

**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**
- **Stockport Homes Member Committee**

Article 10 of the Constitution specifies the constitution of the above committees.

It is proposed that an amendment be made to the composition of those committees as detailed in Article 10, necessarily to remove reference to political groups that are no longer represented on the Council, and further to ensure that all current political groups are represented.

It is therefore recommended that section 10.03 of Article 10 be amended as follows:-

The Committee will be appointed annually by the Council Meeting on the following basis:-

- 2 Liberal Democrat councillors
- 2 Labour councillors
- 1 Edgeley Community Association councillor
- 1 Green Party councillor
- 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 independent members previously appointed to these committees. However, in order to better reflect the representation of political groups on the council, the number of seats occupied by councillors on the committees shall be increased to 5 in order that each group can be represented.

- **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 three councillors shall be appointed to it.

- 1.7 Based on the current Political Composition (Liberal Democrats 29, Labour 24, Edgeley Community Association 3, Green Party 3, Independent Ratepayers 3, Independent 1) the seat entitlement would be as follows:-

Group	Seats presently held	Seats to be allocated under proportionality rules (percentage)	Seats to be allocated under strict proportionality (rounded)	Actual seats allocated
Liberal Democrat	40	41.63	42.00	42.00
Labour	35	34.45	34.00	35.00
Conservative	7	-	-	-
Independent Ratepayers	4	4.31	4.00	4.00
Green	3	4.31	4.00	4.00
Edgeley Community Association	0	4.31	4.00	4.00
Independent	-	-	-	-

- 1.8 The duty of the Council is to allocate seats to 'political groups'. A single member cannot constitute a 'political group' under The Local Government (Committees and Political Groups) Regulations 1990. Therefore, the overall allocation of seats is as follows:

Ordinary Committees

	<u>Seats</u>	<u>Allocation</u>					
		LD	LAB	IR	GRN	ECA	IND
Planning & Highways Regulation	12	6	5	1	0	0	0
<i>Current</i>		5	5	1	0	-	0
Licensing, Environment and Safety	10	5	4	0	1	0	0
<i>Current</i>		4	4	0	1	-	0
Employment Appeals	3	1	1	0	0	1	0
<i>Current</i>		2	1	0	0	-	0
Appeals Panel	6	3	2	0	0	1	0
<i>Current</i>		3	2	0	1	-	0
Appointments	7	3	3	0	1	0	0
<i>Current</i>		3	3	1	0	-	0
Audit	6	3	2	1	0	0	0
<i>Current</i>		3	2	1	0	-	0
Total seats on Ordinary Committees	44	21	17	2	2	2	0

Scrutiny Committees

	<u>Seats</u>		<u>Allocation</u>				
		LD	LAB	IR	GRN	ECA	IND
Children & Families	9 + 4	4	4	0	0	1	0
	Co-opted						
<i>Current</i>		<i>4</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
Adult Social Care & Health	9	4	3	1	1	0	0
<i>Current</i>		<i>4</i>	<i>4</i>	<i>0</i>	<i>1</i>	<i>0</i>	<i>0</i>
Communities & Housing	9	4	4	0	0	1	0
<i>Current</i>		<i>4</i>	<i>3</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>
Corporate Resource, Management and Governance	9	4	4	1	0	0	0
<i>Current</i>		<i>4</i>	<i>3</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>
Economy & Regeneration	9	5	3	0	1	0	0
<i>Current</i>		<i>4</i>	<i>3</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
Total seats on Scrutiny Committees	45	21	18	2	2	2	0
Total All Committees	89	42	35	4	4	4	0

1.9 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 resolutions:

(1) 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 and to exclude the following from the Proportionality Calculation:-

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

(2) That approval be given to the allocation of places on committees on committees as detailed in paragraphs 1.6, 1.7 and 1.8 of the report.

(3) That the Monitoring Officer be authorised to make any consequential changes to the Constitution necessary to implement the above resolutions.

Background Papers

There are none.

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