

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

Report of the Assistant Director for Legal & Democratic Governance

### **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 Council is also under a duty to review the allocation of seats to political groups following any change in the overall balance of the Council.
- 1.5 Following the two by-elections held on 17 October 2024 in relation to vacancies in the Bredbury Green & Romiley and Cheadle West & Gatley wards, the Proper Officer received two notices submitted under Regulation 9(b) that newly elected Councillors Rachel Bresnahan and Huma Khan wished to be treated as a members of the Liberal Democrat Group. This was accompanied by a further notice pursuant to Regulation 17(c)(i) requesting that the Council undertake a review of the allocation of seats to political groups.
- 1.6 Since the receipt of the Regulation 17(c)(i) notice, a further by-election was held for the vacancy in the Bramhall South & Woodford ward on 31 October 2024 in which Councillor Peter Crossen (Conservative) was elected. The review that has been undertaken must reflect the proportionality of the Council at the point it was conducted, and accordingly takes into account all of the above changes to the composition of the Council.

### **2. BACKGROUND**

- 2.1 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.

2.2 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.

2.3 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:

- Stockport Homes Member Committee
- Standards Committee
- Health & Wellbeing Board
- Appointments Committee

2.4 No changes are proposed to the above arrangements as part of this review.

### **3. PROPOSED CHANGES**

3.1 Based on the revised Political Composition (Liberal Democrats 30, Labour 23, Edgeley Community Association 3, Green Party 3, Independent Ratepayers 3, Conservative 1) the seat entitlement is now as follows:-

Party	Seats presently held	Seats to be allocated under proportionality rules (percentage)	Seats to be allocated under strict proportionality (rounded)	Change
Liberal Democrat	39	39.68	40	+ 1
Labour	31	30.42	30	- 1
Independent Ratepayers	2	3.97	4	-
Green	2	3.97	4	-
Edgeley Community Association	2	3.97	4	-
Conservative	0	0	0	-

- 3.2 It is noted that the duty to allocate seats under the Regulations extends only to political groups. As a political group cannot comprise less than two members, ungrouped members do not draw a seat entitlement aside from their position at the Council Meeting and their area committee.
- 3.3 The revised calculation, when applied to individual committees so as to ensure that each committee should insofar as possible meet the balance requirements, now results in a loss of one seat on ordinary committees (Planning & Highways Regulation Committee) for the Labour Group, and the reallocation of this seat to the Liberal Democrat Group.
- 3.4 The revised allocation of seats is now as follows:-

### Ordinary Committees

		<u>Seats</u>	<u>Allocation</u>				
			<u>LD</u>	<u>LAB</u>	<u>IR</u>	<u>GRN</u>	<u>ECA</u>
Planning & Highways Regulation		12	6	4	1	1	0
	Current		5	5	1	1	0
Licensing, Environment and Safety		10	5	4	0	0	1
	Current		5	4	0	1	0
Employment Appeals		3	1	1	0	0	1
	Current		1	1	0	0	1
Appeals Panel		6	3	2	0	1	0
	Current		3	2	0	1	0
Audit		6	3	2	1	0	0
	Current		3	2	1	0	0
Total seats on Ordinary Committees		37	18	13	2	2	2

### Scrutiny Committees

		<u>Seats</u>	<u>Allocation</u>				
			<u>LD</u>	<u>LAB</u>	<u>IR</u>	<u>GRN</u>	<u>ECA</u>
Children & Families	9 + 4	4	3	0	1	1	
	Co-opted						
	Current	4	4	0	0	1	
Adult Social Care & Health	9	4	4	1	0	0	
	Current	4	3	1	1	0	
Communities & Transport	9	5	3	0	0	1	
	Current	4	4	0	0	1	
Corporate Resource, Management and Governance	9	5	3	1	0	0	
	Current	4	4	1	0	0	
Economy, Regeneration and Climate Change	9	4	4	0	1	0	
	Current	4	4	0	1	0	
Total seats on Scrutiny Committees		45	22	17	2	2	2
Total All Committees		82	39	31	4	4	4

#### **4. RECOMMENDATIONS**

4.1 The Council Meeting is invited to agree the following:-

(1) That the composition of the Council and consequent allocation of seats to Political Groups on committees, as detailed in Section 3 of the report, be noted and approved.

(2) That it be noted that the Council has previously given approval to the adoption of 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.

(3) That Councillor Ian Hunter be appointed to replace Councillor Aron Thornley on the Planning & Highways Regulation Committee.

#### **Background Papers**

There are none.

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