

NORTH YORKSHIRE COUNTY COUNCIL

ALLOCATIONS COMMITTEE

23 JUNE 2000

1.0 ALLOCATION OF SEATS ON THE EDUCATION AND LIBRARY SERVICES SCRUTINY COMMITTEE

- 1.1 At the meeting of the Allocations Committee on 8 June 2000 Members of the Labour and Liberal/Democrat Groups expressed concern about the inclusion of voting added Members in calculating the number of seats to be held by the majority Group on the Scrutiny Committee for Education and Library Services.
- 0.2 Section 15 of the Local Government and Housing Act 1989 places a duty on local authorities which have different Political Groups, under the Act, to allocate seats to those Political Groups, on the basis of their proportional strength on the Council.
- 0.3 Sub-section 5 of Section 15 sets out the principles by which the allocation must be made which are, in brief:-
- that not all the seats on the Committee are allocated to the same Political Group;
 - that the majority of seats on the Committee is allocated to a particular Political Group if the number of persons belonging to that Group is the majority of the Authority's membership;
 - that the number of seats on the Committees of the Council allocated to each Political Group reflects the proportion of the seats on the Council held by that Group;
 - that subject to the above, the number of seats on each Committee allocated to each Political Group reflects the proportional strength of the Group on the Council.
- 0.4 Sub-section 6 of Section 15 provides that any seats to be filled by voting members of an Education Committee, by persons who are not a Member of the Local Education Authority, shall be taken into account for the purpose of determining how many seats constitute a majority of the seats on that Committee, but that the Council shall then disregard any such seats for all other purposes.
- 0.5 The principle of including non-County Councillor voting members of the Education and Library Services Committee when calculating the number of Members of the majority Group required to form a majority on the Committee is therefore specifically provided for in the legislation. It is, however, always possible for the County Council to resolve to adopt some other arrangement and the Council could choose to allocate seats on that Scrutiny Committee to Groups on any other basis, **but only if no Member of the Council votes against such a proposition.** If any Member of the Council were to vote against the allocation of seats on the proposed Education and Library Services Scrutiny Committee on any basis other than that provided for in the 1989 Act, that allocation would not be lawful and the Council would then have to allocate the seats proportionately.

2.0 ADDED MEMBERS ON SOCIAL SERVICES COMMITTEE

2.1 The current Social Services Committee has a representative of the Health Authority and two representatives of the Voluntary Sector as non-voting added Members.

1.2 Because these Members do not have a vote they would not affect the calculation of the seats required to give the majority Group a majority. If the Council wishes to establish such seats on a Social Services Scrutiny Committee the seats would simply be additional to the seats allocated proportionately between the Groups.

3.0 MEMBERS' INSTRUCTIONS ARE REQUESTED.

3.1 On what basis should seats on the Education and Library Services Scrutiny Committee be allocated to Groups?

3.2 Does the Allocations Committee believe that provision should be made for such non-voting Members on the Social Services Scrutiny Committee? If so, I will contact the organisations involved and seek nominations, so that appointments can be made at the meeting of the County Council 19 July 2000. It may be that the North Yorkshire Forum for Voluntary Organisations may believe that it would be beneficial to be represented on Area Committees, and that would seem to be consistent with the proposal to involve as many partner organisations as practicable. If Members wish, I could explore with the North Yorkshire Forum for Voluntary Organisations whether they would wish to have seats on the Social Services Scrutiny Committee, as well as on Area Committees.

STEPHEN KNIGHT
Head of Committee Services