

For publication

Change to Allocation of Seats to Political Groups and to Membership of Member Level Committees – 2018/19

Meeting: Council

Date: 12 December, 2018

Report by: Senior Democratic and Scrutiny Officer

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 2018/19 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 Parsons as a majority group member

- addition of Councillor Parsons as an Independent member
- addition of Councillor Elliott as a majority group member to fill the currently vacant seat

Community, Customer and Organisational Scrutiny Committee

- removal of Councillor Parsons as a majority group member
- addition of Councillor Parsons as an Independent member

Overview and Performance Scrutiny Forum

- removal of Councillor Parsons as a majority group member
- addition of Councillor D Collins as a majority group member

Planning Committee

- removal of Councillor Elliott as a majority group member
- addition of Councillor Dickinson as a majority group member

3.0 Report details

Background

3.1 The Chief Executive was notified on 13 November, 2018 of a change to political parties within Chesterfield Borough Council. With effect from 13 November, 2018 Councillor Parsons advised the Chief Executive that he was no longer a member of the Labour Group and wished to be recognised as an Independent member.

3.2 Therefore the current composition of the Council is:

Labour:

35

| | |
|-----------------------------|----|
| Liberal Democrats: | 10 |
| Independent (Cllr J Barr): | 1 |
| Independent (Cllr Bexton): | 1 |
| Independent (Cllr Parsons): | 1 |

- 3.3 The last review of political balance took place at the Council meeting on 10 October, 2018. 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 Parson's change from being a member of the Labour group 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 35/48ths; Liberal Democrats 10/48ths, Independent (Cllr J Barr) 1/48th, Independent (Cllr Bexton) 1/48th and Independent (Cllr Parsons) 1/48th. Each of the calculations has been adjusted to ensure the total number of seats is 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 10 October, 2018.

| Body | Majority Group | Lib Dem. Group | Ind. (Cllr J Barr) | Ind. (Cllr Bexton) | Ind. (Cllr Parsons) |
|---|-----------------------|-----------------------|---------------------------|----------------------------|-----------------------------|
| Planning Committee | 12 | 3 | 0 | 0 | 0 |
| Planning Sub Committee | 2 | 1 | 0 | 0 | 0 |
| Appeals and Regulatory Committee | 10 (-1) | 3 | 0 | 1 | 1 (+1) |
| Licensing Committee | 11 | 2 | 1 | 1 | 0 |
| Employment and General Committee | 5 | 1 | 0 | 0 | 0 |
| Overview and Performance Scrutiny Forum | 10 | 3 | 1 | 0 | 0 |
| Community, Customer and Organisational Scrutiny Committee | 5 (-1) | 2 | 0 | 0 | 1 (+1) |
| Enterprise and Wellbeing Scrutiny Committee | 6 | 2 | 0 | 0 | 0 |
| Standards and Audit Committee | 4 | 1 | 0 | 0 | 0 |
| Total Number of Seats | 65 (-2) | 18 | 2 | 2 | 2 (+2) |

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

Appeals and Regulatory Committee

- Councillor Elliott to fill the currently vacant seat, which was not taken up by Councillor Dickinson following the Council resolution of 10 October, 2018 (Minute No. 33)

Planning Committee

- removal of Councillor Elliott
- addition of Councillor Dickinson

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 Parsons as a majority group member
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Community, Customer and Organisational Scrutiny Committee

- removal of Councillor Parsons as a majority group member
- addition of Councillor Parsons as an Independent member

Overview and Performance Scrutiny Forum

- removal of Councillor Parsons as a majority group member
- addition of Councillor D Collins as a majority group member

Planning Committee

- removal of Councillor Elliott as a majority group member
- addition of Councillor Dickinson as a majority group member

Decision information

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|---|--------------------------------------|
| Key decision number | N/A |
| Wards affected | ALL |
| Links to Council Plan priorities | To provide value for money services. |

Document information

| Report author | Contact number/email |
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