

COUNCIL	AGENDA ITEM. 13 (b)
12 OCTOBER 2016	PUBLIC REPORT

POLITICAL BALANCE, ALLOCATION OF SEATS ON SCRUTINY COMMITTEES AND APPOINTMENTS

RECOMMENDATIONS
FROM : DIRECTOR OF GOVERNANCE
<p>It is recommended that from 1 January 2007:</p> <ol style="list-style-type: none"> 1. The Council agrees the number of seats on the newly established scrutiny committees; 2. The Council agrees the allocation of seats on the scrutiny committees in accordance with the political balance arrangements (Appendix 1 – to be updated). 3. That Council agrees the appointments to those committees, and the Chair and Vice-Chair of those committees. (Appendix 2 – document to be tabled) 4. The non-elected membership of the Children and Education Scrutiny Committee, as described at paragraph 4.3 is confirmed; 5. Authorise the Monitoring Officer as Proper Officer to carry out the wishes of the Leaders of the Political Groups in allocating members to these committees, and appoints those Members with effect from the date at which the Proper Officer is advised of the names of such Members. 6. That the Monitoring Officer be authorised to make any necessary consequential changes to the Constitution.

1. PURPOSE AND REASON FOR REPORT

- 1.1 Subject to the Council agreeing a revised Scrutiny Committee structure elsewhere on the agenda, the Council will need to review the allocation of seats on its scrutiny committees.
- 1.2 This report requests the Council to:
 - (a) agree the number of seats on the four scrutiny committees;
 - (b) agree the allocation of seats between political parties on three of the four committees with 11 members;
 - (c) receive nominations from political groups and make appointments to committees;
 - (d) appoint the Chairs and Vice Chairs of Committees; and
 - (e) approve the non-Councillor committee appointments.

2. BACKGROUND

2.1 Subject to the Council agreeing to establish the following four scrutiny committees:

- (a) Children and Education Scrutiny Committee;
- (b) Adults and Communities Scrutiny Committee;
- (c) Health Scrutiny Committee; and
- (d) Growth, Environment & Resources Scrutiny Committee.

2.2 It is proposed that all four Scrutiny Committees have 11 Members each and are subject to the political balance rules. The new structure is set out in the table below. The overall number of seats on the Council will increase from 97 to 102 seats and therefore will change the political balance calculations.

Committee	Seats
Children and Education Scrutiny Committee	11
Adults and Communities Scrutiny Committee	11
Health Scrutiny Committee	11
Growth, Environment & Resources Scrutiny Committee	11
Employment Committee	7
Audit Committee	7
Licensing Committee (Regulatory)	11
Planning and Environmental Protection Committee	11
Appeals and Planning Review Committee	11
Corporate Parenting Committee	11
TOTAL	102

2.3 If agreed, Council will need to decide how many seats each group is to have on its scrutiny committees. The Council needs to recalculate the balance on the following committees:

- (a) Children and Education Scrutiny Committee
- (b) Adults and Communities Scrutiny Committee
- (c) Health Scrutiny Committee

The Growth, Environment & Resources Scrutiny Committee replaces the former Sustainable Growth and Environment Capital Scrutiny Committee which has 11 members so does not change.

2.4 In accordance with the legislation, the following principles should apply to the allocation of seats as far as reasonably practicable:

- (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- (b) That the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) Subject to (a) and (b) above, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
- (d) Subject to (a) to (c) above, that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

2.5 The political balance of the Council can be calculated using the by following formula.

$$\frac{\text{No of Group Members} \times 100}{60}$$

2.6 Following the elections held on 5 May 2016, the political balance of the Council is as follows:

Table 1

Group	Conservative	Labour	Liberal Democrats	Liberal Party	Werrington First	UKIP	Total
Councillors	31	14	7	3	3	2	60
Proportionality %	51.67	23.33	11.67	5.00	5.00	3.33	100.00

2.7 The calculation to determine the strict entitlement of political groups to seats on committees is:

$$\frac{\% \text{ from table 1}}{100} \times \text{Total No of seats available (102) – see above}$$

APPLYING THE RULES

2.8 The majority of seats on each committee has to be allocated to the political group that forms the majority of the authority's membership to comply with the second principle (paragraph 3.4(b)). Under the current structure there are committees of 11 members. To ensure compliance with s15 of the Local Government and Housing Act 1989, the majority group has to be allocated:

(a) 6 of the 11 seats for committees of 11

2.9 Once the seats have been allocated to the majority group, the remainder will need to be shared out proportionately across the committees to ensure that the third principle (paragraph 3.4(c) above) is applied. The fourth principle is then applied to ensure that the seats then allocated are not unfairly weighted. A Group's seat on a Committee will be allocated automatically in terms of whole numbers.

2.10 The allocations of seats between the political groups for each committee are set out in **Appendix 1** based on a total of 102. The strict allocation will require certain minority groups to give up seats. Minority groups with the same percentage share of seats (Liberal Party and Werrington First) will need to make choices between committees of the same size.

2.11 The current allocation between political groups on these committees is:

Committee	Seats	Conservative	Labour	Liberal Democrats	Liberal Party	Werrington on First	UKIP	Total
Scrutiny Commission for Rural Communities	7	4	0	1	0	1	1	7
Scrutiny Commission for Health Issues	7	4	2	1	0	0	0	7

Committee	Seats	Conservative	Labour	Liberal Democrats	Liberal Party	Werrington First	UKIP	Total
Strong and Supportive Scrutiny Committee	7	4	2	1	0	0	0	7
Creating Opportunities and Tackling Inequalities Scrutiny Committee	7	4	2	1	0	0	0	7
Sustainable Growth and Environment Capital Scrutiny Committee	11	6	3	1	0	1	0	11
	39	22	9	5	0	2	1	39

2.12 Under the revised structure (see below), there are four scrutiny committees with 11 seats. The Growth, Environment and Resources Scrutiny Committee will replace the Sustainable Growth and Environment Capital Scrutiny Committees, and both have 11 seats. Therefore the political balance is not affected.

2.13 For Children and Education Scrutiny Committee, the Adults and Communities Scrutiny Committee and Health Scrutiny Committee the political balance needs to be reviewed. The initial allocation is as follows:

Committee	Seats	Conservative	Labour	Liberal Democrats	Liberal Party	Werrington First	UKIP	Total
Children and Education Scrutiny Committee	11	6	2	1	0	0	0	9
Adults and Communities Scrutiny Committee	11	6	2	1	0	0	0	9
Health Scrutiny Committee	11	6	2	1	0	0	0	9
	33	18	6	3	0	0	0	27
Adjustments to be made		0	1	1	1	2	1	6

2.14 To ensure the correct political balance on the Council, the following adjustments need to be made to the:

- a) Children and Education Scrutiny Committee

- b) Adults and Communities Scrutiny Committee
- c) Health Scrutiny Committees

- (a) The Labour Party needs to choose one additional seat on any one of the above committees;
- (b) The Liberal Democrats needs to choose one additional seat on any one of the above committees;
- (c) The Liberal Party needs to choose one additional seat on any one of the above committees;
- (d) Werrington First needs to choose two additional seats on any two of the above committees; and
- (e) UKIP needs one additional seat any one of the above committees.

No committee can exceed 11 seats.

- 2.15 Discussions are taking place with and between the political whips with the intention to produce a fair distribution of the seats according to a Group's wishes. This will result in either an agreement to be proposed at the meeting or, failing that, a proposal to be debated and determined at the full Council meeting. A revised copy of **Appendix 1** will be circulated once all the adjustments are known.
- 2.16 The agreed totals must then, as far as is reasonably practicable, reflect the aggregate entitlement of the political groups to committee seats. Council will therefore note the difference between this, their entitlement, and the actual distribution of seats their decision gives each political group.

3. APPOINTMENTS – MEMBERSHIP AND CHAIRS AND VICE CHAIRS OF SCRUTINY COMMITTEES

- 3.1 At the annual meeting, member appointments were made to scrutiny committees. If established, Group Leaders will be asked to reallocate members to the new committees.
- 3.2 Appointments should be made in accordance with the seats allocated to political groups as described in in this report.
- 3.3 The Council must decide which Councillors to appoint as the Chair and Vice-Chair of all four scrutiny committees.
- 3.4 The list of available appointments has been circulated to the political groups and the wishes of each group is to be confirmed at the Annual meeting. (**Appendix 2** – to be table)

4. NON COUNCILLOR COMMITTEE APPOINTMENTS

- 4.1 The Council is required under the Parent Governor Representative (England) Regulations 2001 to appoint parent governor representatives to any scrutiny committee which considers education issues. Schedule 1 (paragraph 7) of the Local Government Act 2000 similarly requires that the Church of England and Roman Catholic churches may each nominate a co-opted member with voting rights. The voting rights only apply when the Scrutiny Committee is considering educational matters; for other issues the co-opted members may participate in the debate but not vote.
- 4.2 Within the new structure, education matters are discussed at the Children and Education Scrutiny Committee Scrutiny Committee. All of the education co-opted members need to be formal members of this Committee, with voting rights for education matters.
- 4.3 The education co-opted members for the remainder of the municipal year will be:

Voting Co-opted Members

Miranda Robinson, Peterborough Diocesan Board of Education;(Statutory Faith rep)
Paul Rossi, Roman Catholic Church, Diocese of East Anglia; (Statutory faith rep)
Two vacancies for Parent Governor Representative; (Statutory)

Julie O'Connor, Roman Catholic Diocese of East Anglia (sub for Paul Rossi).

Non Voting Members

Alistair Kingsley, Non-voting Independent Co-opted Member
Vacant, Diocese of Ely;

5. IMPLICATIONS

- 5.1 Finance Implications – There are no financial implications arising from this report.
- 5.2 Legal Implications – The legal implications are set out in the body of the report.
- 5.3 Equalities Implications – There are no direct equalities implications arising from this report.

6. BACKGROUND DOCUMENTS

- 6.1 All background documents used in the drafting of this report have been public documents and are largely referred to within the report.

7. APPENDICES

Appendix 1 –.Allocation of seats (to be updated)

Appendix 2 –.Committee membership/Chairs and Vice Chairs (to be tabled)