

CANNOCK CHASE COUNCIL

COUNCIL

4 NOVEMBER 2009

REPORT OF THE CHIEF EXECUTIVE

ALLOCATION OF SEATS TO COMMITTEES AND OTHER BODIES

1. Purpose of Report

- 1.1 Council is requested to determine the allocation of seats to different political groups duly constituted, to the Council's Committees and Other Bodies as a result of the recent by-election for the vacancy in the Heath Hayes East and Wimblebury Ward.

2. Recommendations

- 2.1 That the allocation of seats to the different political groups to the Council's Committees and other bodies as set out in Annex 1 be approved.
- 2.2 That the allocation of seats approved under 2.1 above, take effect forthwith.
- 2.3 That, as appropriate, each of the Political Group Leaders notifies the Chief Executive, within 5 working days, of the names of those Members to be appointed to / removed from the Council's Committees and other bodies.

3. Background

- 3.1 Following the resignation of Councillor I.R. Carr on 21 August 2009, a vacancy arose in the Office of District Councillor for the Heath Hayes East and Wimblebury Ward. A by-election to fill the vacancy was held on 15 October, 2009, as a result of which Christopher Collis was duly elected to the Office of District Councillor for the Heath Hayes East and Wimblebury Ward.
- 3.2 The Local Government and Housing Act 1989 (and further regulations) require the Council to allocate seats to the political parties in accordance with the political balance rules. The Council has previously determined that the size of the Council's Committees is fixed at the start of the municipal year and remains fixed for that year. In the event of any changes to party membership or a vacancy occurring during the course of the year, the size of Committees would not change. The only change would be the allocation of seats to political parties in accordance with the political balance rules.

3.3 The Council is required to reconsider the allocation of seats to the different political groups in relation to the Council's Committees and other bodies, so as to give effect to and reflect, so far as reasonably practicable, the political balance of the Members of the Council.

3.4 Council, at its meeting on 28 August, 2009, considered a report on the allocation of seats to the different political groups to the Council's Committees and other bodies as a result of the vacancy arising. This led to some Committees and other bodies carrying a vacancy in the interim. Following the election of Councillor Collis, the allocation of seats to the different political groups to the Council's Committees and other bodies has been recalculated.

4. **Details of Matters to be Considered**

4.1 The allocation of seats to the different political groups to the Council's Committees and other bodies as set out in Annex 1.

4.2 A number of Committees affected by the changes to the political balance will be meeting over the coming weeks. Therefore, if they have not already done so, each of the Political Group Leaders are asked to notify the Chief Executive, within 5 working days, of the names of those Members to be appointed to / removed from Committees and other bodies.

5. **Contribution to CHASE**

5.1 The Council, through its democratic process, contributes to the each of the Council's strategic objectives, represented by the acronym CHASE.

6. **Section 17 Implications**

6.1 There are no identifiable implications in respect of Section 17 (Crime Prevention) arising from this report.

7. **Human Rights Act Implications**

7.1 There are no identifiable implications in respect of Human Rights Act arising from this report.

8. **Data Protection Act Implications**

8.1 There are no identifiable implications in respect of Data Protection Act arising from this report.

9. **Risk Management Implications**

9.1 There are no identifiable implications in respect of Risk Management arising from this report.

10. **Legal Implications**

- 10.1 Where two Local Government Electors for the area request that an election be held to fill a vacancy, nominations will be sought and an Election held, if contested, in accordance with Section 243(4) of the Local Government Act 1972 and Section 19(6)(b) of the Representation of the People Act 1985.
- 10.2 The Council has a duty under the Local Government and Housing Act 1989 ('the Act'), Section 15(3), to determine the allocation to the different political groups into which the Members of the Council are divided of all the seats which fall to be filled by appointments made from time to time by the Council.
- 10.3 Section 15(4) and (5) of the Act places a further duty upon the Council, in performing its obligations under subsection (3) above, to determine the allocation to different political groups of seats on Cabinet, Committees, Select Committees and Other Bodies, so as to give effect, so far as reasonably practicable, to the following principles:
- (a) that not all the seats are allocated to the same political group;
 - (b) that the majority of the seats are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of the Council which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the Council as is borne by the number of members of that group to the membership of the Council; and
 - (d) subject to paragraphs (a) to (c) above, that the number of the seats which are allocated to each political group bears the same proportion to the number of all the seats on Cabinet, Committees, Select Committees and Other Bodies as is borne by the number of members of that group to the membership of the Council.

11. Financial Implications

- 11.1 There are no identifiable Financial Implications arising from this report.

12. Human Resource Implications

- 12.1 There are no identifiable Human Resource implications arising from this report.

POLITICAL BALANCE CALCULATION – OCTOBER, 2009

	Seats on Committees	Current Labour Seats	Proposed Labour Seats	Current Conservative Seats	Proposed Conservative Seats	Current Lib Dem Seats	Proposed Lib Dem Seats	Vacancies
Council	41	14		12		15		
Political Balance as a % of Council Membership (41)			34.15%		29.27%		36.58%	
Allocation of Seats in Accordance with Political Balance Calculation (115)			39.27 (39)		33.66 (34)		42.07 (42)	
Political Balance as a % of Total Number of Seats (115)			33.91%		29.57%		36.52%	
*Planning Control Committee	15	6	5	3	4	6	6	-
*Licensing & Public Protection Committee	10	3	3	3	3	3	4	-
*Scrutiny Committee	15	5	5	4	4	5	6	-
*Children, Young People & Families PDC	9	3	3	3	3	3	3	-
*Access to Education, Skills And Employment PDC	9	3	3	3	3	3	3	-
*Environmental Sustainability PDC	9	3	3	3	3	3	3	-
*Housing PDC	9	3	3	3	3	3	3	-
*Healthier Communities & Older People PDC	9	3	3	3	3	3	3	-
*Safe, Strong & Cohesive Communities PDC	9	3	3	3	3	3	3	-
Audit & Governance Committee	7	2	2	2	2	2	3	-
Rate Relief Committee	7	2	2	2	2	2	3	-
Standards Committee	7	2	2	2	2	2	3	-
ACTUAL SEAT ALLOCATION	115	38	37	34	35	38	43	-
**Trade Union Consultative Forum	7	2	2	2	2	2	2	-
Fundamental Review Panel	6	2	2	2	2	2	2	-

KEY:

* These Committees shall have named substitutes of one Councillor from each political group

** Although not a Council Committee, political balance calculation is applied