

## BABERGH DISTRICT COUNCIL

<b>From: Head of Corporate Organisation</b>	<b>Report Number: N24</b>
<b>To: Full Council</b>	<b>Date of meeting: 25 June 2013</b>

### ALLOCATION OF SEATS ON COMMITTEES

#### 1. Purpose of Report

- 1.1 To approve the revised allocation of seats on Committees as set out in the recalculation at paragraph 8.5 of this report and to make appointments as indicated at Appendix 1.

#### 2. Recommendations

- 2.1 That the revised composition of seats on Committees as detailed in Appendix 1 be approved.
- 2.2 That Councillor Cartlidge be appointed to the Joint Audit and Standards Committee in place of Councillor Owen.

#### 3. Financial Implications

- 3.1 None directly arising from this report.

#### 4. Risk Management

- 4.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Incorrect Committee composition and appointments	High	Critical	Counsel's Advice secured and recalculation made

#### 5. Consultations

Group Leaders and ungrouped members have been consulted.

#### 6. Equality Analysis

- 6.1 Not relevant to this report

#### 7. Shared Service / Partnership Implications

- 7.1 Not applicable.

## **8. Key Information**

- 8.1 The vacancy on the Council has now been filled following the election of Councillor Cartlidge on 2 May 2013 and his joining the Conservative group triggers the recalculation of seats on committees. Officers have also taken the opportunity to secure legal advice from Queen's Counsel on the distribution of committee seats. This follows concerns expressed by members at Full Council that the Council's one ungrouped member had not been allocated a seat when appointments were made at Annual Council on 23 April 2013.
- 8.2 At that time, seats were only allocated to political groups. It transpires that in making those calculations account had not been taken of provisions within the Local Government (Committees and Political Groups) Regulations 1990. These Regulations amended the political balance rules contained within the Local Government and Housing Act 1989.
- 8.3 Counsel has confirmed that the Regulations introduced changes to allow ungrouped members to receive committee seats if any are left over once allocations have been made to the political groups in proportion to their membership of the authority. In its simplest terms, the political groups of Babergh make up 98% of the Council and 98% (or thereabouts) of the politically balanced committee seats would go to political groups.
- 8.4 For these purposes a 'political group' must comprise 2 or more members of the Council.
- 8.5 The new committee structure has 53 available seats of which 52 go to political groups leaving 1 seat for Councillor Arthey, the ungrouped member of the Council. An ungrouped member does not have a choice of committee and, in the absence of agreement, a vote would be taken by Full Council. A re-calculation of the seats (with the one Council vacancy now having been filled) results in the Independent Group being entitled to one less seat than previously allocated. The Group has agreed to continue with the previous arrangements of giving up one seat on Strategy Committee to Councillor Arthey and so no change is needed. The Labour Group is also entitled to one less seat and has agreed that Councillor Owen give up his seat on the Joint Audit and Standards Committee to the new Member, Councillor Cartlidge.
- 8.6 The allocation of seats (as confirmed by Counsel) and with adjustments agreed by the political groups are now as set out in Appendix 1.

## **9. Appendices**

Appendix 1 – Committee appointments document

## **10. Background Papers**

None

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## Appendix 1

	Conservative	Lib Dem	Independent	Labour	Ungrouped	<u>Total</u>
	18 42% = 22 seats	12 28% = 15 seats	9 21% = 11 seats	3 7% = 4 seats	1 2% = 1 seat	43 100%
Strategy 10	4	3	1	1	1	10
Planning Committee 14	6	4	3	1	0	14
Regulatory Committee 10	4	3	2	1	0	10
Joint Scrutiny Committee 8	3	2	2	1	0	8
Joint Audit & Standards Committee 8	4	2	2	0	0	8
Joint Appointments Committee 3	1	1	1	0	0	3
	22	15	11	4	1	53