

Council report



Report of Head of Legal and Democratic

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To: COUNCIL

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Review of political balance

Recommendations

That Council:

1. approves the revised political balance calculation as set out in paragraph 6 of this report, allocates seats to each political group and appoints councillors and substitutes to sit on them and chairs and vice-chairs as set out in the appendix attached to this report;
2. allocates one of the Liberal Democrat Group's seats on the Planning Committee to the Conservative Group;
3. appoints councillors to the Licensing Acts Committee in accordance with paragraphs 13-15 of this report and as set out in the schedule attached to this report.

Purpose of report

1. To review the political balance of those committees required to be politically balanced together with the Licensing Acts Committee and invite Council to approve the allocation of seats in accordance with the statutory requirements concerning political balance.

Background

2. The head of legal and democratic was notified on 27 September 2019 that Councillor Ruth Molyneaux had resigned as a member of the Liberal Democrat Group. Council is therefore asked to review the representation of groups to ensure there is political balance across the relevant committees and panels of the council.
3. In summary the council has a duty to ensure the following principles are adhered to:
 - (i) not all seats are allocated to the same political group
 - (ii) a majority group should get the majority of seats on each committee

- (iii) the seats allocated to groups on a committee reflect the membership of the council as a whole
- (iv) the allocation of the total number of seats on all committees reflects the membership as a whole.

Strategic Objectives

- 4. This report supports the council's corporate plan in that it contributes to running an efficient council. It is also in line with the council's requirement to review the political complexion of committees and other bodies, having regard to the Local Government and Housing Act 1989.

Political balance

- 5. Following her resignation from the Liberal Democrat Group, Councillor Molyneaux has not joined another political group and stands as an Independent councillor.
- 6. The number of seats held by the various political groups is now as follows:

Conservative	6	(15.79%)
Liberal Democrat	30	(78.95%)
Non-group councillor	2	(5.26%)

- 7. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members. The Green Party and Independent councillors have not formed a political group and are therefore designated as non-group councillors.

Composition of committees

8. The ordinary committees and panels that are required to be politically balanced both individually, and overall, are set out below.

Committee	Members	Comments
Vale Scrutiny Committee	9	
Joint Scrutiny Committee	5	10 in total with South Oxfordshire District Council
Joint Audit and Governance Committee	4	8 in total with South Oxfordshire District Council
Planning Committee	9	
General Licensing Committee	12	
Community Governance and Electoral Issues Committee	6	
Appeals Panel	3	
Joint Staff Committee	3	6 in total with South Oxfordshire District Council
Totals	51	

9. The revised political balance calculation and the entitlements to seats on committees are set out in the tables below. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. Some adjustments must be made to ensure that the overall percentage of seats is correctly apportioned.

Group members/non-group councillor	Group members	Number of committee seats
Conservative	6	8
Liberal Democrat	30	40
Green	1	0
Independent	1	0
TOTAL	38	48(+3)

Committee	Total number of seats	Conservative	Liberal Democrat
Scrutiny	9 (8+1)	1	7
Planning	9 (8+1)	1	7
General Licensing Committee	12 (11+1)	2	9

Appeals Panel	3 (2+1)	0	2
Joint Scrutiny	5	1	4
Joint Audit and Governance	4	1	3
Community Governance and Electoral Issues Committee	6	1	5
Joint Staff Committee	3 (2+1)	0	2
Total	51	7(+1)	39(+1)

Council needs to agree the allocation of the seat on the Planning Committee, Scrutiny Committee, Appeals Panel, General Licensing Committee and Joint Staff Committee shown in brackets to the Conservative and Liberal Democrat groups so that each group has the correct number of committee seats. This will leave three seats vacant which should be allocated to the non-group councillors.

Council needs to decide where these adjustments should be made. At its annual meeting Council agreed to allocate a seat to the Conservative Group on the Joint Staff Committee, a seat on the Planning Committee to the Liberal Democrat Group, which was allocated to the Conservative Group, and a seat on the Appeals Panel which was allocated to Councillor Briggs. Council also allocated a seat on the Scrutiny Committee to Councillor Briggs as a non-group councillor. By agreeing to retain the allocation of seats as agreed at the annual meeting there remains a seat on the General Licensing Committee which could be allocated to Councillor Molyneaux as a non-group councillor.

10. If the Council wishes to allocate any seats not in accordance with the political balance requirements it can only do so if no councillor votes against the proposal.
11. The proposed allocation of seats set out in this report and the appendix attached have been compiled in consultation with the group leaders and the non-group councillors.

Substitutes

12. Each political group is entitled to the same number of preferred substitutes as the number of ordinary seats it holds on a committee or panel, and up to a maximum of three preferred substitutes where it has fewer than three members on a committee or panel. All substitutes for the Planning Committee must have met the relevant training requirement, regardless of whether they are preferred or other substitutes.

Licensing Acts Committee

13. The Licensing Acts Committee is a statutory committee and is not required to be included in the calculation of political balance. The whole committee meets rarely to deal with licensing and gambling policy matters but a membership of 12 provides a

pool of councillors from which panels of three can be drawn to deal with hearings relating to premises licence applications and reviews, and gambling matters.

14. Council has previously agreed to appoint a committee in accordance with the political balance of the Council. The membership will mirror the membership of the General Licensing Committee and will, therefore, be politically balanced but will not in itself contribute to the total political balance of the council's committees. As such Councillor Molyneaux could sit as a member of this committee.
15. As a statutory committee with a specified membership substitutes may not be appointed.

Eligibility to sit on committees and panels.

- Any member of the council may be appointed to any committee with the following exceptions and caveats:
- No member of Cabinet may sit on any Scrutiny Committee;
- No member of Cabinet may sit on the Joint Audit and Governance Committee;
- No member of Cabinet may sit on the Planning Committee;
- No member may sit on an Area Committee if they do not represent that area;
- The Chairman or Vice Chairman of Council may not be the Chairman or Vice Chairman of any committee or panel;
- No Cabinet member may be the Chairman or Vice Chairman of any committee or panel with the exception of the Joint Staff Committee;
- Most panels meet during the daytime, and only members who have some daytime availability should be selected for these panels. This includes General Licensing Committee and Licensing Acts Committee, which do most of their work through daytime panels.

Appointments

16. Officers have invited group leaders to submit the names of councillors they wish to sit on each of the above bodies. A table of nominations will be circulated at the meeting.

Financial implications

17. There are no direct financial implications.

Legal implications

18. These are set out in the body of the report.

Conclusion

19. Following the resignation of Councillor Molyneaux as a member of the Liberal Democrat Group Council is asked to undertake a review of the political balance on committees. The appendix to this report sets out the membership of each committee and panel and chairs and vice-chairs following consultation with group

leaders and the non-group councillors and reflects the appointments made at the annual meeting of Council albeit Councillor Molyneaux would sit on both the General Licensing and Licensing Acts committees as a non-group councillor.

Background Papers: None.