

## **For publication**

# **Change to Allocation of Seats to Political Groups and to Membership of Member Level Committees – 2017/18**

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Meeting: Council

Date: 13 December, 2017

Report by: Senior Democratic and Scrutiny Officer

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## **1.0 Purpose of report**

The purpose of this report is to review the political balance of Committees in accordance with Section 15 of the Local Government and Housing Act 1989, following the notification to the Chief Executive of a change to political parties within Chesterfield Borough Council and to enable the Council to consider a proposed change to the membership of Member level Committees for the remainder of the 2017/18 municipal year.

## **2.0 Recommendations**

That the recent changes to the political composition of the Council be noted and that the following changes to the membership of committees as proposed by the political groups be agreed:

### **Appeals and Regulatory Committee**

- removal of Councillor Bexton as a UKIP member
- addition of Councillor Bexton as an Independent member
- replacement of Councillor D Collins with Councillor Hill as a majority group member

### **Licensing Committee**

- removal of Councillor Bexton as a UKIP member
- addition of Councillor Bexton as an Independent member

### 3.0 **Report details**

#### **Background**

- 3.1 The Chief Executive was notified on 29 November, 2017 of a change to political parties within Chesterfield Borough Council. With effect from 29 November, 2017 Councillor Bexton advised the Chief Executive that he was no longer a member of UKIP and wished to be recognised as an Independent member.
- 3.2 Therefore the current composition of the Council is:
- |                            |    |
|----------------------------|----|
| Labour:                    | 37 |
| Liberal Democrats:         | 9  |
| Independent (Cllr J Barr): | 1  |
| Independent (Cllr Bexton): | 1  |
- 3.3 The last review of political balance took place at the Council meeting on 11 October, 2017. Wherever possible, Committees are constituted in accordance with the provisions of the Local Government and Housing Act 1989. In terms of political balance, resulting from Councillor Bexton's change from representing UKIP to being an Independent member, it has been necessary to review the political balance of Committees.
- 3.4 The Local Government and Housing Act 1989 Section 15, requires Council to formally approve the revised political balance and revised allocation of places to the political groups in accordance with that political balance.
- 3.5 A local authority is treated as divided into political groups where at least one political group, which comprises at least two Members, is in existence.
- 3.6 The Council is obliged to review the representation of political groups and the determination of the allocation of seats in a number of prescribed instances and at least on an annual basis.
- 3.7 A determination of the allocation of seats by the Council must give effect to the following principles which are set out in Section 15 of the Local Government and Housing Act 1989. The principles have to be applied in priority order as follows:-

- (a) that not all the seats are allocated to the same political group;
- (b) that the majority of seats are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
- (c) subject to (a) and (b) above, that the total number of all seats of the ordinary committees allocated to each particular political group reflects the group's proportion to the membership of the authority;
- (d) subject to (a) – (c) above, that the number of seats allocated to a particular political group reflects that group's proportion of the membership of the authority.

3.8 Under the Local Government Act 2000, the Standards and Audit Committee is not subject to political balance requirements but by local choice the constitution says it will be politically balanced.

3.9 The effect of these principles is that, so far as practicable, seats should be allocated to the groups and individual members not in a political group in proportion to their membership as a whole, currently, Labour 37/48ths; Liberal Democrats 9/48ths, Independent (Cllr J Barr) 1/48th and Independent (Cllr Bexton) 1/48th. Each of the calculations has been adjusted to ensure the total number of seats are apportioned.

### **Proposed allocations**

3.10 Below is a table showing the proposed entitlements of the Groups. Where numbers appear in brackets they represent the change to the allocations agreed at the meeting of the Council held on 11 October, 2017.

<b>Body</b>	<b>Majority Group</b>	<b>Lib Dem. Group</b>	<b>UKIP</b>	<b>Ind. (Cllr J Barr)</b>	<b>Ind. (Cllr Bexton)</b>
Planning Committee	12	3	0	0	0

<b>Body</b>	<b>Majority Group</b>	<b>Lib Dem. Group</b>	<b>UKIP</b>	<b>Ind. (Cllr J Barr)</b>	<b>Ind. (Cllr Bexton)</b>
Planning Sub Committee	2	1	0	0	0
Appeals and Regulatory Committee	11	3	0 (-1)	0	1 (+1)
Licensing Committee	12	1	0 (-1)	1	1 (+1)
Employment and General Committee	5	1	0	0	0
Overview and Performance Scrutiny Forum	10	3	0	1	0
Community, Customer and Organisational Scrutiny Committee	6	2	0	0	0
Enterprise and Wellbeing Scrutiny Committee	6	2	0	0	0
Standards and Audit Committee	4	1	0	0	0

3.11 In addition to the above changes, the following change to Committee memberships is proposed by the majority group:

#### **Appeals and Regulatory Committee**

- Councillor Hill to replace Councillor D Collins.

### **4.0 Recommendations**

4.1 That the recent changes to the political composition of the Council be noted and that the following changes to the membership of committees as proposed by the political groups be agreed:

#### **Appeals and Regulatory Committee**

- removal of Councillor Bexton as a UKIP member
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#### **Licensing Committee**

- removal of Councillor Bexton as a UKIP member
- addition of Councillor Bexton as an Independent member.

### **Decision information**

<b>Key decision number</b>	<b>NA</b>
<b>Wards affected</b>	<b>ALL</b>
<b>Links to Council Plan priorities</b>	To provide value for money services.

### **Document information**

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