

Paper A Appendix 1 – Allocation of places on Committees

1.1 Method of allocation of places on committees to elected members

The rules governing the allocation of places (also known as seats) on Committees and Sub-Committees to political groups are set out in the Local Government and Housing Act 1989 and regulations made thereunder. The provisions of the 1989 Act include the requirement that, where Members of the Council are divided into political groups, then the membership of its committees and sub-committees must reflect the political balance of the Council as a whole.

1.2 The number of seats on committees are therefore allocated to each political group in the same proportion as the overall strength of each political group as far as practicable. This excludes the Executive as those appointments are made by the Leader of the Council and also any other committee where political balance is not required such as the Licensing Sub-Committee, Health and Well Being Board and the Pensions Board.

1.3 The Council is bound to have regards to the wishes of the political groups in allocating committee places to individual councillors. A list of those members put forward by political groups for each committee will be circulated to members as soon as they are available, in addition to nominations received for the Chairs and Vice-Chairs of the appropriate committees.

1.4 The Local Government and Housing Act 1989 sets out the principles to be used in agreeing the size of and allocation of places to committees (and sub-committees) of the Council and this process is repeated annually at the Council's Annual General Meeting. The principles must be followed so far as is reasonably practicable.

1.5 Principles for allocating places - the following principles from the 1989 Act, together with a commentary where appropriate, must be applied to the allocation of seats on committees.

1. *Preventing domination by a single group:* All the seats should not be allocated to the same political group.
2. *Ensuring a majority group enjoys a majority on all committees:* If one political group has a majority in the full Council, that political group should have a majority on each committee.

3. *Aggregating all committee places and allocating fair shares:* Subject to the above principles 1 and 2, the total number of seats on all the committees of the Council allocated to each political group should be in the same proportion as that political group's seats on the full Council.
4. *Ensuring as far as practicable fairness on each committee:* Subject to the above principles 1, 2 and 3, the number of seats on each committee of the Council allocated to each political group should be in the same proportion as that political group's seats on the full Council.

1.6 **Application of the principles** – when the Council considers appointments to its committees it needs to be in accordance with the principles set out above. Each political group should state the names of the members it wishes to take its allocated places on committees, and when those wishes are known, the Council is under a duty to make the appointment of those councillors as soon as practicable.

1.7 **Method of Calculating the Allocation of Places to Political groups** - The principles in paragraph 1.5 can be applied in the following sequence:

- (i) Calculate the total number of seats with votes on all the committees and any Joint Committees.
- (ii) Calculate the proportion that each political group forms of the total membership of the Council. Reserve an appropriate number of seats for any members not in a political group.
- (iii) Apply those proportions to the total number of committee seats to give the aggregate entitlement of each group; the requirement to apply the proportions “so far as reasonably practicable” can be met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats.

- (iv) Apply the proportions to the number of members on each committee to give provisional entitlement to seats on that committee.
 - (v) If the provisional entitlement gives only one group seats on the committee, adjust the entitlement so that the next largest group has a seat (thus applying principle (1) in paragraph 1.5).
 - (vi) Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v) (thus applying principle (3) in paragraph 1.5).
- 1.8 This means that the committees are set out as proportionately balanced, but the numbers across the committees are then altered, whilst trying to ensure the committees keep to this proportionality as far as is possible, to ensure that the total number of all the committee places when taken together are politically balanced.
- 1.9 The Council is free to adopt any aggregate number of places on committees so long as it follows the principles in paragraph 1.5 and the sequence outlined above. The proposed allocation of committee places to political groups in order to seek their nominations is set out at **Appendix 2**. This has been developed in line with the recommendations of the political group leaders and the allocation of places that the Council agreed on 1 March 2023.
- 1.10 A numerical guide to proportional representation on Committees is set out at **Appendix 4** to reflect the Council's political composition.
- 1.11 **Members not in a political group** - In the case of members who are not members of a political group, a proportion of seats on committees equal to the proportion of Council members who do not belong to a political group, has to be reserved, with appointments to these seats being made by the Council at its discretion. There are no members on this Council that are not in a political group so this requirement is not relevant.

- 1.12 Full Council may waive the political balance rules for any committee(s) where the Council wishes to appoint an alternative number of members from political groups. Full Council agreed on 1 March 2023 to set aside political balance rules for the Standards Committee and the four area-based Planning Committees.

In order for political balance to be waived no member must vote against this motion, an objection by a single member would make it necessary to revert back to the legal requirements to apply the political balance rules.

2.1 **Calculation of the political group's entitlement on Committees and Boards**

- 2.2 Appendix 2 sets out that there are a total of 163 seats / places to be allocated by the Council to various committees where political balance applies (assuming that the Council continues to set aside political balance rules requirements for the Standards Committee and four area-based Planning Committees).

- 2.3 As can be seen from the calculations in Appendix 2, when working out the total aggregate allocation to each political group relative to their composition on the Council, the Labour group should give up 4 places to other political groups, the Green group should give up 4 places to other political groups, the Liberal Democrat Group should receive 1 place, the Conservative Group should receive 2 places and the Independent Group should receive 5 places.

- 2.4 Appendix 3 will set out the nominations from the political group leaders which addresses the actions required in 2.3 above.

3.1 **Joint Committees**

- 3.2 The Council is a member of several joint committees as follows:

- (i) Heart of the South West Joint Committee - this is a joint committee of the fourteen councils across Somerset and Devon (all councils within the Heart of the South Local Enterprise Partnership area). Each council appoints one member to the joint committee and this is usually their Leader or alternatively an Executive Lead Member. As this is an executive appointment the political balance rules do not apply.

- (ii) Heart of the South West LEP Scrutiny Joint Committee – this is a joint overview and scrutiny committee for the Heart of the South West Local Enterprise Partnership.