all aims and priorities of the Corporate Plan.

Key issues

Following a local by-election conducted on Thursday 24^h March 2022, the Seghill with Seaton Delaval electoral division is held by a member of the Conservative Group. Democratic Services has also received notice that one councillor who was previously a member of the Labour Group is now an un-grouped member. In accordance with the provisions of Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, as amended, the County Council is under a legal obligation to review its proportionality and re-allocate seats on committees to reflect the new political balance of Council.

Background

1. Section 15 of the 1989 Act (Duty to Allocate Seats to Political Groups) sets out the requirements as to political proportionality on Council bodies and requires the Council, in allocating seats on committees and sub-committees of the Council to political groups, to give effect, so far as practicable, to the following four principles:
 - (a) that not all seats on the committee/sub-committee are allocated to the same political group;
 - (b) that a political group having a majority of seats on the Council should have a majority on each committee and sub-committee;
 - (c) that, subject to (a) and (b) above, the number of seats on the Council's committees and sub-committees allocated to each political group, bears the same proportion to the total number of such committee/sub-committee seats as the number of members of that group bears to the membership of the full Council; and
 - (d) that, subject to (a) to (c) above, seats will be allocated on each committee and sub-committee in the same ratio as exists on the full Council.
2. Section 16 of the 1989 Act (Duty to Give Effect to Allocations) requires the Council to give effect to the allocations determined as set out above in accordance with the wishes of the relevant group.

3. The precise methodology for determining allocations to Committees is not prescribed in the legislation. In February 2022 at the full Council meeting two methods of allocating Committees seats were considered and on the 23rd February 2022, Council resolved to follow the method which is considered to be the convention in Northumberland. This convention is that having calculated the overall proportion of Council seats held by each party, places on individual Committees are allocated on the basis of whole numbers. Using this method, remainders of over '0.5' are rounded up to whole numbers and any remainders below '0.5' allocated to a pool from which seats are allocated to minority groups to achieve the correct overall proportionality. Accordingly, it is proposed that full Council agrees to use this method following the Seghill with Seaton Delaval by-election to allocate Committee seats.
4. This results in over or under representation at the level of individual committees. However, given the duty to look at proportionality overall, when all the seats on committees are aggregated, the Council can agree adjustments to correct, so far as reasonably practicable, any imbalance and ensure that any ungrouped members are allocated seats on committees and indeed this is normal practice. It is also open to the Council to change the number of seats on individual Committees should members wish. This often assists in adjusting imbalances or lack of representation of particular groups on some committees.
5. Appendix 1 to this report sets out a table showing the proportional allocations to committees based on the overall number of Committee seats, worked out to two decimal places.
6. Appendices 2 shows group allocations to principal/decision making Committees. Appendix 3 shows group allocations to advisory/non-decision-making committees. In each case the over or under allocation of seats to each group relative to overall proportionality is shown.
7. If Recommendation 7 above is approved, the Head of Democratic Services will write to all Group Leaders asking them, within 5 working days, to specify names of councillors to be appointed for each committee (including non-decision-making committees). The Head of Democratic Services will appoint members to fill the seats allocated to political groups in accordance with the nominations of the Group Leaders.

Implications

| | |
|------------------------------------|---|
| Policy | This report links to all aims and priorities of the Corporate Plan. |
| Finance and value for money | No direct costs will be incurred |

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|---|--|
| Legal | As set out in the report to make appointments in line with the requirements of Sections 15 and 16 of the Local Government and Housing Act 1989 |
| Procurement | N/A |
| Human Resources | N/A |
| Property | N/A |
| Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | N/A |
| Risk Assessment | N/A |
| Crime & Disorder | N/A |
| Customer Consideration | N/A |
| Carbon reduction | N/A |
| Health and Wellbeing | N/A |
| Wards | All Wards |

Background papers:

Sections 15 to 17 Local Government and Housing Act 1989

The Local Government (Committees and Political Groups) Regulations 1990, as amended

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

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|--|----------------------|
| | Full Name of Officer |
| Monitoring Officer/Legal | Suki Binjal |
| Executive Director of Finance & S151 Officer | Jan Willis |

| | |
|-----------------------------|------------------------|
| Relevant Executive Director | - |
| Deputy Chief Executive | Cath McEvoy-Carr |
| Portfolio Holder(s) | Cllr Richard Wearmouth |

Appendix 1 Proportionality Table

| Number of seats on committees | Cons 33 49.25% | Lab 20 29.85% | Ind 6 8.96% | Lib Dem 4 5.97% | Green 2 2.99% | UG 1 1.49% | UG 1 1.49% |
|-------------------------------------|-------------------|------------------|----------------|-----------------------|------------------|---------------|---------------|
| 3 | 1.48 | 0.90 | 0.27 | 0.18 | 0.09 | 0.04 | 0.04 |
| 4 | 1.97 | 1.19 | 0.36 | 0.24 | 0.12 | 0.06 | 0.06 |
| 5 | 2.46 | 1.49 | 0.45 | 0.30 | 0.15 | 0.07 | 0.07 |
| 6 | 2.96 | 1.79 | 0.54 | 0.36 | 0.18 | 0.09 | 0.09 |
| 7 | 3.45 | 2.09 | 0.63 | 0.42 | 0.21 | 0.10 | 0.10 |
| 8 | 3.94 | 2.39 | 0.72 | 0.48 | 0.24 | 0.12 | 0.12 |
| 9 | 4.43 | 2.69 | 0.81 | 0.54 | 0.27 | 0.13 | 0.13 |
| 10 | 4.93 | 2.99 | 0.90 | 0.60 | 0.30 | 0.15 | 0.15 |
| 11 | 5.42 | 3.28 | 0.99 | 0.66 | 0.33 | 0.16 | 0.16 |
| 12 | 5.91 | 3.58 | 1.08 | 0.72 | 0.36 | 0.18 | 0.18 |
| 13 | 6.40 | 3.88 | 1.16 | 0.78 | 0.39 | 0.19 | 0.19 |
| 14 | 6.90 | 4.18 | 1.25 | 0.84 | 0.42 | 0.21 | 0.21 |
| 15 | 7.39 | 4.48 | 1.34 | 0.90 | 0.45 | 0.22 | 0.22 |
| 16 | 7.88 | 4.78 | 1.43 | 0.96 | 0.48 | 0.24 | 0.24 |

67 Members

Total Committee Places
Decision Making 154

Total Committee Places
Non-Decision Making 68

Cons 33 (49.25%)
Lab 20 (29.85%)
Ind 6 (8.96%)
LD 4 (5.97%)
Green 2 (2.99%)
UG 1 (1.49%)
UG 1 (1.49%)

76
46
14
9
5
2
2

34
20
6
4
2
1
1

Principal Decision-Making Committees (154 total committee places)

Committees of 4 (1)

Appointments Committee – School Governors and Academies

Committees of 5 (1)

Employment Appeals Committee (from a pool of 20)

Committees of 8 (4)

Audit Committee

County Emergency Committee

Dismissal Advisory Committee

Disputes Panel (FRS)

Committees of 9 (3)

Petitions Committee

Staffing and Appointments Committee

Standards Committee

Committees of 10 (4)

Communities and Place Overview and Scrutiny Committee

Family and Children's Services Overview and Scrutiny Committee

Corporate Services and Economic Growth Overview and Scrutiny Committee

Health and Wellbeing Overview and Scrutiny Committee

Committees of 15 (2)

Licensing Committee

Licensing and Regulatory Committee

Committees of 16 (1)

Strategic Planning Committee

Appendix 2 – Group Allocations (Decision Making Committees)

| Number Seats (on Cttees) | Cons 33 49.25% | Lab 20 29.85% | Ind 6 8.96% | Lib Dem 4 5.97% | Green 2 2.99% | UG 1 1.49% | UG 1 1.49% | Pool |
|-----------------------------------|-------------------|------------------|----------------|-----------------------|---------------------|---------------|---------------|------|
| 3 (0) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4 (1) | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| 5 (1) | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| 6 (0) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7 (0) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8 (4) | 16 | 8 | 4 | 0 | 0 | 0 | 0 | 4 |
| 9 (3) | 12 | 9 | 3 | 3 | 0 | 0 | 0 | 0 |
| 10 (4) | 20 | 12 | 4 | 4 | 0 | 0 | 0 | 0 |
| 11 (0) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 12 (0) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 13 (0) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 14 (0) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 15 (2) | 14 | 8 | 2 | 2 | 0 | 0 | 0 | 4 |
| 16 (1) | 8 | 5 | 1 | 1 | 0 | 0 | 0 | 1 |
| Total | 74 | 44 | 14 | 10 | 0 | 0 | 0 | 12 |
| =/- | -2 | -2 | 0 | +1 | -5 | -2 | -2 | +12 |

Appendix 3 Group Allocations (Advisory/Non-Decision Making Committees)

Committees of 4 (2)

Standing Advisory Committee on Religious Education
Town and Parish Liaison Working Group

Committees of 6 (1)

Local Plan Working Group

Committees of 9 (6)

Climate Change Working Group
Constitution Working Group
Food Poverty Working Group
Member Services Working Group
Safeguarding and Corporate Parenting Working Group
VCS Liaison Group

| Number Seats (Cttees) | Cons 33 49.25% | Lab 20 29.85% | Ind 6 8.96% | Lib Dem 4 5.97% | Green 2 2.99% | UG 1 1.49% | UG 1 1.49% | Pool |
|-----------------------------|-------------------|------------------|----------------|-----------------------|------------------|---------------|---------------|------|
| 4 (2) | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| 6 (1) | 3 | 2 | 1 | 0 | 0 | 0 | 0 | 0 |
| 9 (6) | 24 | 18 | 6 | 6 | 0 | 0 | 0 | 0 |
| Total | 31 | 22 | 7 | 6 | 0 | 0 | 0 | 2 |
| +/- | -3 | +2 | +1 | +2 | -2 | -1 | -1 | +2 |