



REPORT TO:	FULL COUNCIL
DATE:	3 DECEMBER 2020
REPORT OF THE:	DEPUTY MONITORING OFFICER JODIE TOWNSEND
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 6.8;
- (ii) notes that the appointments made at Annual Council on 8 October 2020, set out in Annex A, comply with this allocation;
- (iii) invites and approves nominations for substitutes from the Independent for Ryedale Group for the Policy and Resources Committee and from the Ryedale First Independent Group for the Planning Committee.

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. Councillor Middleton resigned from the Conservative Group and became an Ungrouped independent
 - ii. Councillors Cussons, Frank and Hope resigned from the Ryedale First Independent Group
 - iii. Councillors Cussons, Frank and Hope established the Independents for Ryedale Group

3.3 A request for a review of the political proportionality of the council was subsequently received from Councillor Frank.

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 2020/21

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 8 October 2020. 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.

- 5.9 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.
- 5.10 The Head of Corporate Governance and Acting Monitoring Officer discussed political proportionality and Committee membership with all political Group Leaders in advance of the Annual Council meeting to clarify the position of the political groups on those issues as far as is reasonably practicable.
- 5.11 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.
- 5.12 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 30 Members being as follows:-
- | | | |
|---------------------------------|----|----------|
| Conservative | 11 | (36.67%) |
| Liberal | 5 | (16.67%) |
| Independent | 5 | (16.67%) |
| Ryedale First Independent (RFI) | 3 | (10%) |
| Independent for Ryedale | 3 | (10%) |
| Liberal Democrat | 2 | (6.67%) |
| Independent (Ungrouped) | 1 | (3.33%) |
- 5.13 The impact of the changes to Political Groups on Committee seat allocation based on the numerical entitlement calculation agreed at Annual Council is as follows:

	Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Liberal Democrat	Ungrouped
Committees	11	5	5	3	3	2	1

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

Political Group	Policy & Resources Committee	Overview & Scrutiny Committee	Planning Committee	Total: (30 seats)
Conservative	4	3 (-1)	4	11
Liberal	2	2	1	5
Independent	2	1	2	5
Ryedale First Independent (RFI)	1 (-1)	1 (-1)	1 (-1)	3
Independent for Ryedale	1 (+1)	1 (+1)	1 (+1)	3
Liberal Democrat	0	1	1	2
Ungrouped	0	1 (+1)	0	1

5.15 The current appointed membership to committees, agreed at Annual Council on 8 October 2020, still complies with the revised allocation of seats following changes to the Political Groups. A copy of this membership is attached as Annex A of the report.

5.16 Where there have been changes to Political Groups, they are invited to put forward nominations for substitutes for approval where required, namely from the Independent for Ryedale Group for the Policy and Resources Committee and from the Ryedale First Independent Group for the Planning Committee.

6.0 IMPLICATIONS

6.1 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.

ANNEX A

RYEDALE DISTRICT COUNCIL

APPOINTMENT OF MEMBERS TO COMMITTEES

POLICY & RESOURCES COMMITTEE

Conservative	Ryedale First Independent	Independent for Ryedale	Liberal	Liberal Democrat	Independent	Ungrouped
K C Duncan (C) C W Delaney C Docwra S M Graham	S Arnold (VC)	J Frank	J S Clark J Andrews		L M Burr A R Riby	
Substitutes	Substitutes	Substitutes	Substitutes	Substitutes	Substitutes	Substitutes
N Garbutt Moore J MacKenzie	J A Windress J Raper		M J Potter		P J Andrews	

OVERVIEW & SCRUTINY COMMITTEE¹

Conservative	Ryedale First Independent	Independent for Ryedale	Liberal	Liberal Democrat	Independent	Ungrouped
W R F H Oxley	J R Raper (C)	D E Cussons	C Brackstone	D E Keal	A E Raine	T Middleton (VC)
N Garbutt Moore R King			C M Wass			

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.

PLANNING COMMITTEE

Conservative	Ryedale First Independent	Independent for Ryedale	Liberal	Liberal Democrat	Independent	Ungrouped
C G Goodrick (C) M J T Cleary J MacKenzie J R Bailey	J A Windress (VC)	E Hope	M J Potter	S P Mason	P J Andrews S N R Thackray	
Substitutes	Substitutes	Substitutes	Substitutes	Substitutes	Substitutes	Substitutes
C Docwra S M Graham		J Frank D E Cussons	J Andrews J S Clark	D E Keal	L M Burr	

LICENSING COMMITTEE

Conservative	Ryedale First Independent	Independent for Ryedale	Liberal	Liberal Democrat	Independent	Ungrouped
C G Goodrick M J T Cleary (VC) J MacKenzie J R Bailey	J A Windress (C)	E Hope	M J Potter	S P Mason	P J Andrews S N R Thackray	