

Chichester District Council

COUNCIL: ANNUAL MEETING

17 May 2016

Review of Political Balance

1. Contacts

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2. Recommendation

2.1 **That the review of political balance arrangements set out below be approved and Tables 1, 2 and 3 be applied in making appointments to committees.**

3. Context

3.1 The Council has a duty at its annual meeting, under Section 15 of the Local Government and Housing Act 1989, to review the representation of different political groups in line with the political balance rules set out in the Act and subordinate regulations. This provides the framework for the appointments to committees, which is the next item on the Agenda.

4. The rules and their application

4.1 The composition of the Council is as follows:-

Conservatives	=	42 (87.5%)
Liberal Democrats	=	3 (6.25 %)
Independent Group	=	<u>3 (6.25 %)</u>
Total:	=	<u>48 members</u>

4.2 Many of the seats on committees have to be allocated in accordance with the rules of political balance. The following principles apply, so far as reasonably practicable. They are applied in descending order of importance, and are quoted in plain English rather than wording taken directly from the statute:

- (a) Not all seats on the committee are allocated to the same political group.
- (b) The majority party has a majority of the seats on each committee.
- (c) Each political group is entitled to its proportion of the total number of seats on all the ordinary committees added together, according to the proportion the group holds of seats on the full Council
- (d) Subject to (c) above, each political group is entitled to its proportion of the number of seats on each individual committee.

4.3 Because the two minority groups are the same size, where their entitlement to seats on a committee is less than one, one or other group should take its entitlement. This means the minority groups may wish to reach agreement between themselves which group should take each seat. If they both put forward a nomination, the full Council, with its Conservative majority, will determine which nomination should be granted the seat.

4.4 The four ordinary Committees concerned are:

1. Corporate Governance and Audit Committee	10 seats
2. Planning Committee	15 seats
3. General Licensing Committee	15 seats
4. Standards	<u>7 seats</u>
Total	<u>47 seats</u>

4.4 Total seats due to:

the Conservatives is:	$47 \times 87.5 \% = 41 \text{ seats}$	(41.13)
the Liberal Democrats is:	$47 \times 6.25 \% = 3 \text{ seats}$	(2.935)
the Independent Group is:	$47 \times 6.25 \% = 3 \text{ seats}$	(2.935)

4.5 If these proportions are applied to individual committees, the results are as in Table 1:

Table 1: Entitlement

	Con	LD	Ind Gp
Corporate Governance & Audit Committee (10)	9 (8.75)	(0.63)	(0.63)
Planning Committee (15)	13 (13.13)	1 (0.935)	1 (0.935)
General Licensing Committee (15)	13 (13.13)	1 (0.935)	1 (0.935)
Standards Committee (7)	6 (6.13)	(0.44)	(0.44)
Total Seats	41	3	3

4.6 Therefore the minority groups are entitled to one seat each on each of the Planning and the General Licensing Committees and to one seat between them on the Corporate Governance and Audit and the Standards Committee.

Currently an Independent member has a place on the Corporate Governance and Audit Committee and a Liberal Democrat member has a place on the Standards Committee.

4.7 The Overview and Scrutiny Committee is not included in the list above but the seats on it still need to be allocated to parties in the proportion of seats that they have on the whole Council.

Table 2: Overview and Scrutiny Committee and other Committees

	Con	LD	Ind Gp
Overview and Scrutiny (15) – entitlement	13 (13.13)	1 (0.94)	1 (0.94)

4.8 The various committees and panels concerned with discipline and dismissal of senior staff also are not ordinary committees, but still need to be allocated to parties in the proportion of seats that they have on the whole Council. The Council agreed at its meeting on 14 July 2015 that one minority group member should be appointed as a substantive member of each committee, with an Independent member being appointed to the Investigation and Disciplinary Committee and a Liberal Democrat member to the Appeals Committee.

Table 3: Disciplinary Committees

	Con	LD	Ind Gp
Investigation and Disciplinary Committee (5+2 subs)	6 (6.125)	(0.48)	(0.48)
Appeals Committee (5 + 2 subs)	6 (6.125)	(0.48)	(0.48)

4.9 The regulations on political groups do not apply at all to the Cabinet, the Alcohol and Entertainment Licensing Committee established under the Licensing Act 2003, and the Independent/Parish Remuneration Panels.

4.10 Generally the Council is obliged to appoint to the committees the members proposed by the respective political groups (section 16(1) of the Local Government and Housing Act 1989). However, the Council does not have to adhere to the political groups regulations if:-

- (i) a political group does not use up its allocation (regulations 13 to 15); or
- (ii) notice of alternative proposed allocations is given to all members and no member objects (Section 17 of the Local Government and Housing Act 1989 and regulation 20); or
- (iii) an area committee covers an area or population which is less than 40% of the total and the committee members are drawn from that area (regulation 16A) (This Council has no area committees).