

TITLE: POLITICAL PROPORTIONALITY

Committee: Extraordinary Council

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1.0 Issue

1.1. Details of the revised political balance of the Council and the implications for the allocation of seats on Committees, Sub Committees and other Member Bodies.

2.0 Recommendations

2.1. Council is requested to:

- (i) consider the options detailed in Appendix 3 and 4 and other alternatives to achieve political proportionality in line with the Local Government and Housing Act 1989;
- (ii) allocate one additional seat on the Committees or Sub-Committee (if required for the implementation of the option detailed in Appendix 3).

3.0 Background

3.1. On 19 November 2024, the Council received a Notification of Constitution of a Political Group in accordance with the Local Government and Housing Act 1989. In addition, the Proper Officers also received a Requisition of Extraordinary Meeting of East Cambridgeshire District Council in accordance with the Council's Constitution (ref. Part A Page 3 Para 1.1.4) attached as Appendix 1.

3.2. The receipt of the notification of a new political group (Liberal Democrat & Independent Group) will have itself triggered a proportionality review and the need for the matter to be brought to Council. Nevertheless, the requisition notice has transcended this obligation.

3.3. The establishment of the Liberal Democrat & Independent Group has resulted in a revised political balance on the Council, specifically,

Conservative Group 14 Members

Liberal Democrat & Independent Group 14 Members

3.4. Therefore, there is a requirement to revisit the proportionality of Council as agreed previously (ref. Annual Council 23 May 2024 Agenda Item 4). The Council is obliged under the Local Government and Housing Act 1989 to allocate seats to

political groups and this distribution is based on the application of the principles detailed below (as far as reasonably practical).

- 3.5. The principles (ref. LGHA 1989 Part 1 (para 15 (5))) are set out below and should be considered in sequential order.
- (a) Not all seats on the body are allocated to the same political group.
 - (b) The majority of the seats on the body are allocated to a political group if they form the majority of the authority's membership.
 - (c) The number of seats on the ordinary committees of the Council allocated to a particular political group bears the same proportion to the total of all the seats on the ordinary committees of the Council as is the size of each political group.
 - (d) The number of seats on each individual body allocated to each political group bears the same proportion of the size of each political group.
- 3.6. The current allocation of seats on member bodies are detailed in Appendix 2. Please note that the proportionality calculations exclude the Licensing Committee and Licensing Statutory Sub Committee as advised by Counsel. In total, there are 53 seats on member bodies.
- 3.7. Returning to the principles outlined in paragraph 3.5
- (a) Clearly not all seats have been allocated to both previous political groups.
 - (b) There is no majority group as defined in the LGHA 1989 either in previous and new scenarios.
 - (c) Given that there are an odd number of total Committee places, the current 14/14 i.e. 50%/50% proportionality cannot be achieved. Appendix 3 proposes an alternative to meet proportionality as set out in this principle, its implementation is dependant on:
 - 1. Increasing one Committee/member body membership by one increasing total seats to 54 (please note that Planning Committee increase by one is provided for illustrative purposes only).
 - 2. Agreement between Group Leaders or Council on the ceding of places from the Conservative to Liberal Democrat & Independent Group.
 - (d) In the event of the principle in (c) above not being achieved, the alternative would be to increase seats on each eligible body by one to achieve an even allocation of seats on each member body. There would be no requirement to cede or gain. This option is detailed in Appendix 4.
- 3.8. The requisition notice as attached in Appendix 1 includes reference to electing Chairs/Vice Chairs to the Council's committees and sub-committees. The Monitoring Officer has taken Counsel's opinion on this specific matter and they have concluded that Chairs and Vice Chairs of committees cannot be changed during the municipal year (ref Part 4, page 15, para 24.1.2).

4.0 Arguments/Conclusions

- 4.1. The agreement of the option detailed in Appendix 3 and 4 (or any other alternatives which meet the legislative requirements for political proportionality) will require a majority vote of the Council. Any alternative proposal which does not meet political proportionality require a “nem con” vote.

5.0 Additional Implications Assessment

- 5.1 In the table below, please put YES or NO in each box.

Financial Implications No	Legal Implications Yes	Human Resources (HR) Implications No
Equality Impact Assessment (EIA) No	Carbon Impact Assessment (CIA) No	Data Protection Impact Assessment (DPIA) No

5.2. Legal Implications

As detailed in paragraph 3.2 above, receipt of the Notification of Constitution of a Political Group under s8 The Local Government (Committees and Political Groups) Regulations 1990 (“the Regulations”) triggered a requirement to review the allocation of seats to political groups under s 17(b) of the Regulations and this report seeks to give effect to that requirement.

6.0 Appendices

- Appendix 1 Requisition of Extraordinary meeting of Council.
- Appendix 2 Current allocation of seats.
- Appendix 3 Proposal to meet principle a-c of the LGHA 1989 (see para 3.7(c))
- Appendix 4 Proposal to meet principle a-d of the LGHA 1989 (see para 3.7(d))

7.0 Background documents

Annual Council 23 May 2024
Agenda Item 4