

Council report



Report of Head of Legal and Democratic

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To: COUNCIL

DATE: 21 February 2024

Review of political balance and allocation of seats to committees

Recommendations

That Council:

1. approves the revised political balance calculation set out in paragraphs 7 and 8 of this report;
2. approves the allocation of seats to committees set out in paragraphs 10-11 of this report;
3. approves the allocation of seats to the Climate Emergency Advisory Committee in accordance with paragraphs 14 and 15 of this report;
4. approves the allocation of seats to the Licensing Acts Committee in accordance with paragraphs 16-18 of this report;
5. appoints members to the committees as set out in the schedule circulated prior to the meeting;
6. authorises the head of legal and democratic to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader.

Purpose of report

1. To review the Council's political balance and reconsider the allocation of seats on those committees required to be politically balanced together with the Climate Emergency Advisory Committee and the Licensing Acts Committee following the resignation of Councillor Povolotsky from the Liberal Democrat Group.

Background

2. Since the last review of the political balance in May 2023, there has been a change to the political make-up of the Council following the resignation of Councillor Povolotsky as a member of the Liberal Democrat Group. As a result of this change,

and following a request, it is necessary to review the political balance and determine the allocation of seats on committees to ensure they reflect the revised balance. The current composition of the Council is as follows: Liberal Democrat (33 members, Green (4 members) and Independent non-aligned (1 member).

3. Section 15 of the Local Government and Housing Act 1989 imposes a duty on the local authority at its annual meeting, or as soon as possible after it, to review the allocation of seats on the committees of the Council between the political groups. The Council may carry out such a review at any other time and may do so if requested by a political group.
4. 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.
5. Ordinary committees are those that have decision-making powers but excluding the Licensing Acts Committee.
6. Ungrouped members are not entitled to committee seats and any seats given are at the discretion of Council.

Political balance

7. The current political composition of the Council's 38 seats is as follows:
 - Liberal Democrat - 33
 - Green - 4
 - No political affiliation – 1 (non-group)
8. This equates to 37 members in political groups who are entitled to committee seats. The political balance of the Council for those members is:

Liberal Democrat	89.2%
Green	10.8 (%)
9. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members.

Composition of committees

10. 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	5	10 in total with South Oxfordshire District Council
Totals	53	

- The membership of the General Licensing Committee and the Licensing Acts Committee are the same, although they are two separate entities. This allows for a sufficiently large, well trained pool of councillors from which to draw the Taxi Licensing and Licensing Panels and avoids confusion as to which members are on which committee. These committees may appoint the same, or different chairs and vice chairs.

11. The 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.

Group members/non-group councillor	Group members	Number of committee seats
Liberal Democrat	33	47
Green	4	6
TOTAL	37	53

Committee	Total number of seats	Liberal Democrat	Green
Scrutiny	9	8	1
Planning	9	8	1

General Licensing Committee	12	11	1
Appeals Panel	3	3	0
Joint Scrutiny	5	4	1
Joint Audit and Governance	4	4	0
Community Governance and Electoral Issues Committee	6	5	1
Joint Staff Committee	5	4	1
Total	53	47	6

12. 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.

Substitutes

13. 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 regulatory committees must have met the relevant training requirement, regardless of whether they are preferred or other substitutes.

Climate Emergency Advisory Committee

14. This committee with a membership of seven members is not subject to the regulations detailed in paragraph 3 of this report and, therefore, has no effect on the overall allocation of seats. For this committee to be politically balanced alone, it is suggested that 6 seats are allocated to the Liberal Democrat Group and 1 to the Green Group.

15. In accordance with the Council's constitution, each political group is entitled to substitutes as detailed in paragraph 12 above.

Licensing Acts Committee

16. 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.

17. 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.

18. 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 Chair or Vice Chair of Council may not be the Chair or Vice Chair of any committee or panel;
- No Cabinet member may be the Chair or Vice Chair 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

19. 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 prior to the meeting.

Financial implications

20. There are no direct financial implications.

Legal implications

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

Climate and ecological impact implications

22. There are no climate or ecological implications arising from this report.

Conclusion

23. Following the resignation of Councillor Povolotsky as a member of the Liberal Democrat Group, Council is invited to review the political balance of committees and allocate seats to the political groups and appoint members to them. If the committee seats and substitute places are not filled at the meeting, Council is invited to delegate authority to the head of legal and democratic to make appointments in accordance with the wishes of the relevant group leader.

Background Papers: None.