

Cherwell District Council

Council

17 October 2022

Review of Allocation of Seats to Political Groups

Report of Chief Executive

This report is public

Purpose of report

To review the allocation of seats to political groups in light of the disbanding of the Joint Shared Services and Personnel (JSSP) Committee and Joint Appeals Panel and to adopt the Minutes of the final meeting of the JSSP Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree the revised allocation of seats on committees that are subject to the political balance requirements as set out in Appendix 1 (to follow).
- 1.2 To note changes to committee membership in accordance with the nominations made by political Group Leaders as set out in Appendix 2 (to follow).
- 1.3 To adopt the minutes of the meeting of the Joint Shared Services and Personnel Committee held on 4 July 2022 (Appendix 3).

2.0 Introduction

- 2.1 Council at its annual meeting on 18 May 2022 agreed the allocation of seats to political groups for the municipal year 2022/2023 based on political proportionality and appointed Members to Committees.
- 2.2 Council at its 18 July 2022 meeting agreed to disband the Joint Shared Services and Personnel Committee and Joint Appeals Panel with effect from 31 August and requested the interim Monitoring Officer submit revised proportionality calculations with the Joint Shared Services and Personnel Committee removed from the calculations and any committee allocation and appointment adjustments made accordingly to the 17 October Full Council meeting.

3.0 Report Details

Revised Committee Appointments

- 3.1 The disbanding of the Joint Shared Services and Personnel Committee and Joint Appeals Panel effective 1 September 2022 has resulted in eight fewer committee seats across committees that are subject to the political balance requirement. It is therefore necessary to review the allocation of seats on these committees.
- 3.2 There has been no change to the constitution of the Council since the 18 May 2022 Annual Council Meeting. The constitution of the Council (48 Members) remains:
- 25 Conservative (52.08%)
 - 10 Labour / Labour & Co-operative Party (20.83%)
 - 7 Liberal Democrat (14.58%)
 - 4 Independent (8.34%)
 - 2 Green (4.17%)
- 3.3 There has been no change to the Political Groups which had been formed, notified to the Chief Executive and reported to the Annual Council Meeting. Political Groups remain:
- Conservative Group – 25 members (all Conservative councillors)
 - Group Leader: Councillor Barry Wood
 - Progressive Oxfordshire Group – 11 members (comprising 7 Liberal Democrat, 2 Green and 2 Independent (Cllrs Broad and Cotter) councillors)
 - Group Leader: Councillor Katherine Tyson
 - Labour Group – 10 members (comprising all Labour / Labour & Co-operative councillors)
 - Group Leader: Councillor Sean Woodcock
 - Independent Group – 2 members (comprising 2 Independent councillors, Cllrs Sibley and Webster)
 - Group Leader: Councillor Les Sibley
- 3.4 The political balance committees has been reviewed in accordance with the principles of political proportionality set out in the Local Government and Housing Act 1989:
- Where there is more than one political group, all seats must not be allocated to the same group.
 - The majority of seats must be allocated to the group with the majority on the Council.
 - When considering all seats available for allocation the total of those given to each group should match their representation on the Council overall.
 - The number of seats on each individual committee allocated to groups should match their representation on the Council overall.
- 3.5 Applying these principles may not result in a precise mathematical allocation of seats. In these cases the allocations are rounded up at 0.5 and above. In the event that achieving political proportionality on all committees results in an overall over-

allocation of seats to a particular group, the group with the over-allocation will be asked which seat(s) they wish to relinquish. Any such seats will then be reallocated to group(s) with an overall under-allocation of seats.

- 3.6 Appendix 1 sets out the arithmetical product of the rules for the Council's committees subject to the political balance requirements. The figures show the adjustments which are necessary to achieve the balance across and within committees to comply with the rules.
- 3.7 Appendix 2 sets out the changes to Committee membership Group Leaders have advised they wish to make in light of the changes to the allocation of committee seats in accordance with the political balance requirements.

Minutes of 4 July 2022 Joint Shared Services and Personnel (JSSP) Committee

- 3.8 At its meeting of 4 July 2022 the Joint Shared Services and Personnel Committee resolved to recommend to the respective Cherwell District Council (CDC) and Oxfordshire County Council Full Council meetings that JSSP be disbanded with effect from 31 August 2022. This was agreed at the 18 July CDC Council meeting.
- 3.9 The law requires that minutes must be confirmed at the following meeting of a Committee. As the JSSP Committee has been disbanded it has no further meetings scheduled and it is therefore not possible for the Committee to agree the minutes of its 4 July 2022 meeting. As the JSSP Committee was established by Council, the minutes are subjected to Council for adoption.
- 3.10 The Minutes have been circulated to CDC members of the JSSP Committee. To date no proposed amendments to the draft Minutes have been received.

4.0 Conclusion and Reasons for Recommendations

- 4.1 When the governance arrangements of a local authority change, including disbanding of committees which are subject to the political balance requirements, it is necessary to review the allocation of seats on committees subject to political balance requirements and amend committee membership as necessary.

5.0 Consultation

Group Leaders in relation to the review of the revised proportionality calculations and committee appointments

Cherwell District Council members of the Joint Shared Services and Personnel Committee in relation to the 4 July 2022 minutes of the Committee

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To amend the appointments. This is not recommended as nominations have been submitted by Group Leaders following consultation with their Groups and in accordance with the proportionality calculations.

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising directly from this report.

Comments checked by:

Michael Furness, Assistant Director of Finance & S151 Officer, 01295 221845
Michael.furness@cherwell-dc.gov.uk

Legal Implications

7.2 It is a legal requirement for Council to agree proportionality and make appointments to committees.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law, Governance & Democratic Services & Monitoring Officer, Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

7.3 In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus, 01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

7.4 Appointments are made using the principles of proportionality as set out in the Local Government and Housing Act 1989 (Section 15). Each Group appoints whomever it wishes to serve on a committee to fulfil its proportional entitlement.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus, 01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A
Wards Affected

All

Links to Corporate Plan and Policy Framework

None, this report is pursuant to a statutory requirement

Lead Councillor

None

Document Information

Appendix number and title

- Appendix 1 – Revised Allocation of seats on committees subject to political balance requirements (to follow)
- Appendix 2 – Amendments to Committee appointments (to follow)
- Appendix 3 – 4 July 2022 Joint Shared Services and Personnel Committee minutes

Background papers

None

Report Author and contact details

Natasha Clark, Governance and Elections Manager, 01295 221589,
natasha.clark@cherwell-dc.gov.uk