

COUNCIL

Report marked to follow

12 **Revised Political Proportionality of Council**

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Stacey Burlet
Chief Executive

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REPORT TO:	FULL COUNCIL
DATE:	17 FEBRUARY 2022
REPORT OF THE:	INTERIM MONITORING OFFICER ELIZABETH HEATH
TITLE OF REPORT:	REVISED POLITICAL PROPORTIONALITY OF COUNCIL
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to:
- a. confirm the calculations relating to the allocation of seats on Committees following changes to Political Groups
 - b. review the political composition of Council Committees in accordance with proportionality following a request for a review of the political proportionality of Committees.

2.0 RECOMMENDATIONS

That Council:

- (i) approves the division of Committee seats between political groups in accordance with the allocation shown at paragraph 6.6;
- (ii) notes that the appointments made following a review of proportionality, set out in Annex A, comply with this allocation.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To comply with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.
- 3.2 The Council has been notified of changes to the membership of Political Groups since the Annual Meeting, these changes are:
- i. Ryedale First Independent member Councillor Raper resigned from the Council
 - ii. Councillor Goodrick resigned from the Conservative Group and become an Ungrouped independent
- 3.3 A request for a review of the political proportionality of the council was subsequently received from Councillor Duncan.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks related to the recommendations in this report, which seek to ensure compliance with legal requirements.

5.0 POLICY CONTEXT AND CONSULTATION

A. Committees for 2021/22

5.1 In accordance with the Council's Constitution, the Council agreed the membership of its Committees at the Annual Meeting of Full Council held on 20 May 2021. In doing so it agreed the allocation of seats on Committees between Political Groups.

B. The Allocation of Seats on Committees between Political Groups and the Appointment of Members to Committees

5.2 Ryedale District Council is to be treated as being divided into different political groups for the purposes of the Local Government and Housing Act 1989, because at least one political group has been constituted in the prescribed way.

5.3 The Local Government & Housing Act 1989 and associated regulations, requires the distribution of seats on Committees and Sub-Committees to be on the basis of political proportionality so far as it is "reasonably practicable" between the political groups of the Council unless every Member of the Council agrees that some other basis of allocation should be used.

5.4 The distribution of Committee places between the groups needs to have regard to these rules.

5.5 A political group is any group of two or more Councillors who notify the Chief Executive that it wishes to be considered as a political group. In law it is a "group" only for the purposes of allocating places on Committees. It is a matter for individual groups to decide whether to get together for political purposes such as a coalition.

5.6 In making appointments to Committees the Council must be guided by the following principles:-

- (a) Not all seats on the Committees can be allocated to one political party;
- (b) The majority of seats should be awarded to a group having a majority on the Council;
- (c) Subject to (a) and (b) the total number of places allocated on all Committees must be proportionate to the political strength on the Council as a whole;
- (d) Subject to (c) the places on each Committee must be proportionate to political strength.

5.7 One effect of the rules is that there is no requirement for all political groups to be represented on all Committees unless the figures justify such representation. If the Committee size means a smaller group does not get a place, then that is not unlawful. It is a matter for the Council to decide on the size of Committees and the distribution of places between the groups, and for the political groups to determine their individual membership.

5.8 The Council, at its Annual General Meeting, agreed to apply political proportionality rules to the following Committees of the Council:-

COMMITTEE	
1.	Policy & Resources Committee
2.	Overview & Scrutiny Committee *
3.	Planning Committee

* The Overview and Scrutiny Committee also acts as the District Council's Audit Committee and Corporate Governance Standards Committee.

6.0 REPORT DETAILS

6.1 In terms of appointments of Members to Committees, Council is requested to note the following constitutional provisions:

1. Each Councillor may only sit on one Committee ;
2. Each political group may have substitutes to cover the absence of members of the group on the Policy and Resources Committee and the Planning Committee. Most political groups are entitled to two named substitutes.
3. There are no substitutes on the Overview and Scrutiny and the Licensing Committee.
4. In relation to choosing substitutes on the Policy and Resources Committee and the Planning Committee, one named substitute for each political group can be drawn from the Overview and Scrutiny Committee but the substitute cannot scrutinise a decision they were part of say on the Policy and Resources Committee.

6.2 The changes to Political Groups has resulted in a change to the Political Balance of the council, resulting in the strength of the political groups on the Council of 29 Members being as follows:-

Conservative	10	(34.48%)
Liberal	5	(17.24%)
Independent	5	(17.24%)
Independents for Ryedale	3	(10.34%)
Liberal Democrat and Independent	3	(10.34%)
Ryedale First Independents (RFI)	2	(6.90%)
Independent (Ungrouped)	1	(3.45%)
	29	
Vacant	1	
	30	

6.3 Given the political composition of the Council, political proportionality is considered to be achieved with the following Committee sizes:

Policy and Resources	10
Overview and Scrutiny	9
Planning	10
Total	29

6.4 The legal obligation to ensure that there is proportionality in the political composition of Committees extends only to proportionate representation of members of political groups and does not require ungrouped single members to be proportionally represented.

6.5 The impact of the changes to Political Groups on Committee seat allocation based on the numerical entitlement calculation is as follows:

	Conservative	Liberal	Independent	Independent for Ryedale	Liberal Democrat and Independent	Ryedale First Independent	Ungrouped
Committees	10	5	5	3	3	2	1

6.6 The impact of the changes on subsequent Committee seat allocation is as follows:

Political Group	Policy & Resources Committee	Overview & Scrutiny Committee	Planning Committee	Total: (29 seats)
Conservative	4	3 (-1)	3	10
Liberal	2	1	2	5
Independent	1	2	2	5
Independent for Ryedale	1	1	1	3
Liberal Democrat and Independent	1	1	1	3
Ryedale First Independent (RFI)	1	0 (-1)	1	2
Ungrouped	0	1 (+1)	0	1
Total	10	9	10	29

6.7 The current appointed membership to committees following a review of proportionality complies with the revised allocation of seats following changes to Political Groups. A copy of the membership is attached at Annex A of the report.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
None.
- b) Legal
This report ensures compliance with the Local Government & Housing Act 1989 and associated regulations.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
None.

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Background Papers:
None.

Background Papers are available for inspection at:
Not applicable.

RYEDALE DISTRICT COUNCIL

APPOINTMENT OF MEMBERS TO COMMITTEES 2021 - 2022

POLICY & RESOURCES COMMITTEE

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent	Ungrouped
K C Duncan C W Delaney C Docwra S M Graham	J Andrews <i>A Clark (to be ratified at Council 17 Feb)</i>	L M Burr (VC)	S Arnold	J Frank	D E Keal (C)	
Substitutes J R Bailey J Mackenzie	Substitutes C Brackstone M Potter	Substitutes PJ Andrews	Substitutes J A Windress	Substitutes E Hope D E Cussons	Substitutes S P Mason	Substitutes

OVERVIEW & SCRUTINY COMMITTEE¹

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent	Ungrouped
R King W R F H Oxley N Garbutt Moore	C Wass (VC)	A R Riby A E Raine		D E Cussons	T Middleton (C)	<i>C Goodrick</i>

PLANNING COMMITTEE

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent	Ungrouped
<i>J R Bailey</i> M J T Cleary J Mackenzie	M Potter (VC) C Brackstone	P J Andrews (C) S N R Thackray	J A Windress	E Hope	S P Mason	
Substitutes C Docwra S M Graham	Substitutes J Andrews	Substitutes A R Riby	Substitutes S Arnold	Substitutes J Frank D E Cussons	Substitutes D E Keal	Substitutes

¹ In accordance with the Council's Constitution, where a Member of Overview and Scrutiny Committee has acted as a named substitute at any Policy Committee they may not subsequently scrutinise any decision in which they have been involved.

LICENSING COMMITTEE

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent	Ungrouped
<i>J R Bailey</i> M J T Cleary (C) J Mackenzie	M Potter C Brackstone	P J Andrews S N R Thackray	J A Windress (VC)	E Hope	S P Mason	

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