

NORTH YORKSHIRE COUNTY COUNCIL Allocations Committee Recommendations

Purpose of report

To bring to the attention of Council the outcome of the deliberations of the Allocations Committee and make recommendations for changes to the allocation of seats on and appointment to Committees subject to proportional representation.

Allocations Committee

The Allocations Committee is made up of the Group Leaders. It met on 12 October 2018 to consider the impact of recent changes to the political make-up of the Council and what this meant for proportional representation. County Councillors Carl Les, John Blackie and Eric Broadbent attended the meeting. Cllr Geoff Webber participated in the meeting via a conference call.

Changes since May 2017

The Local Government Elections in May 2017 resulted in the following political breakdown:

Party	Council seats
Conservative	55
NY Independent	8
Labour	4
Liberal	3
Unaffiliated (RH)	1
Unaffiliated (AS)	1
Total	72

Since then, there have been 2 changes to the political make-up of the Council:

- The resignation from the Council of Nicola Wilson (Conservative) and the election of David Goode (Liberal Democrat) at the Knaresborough by-election on 16 August 2018
- The resignation of Cllr Mike Jordan from the Conservative Party.

The number of County Councillors by political party is now as below:

Party	Council seats	Change
Conservative	53	Lose 2
NY Independent	8	No change
Labour	4	No change
Liberal	4	Gain 1
Unaffiliated (RH)	1	No change
Unaffiliated (AS)	1	No change
Unaffiliated (MJ)	1	Gain 1
Total	72	

The changes outlined above have an impact upon the allocation of seats in Council Committees under proportionality.

Political balance guidance

The Local Government and Housing Act 1989 introduced a requirement that certain appointments should be proportionate to the political composition of the Council.

The Council or the Committee must give effect to principles set out in the statutory provisions. The principles are:

- 1) All the seats must not be allocated to the same political group.
- 2) The majority of the seats must be allocated to the political group (if any) that holds the majority of seats on the Council.
- 3) Subject to 1) and 2), in the case of ordinary committees, the number of seats on the ordinary committees which are allocated to each political group must bear the same proportion to the total of all the seats on the ordinary committees as is borne by the number of members of that group to the membership of the Council.

Note – “Ordinary Committees” of this Council are: Chief Officer Appointments and Disciplinary Committee; Employment Appeals Committee; Pension Fund Committee; Planning and Regulatory Functions Committee; (Transport) Appeals Committee and Standards Committee.

Scrutiny committees and Audit are not “ordinary committees”.

This means that it is necessary to add up the total number of seats on all the ordinary committees. If a group represents, for example, three quarters of the membership of the Council, it is entitled to three quarters of the total number of seats on all ordinary committees.

This means that on some ordinary committees a group may have more members than the application of the next principle would justify. It provides an allowance for the fact that calculating the proportion will not usually lead to whole numbers.

The Council is responsible for deciding on which ordinary committee the balancing seats should be.

- 4) Subject to 1), 2) and 3), the number of seats on any body which are allocated to each political group must bear the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the Council.

Note - Broadly this means that if a group represents three quarters of the membership of the Council, it is entitled to three quarters of the seats on the body.

The duty on the Council is to give effect to these principles *so far as reasonably practicable*. This recognises that there cannot be an exact application of the rules.

Co-optees are ignored in calculating political balance except for any co-opted member with voting rights appointed to a committee with education functions under section 13(5) Local Government and Housing Act 1989 - see section 15 of that Act.

Analysis

An analysis of the current allocation of seats suggested that:

- Conservatives are over-represented on Scrutiny and Audit (2 seats)
- Liberal Democrats are under-represented on Scrutiny and Audit (1 seat)

- Cllr Mike Jordan is under-represented on Scrutiny and Audit (1 seat)
- Labour are over-represented in 'Other Committees' (1 seat)
- Cllr Mike Jordan is under-represented on 'Other Committees' (1 seat).

It is good practice to ensure that every County Councillor has a place on either an overview and scrutiny committee or on the Audit Committee.

The calculation of political seats shows that, although Labour have not lost any Councillors, they would still lose a seat to reflect the political balance. It would appear that this imbalance has been caused by previously allowing Labour to retain a seat on the Chief Officer Appointments and Disciplinary Committee.

A seat on the Chief Officer Appointments and Disciplinary Committee was offered by the Labour Group to Cllr Mike Jordan but he declined, thus enabling all of the political groups to continue to be represented on the committee.

Recommendation to Council

The following changes are recommended:

Scrutiny & Audit

- Conservative to lose 2 seats (Transport Economy and Environment Overview and Scrutiny Committee and Corporate and Partnerships Overview and Scrutiny Committee)
- Liberal Democrats to gain 1 seat (Transport Economy and Environment Overview and Scrutiny Committee)
- Cllr Mike Jordan to gain 1 seat (Corporate and Partnerships Overview and Scrutiny Committee).

Other Committees

- No change.

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DH – 5 November 2018.