

**ALLOCATION OF PLACES ON COMMITTEES IN ACCORDANCE WITH THE
PROPORTIONALITY RULES**

Report of the Monitoring Officer

1. Summary

- 1.1 Sections 15, 16 and 17 of the Local Government and Housing Act 1989, sets out the duties of the Council Meeting in relation to the allocation of seats to Political Groups on Committees and Sub Committees to ensure political balance.
- 1.2 The cumulative effect of these duties is to require “proportionality” across the formal activities of the Council, representing the overall political composition of the Council, so that there can, for example, be no one party Committees so far as they are constituted as formal Committees or Sub Committees of the Council.
- 1.3 Section 15 provides that the Council is bound to review the representation of different Political Groups on Committees and Sub Committees when:-
 - (a) the Authority holds its Annual Meeting; and
 - (b) as soon as practicable after the Members of the Council divide into different Political Groups.
- 1.4 The duty to make a determination as to political representation arises as soon as practicable after a review. The Council has a statutory duty only to make allocations of seats on ordinary Committees and their sub committees according to the overriding principles that:-
 - (a) all the seats on a Committee are not allocated to the same Political Group;
 - (b) the majority of the seats on a Committee go to the Political Group which has a majority on the Council;
 - (c) subject to the above two principles, the proportion of the total of all seats on ordinary committees allocated to each political group is the same proportion as that of the political group in relation to the full Council and
 - (d) subject to (a) - (c) above, the proportion of the total of all seats on other bodies allocated to each political group is the same proportion as that of the political group in relation to the full Council.
- 1.5 Section 16 provides that once the Council has carried out its review and determined the allocation of seats further to the principles by which it is bound listed above, the Council has a duty to exercise its powers to make appointments to Committees as to give effect to such wishes about who is to be appointed to the seats on that Committee which are allocated to a particular Political Group as are expressed by that Political Group.

- 1.6 Section 17 allows the Council to exclude committees from the requirement of political balance provided that the whole Council agrees and provided that the Council complies with the obligation to provide notice of the proposal in the same manner as it publicises a Council summons. The Council Meeting has previously agreed to exclude the following from the Proportionality Calculation:

- **Contributors Committee**
- **Funding Committee**
- **Stockport Homes Member Committee**

Article 10 of the Constitution specifies that the above committees shall be appointed on the following basis:-

2 Labour councillors; 2 Liberal Democrat councillors; 2 Conservative councillors; and 1 Independent Ratepayer councillor.

- **Standards Committee**

Article 11 of the Constitution provides that the Standards Committee and Standards Sub-Committee shall be comprised of the following members:-

- i) such number of councillors as determined by the Council Meeting;
- ii) such number of Independent Members as determined by the Council Meeting.

It is proposed to make no changes to the number of councillors and independent members previously appointed to these committees.

- **Health and Wellbeing Board**

The regulations removed the requirement for the Health and Wellbeing Board to be considered as part of the political calculation, and the Council Meeting have previously agreed that it should not be considered as part of the political calculation and that four councillors shall be appointed to it.

- 1.7 Based on the current Political Composition (Labour 24, Liberal Democrats 21, Conservative 13, Independent Ratepayers 3 and Independent 1) the seat entitlement would be as follows:-

Group	Seats presently held * As at May 2016	Seats to be allocated under proportionality rules	Seats to be allocated under strict %
Labour	36	35.02	35
Liberal Democrat	32	30.64	31
Conservative	22	18.97	19
Independent Ratepayers	5	4.38	4

1.8 The overall allocation of seats is as follows:

Ordinary Committees

	<u>Seats</u>	<u>Allocation</u>				
		<u>LAB</u>		<u>CON</u>	<u>IR</u>	<u>IND</u>
Planning & Highways Regulation	12	4	4	3	1	0
<i>Current</i>		4	4	3	1	0
Licensing, Environment and Safety	10	4	3	2	1	0
<i>Current</i>		4	3	2	1	0
Employment Appeals	3	1	1	1	0	0
<i>Current</i>		1	1	1	0	0
Appeals Panel	6	2	2	2	0	0
<i>Current</i>		2	2	1	0	0
Appointments	7	3	3	1	0	0
<i>Current</i>		3	2	2	0	0
Audit	6	3	2	1	0	0
<i>Current</i>		2	2	1	0	0
Total seats on Ordinary Committees	44	17	15	10	2	0

Scrutiny Committees

	<u>Seats</u>	<u>Allocation</u>				
		<u>LAB</u>	<u>LD</u>	<u>CON</u>	<u>IR</u>	<u>IND</u>
Children & Families *	9 + 4	4	3	1	1	0
Co-opted						
<i>Current</i>		3	3	2	1	0
Adult Social Care & Health	9	4	3	2	0	0
<i>Current</i>		4	3	2	0	0
Communities & Housing	9	3	3	2	1	0
<i>Current</i>		3	3	2	1	0
Corporate Resource, Management and Governance	9	3	3	2	1	0
<i>Current</i>		3	3	2	1	0
Economy & Regeneration	9	4	3	2	0	0
<i>Current</i>		4	3	2	0	0
Total seats on Scrutiny Committees	45	18	15	9	3	0
Total All Committees	89	35	30	19	5	0

- 1.9 The Liberal Democrat Group has agreed to forgo one of their seat allocations on scrutiny committees to allow the Independent Ratepayers to take an additional seat on scrutiny committees in line with the traditional allocation to that Group.
- 1.10 In addition, the Labour Group has agreed to take a Conservative seat on the Audit Committee in exchange for the Conservative Group taking a Labour seat on the Planning & Highways Regulation Committee.
- 1.11 The Council can adopt alternative arrangements in respect of appointments to committees which are not strictly in accordance with proportionality under section 15 of the Local Government and Housing Act 1989) provided no member votes in opposition.

2. Recommendations

- 2.1 The Council Meeting is invited to agree the following resolution:

“That the Council Meeting adopt alternative arrangements in respect of appointments to committees which are not strictly in accordance with proportionality under section 15 of the Local Government and Housing Act 1989) as detailed in paragraphs 1.9 and 1.10 of the report and to exclude the following from the Proportionality Calculation.”

- **Contributors Committee**
- **Funding Committee**
- **Stockport Homes Member Committee**
- **Standards Committee**
- **Health and Wellbeing Board**

Background Papers

There are none.

Anyone requiring further information should contact Damian Eaton on telephone number 0161 474 3204 or alternatively email damian.eaton@stockport.gov.uk