

**CANNOCK CHASE COUNCIL**

**COUNCIL**

**29 SEPTEMBER, 2010**

**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. Summary (including overview of relevant background)**

- 3.1 Following the death of Councillor J. Jillings on 29 May, 2010, 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 26 August, 2010, as a result of which Mrs. Diane Todd 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 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 Since the time of the vacancy occurring, the seats that were allocated to Councillor Jillings at the Council's Annual Meeting on 19 May, 2010, have been held vacant, with a consequent minor political imbalance. Following the election of Councillor Mrs. Todd, the allocation of seats to the different political groups to the Council's Committees and Other Bodies has been recalculated.

**4. Key Issues and Implications**

- 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, to ensure appropriate political balance.

**5. Conclusions and Reason(s) for Recommendation(s)**

- 5.1 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.
- 5.2 Since the death of Councillor Jillings, a number of Committees and Other Bodies have had a minor political imbalance. Following the election of Councillor Mrs. Todd, the allocation of seats to the different political groups to the Council's Committees and Other Bodies has been recalculated, and this is the first Council meeting since her election to which a report could be brought .

**6. Other Options Considered**

- 6.1 No other options have been considered.

**7. Report Author**

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**Section 1**

**Contribution to Council Priorities (i.e. CHASE, Corporate Priorities)**

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

**Section 2**

**Contribution to Promoting Community Engagement**

There are no identified contributions to promoting community engagement arising from this report

**Section 3**

**Financial Implications**

There are no identifiable Financial Implications arising from this report.

**Section 4**

**Legal Implications**

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.

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.

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.

**Section 5**

**Human Resource Implications**

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

**Section 6**

**Section 17 (Crime Prevention) Implications**

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

**Section 7**

**Human Rights Act Implications**

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

**Section 8**

**Data Protection Act Implications**

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

**Section 9**

**Risk Management Implications**

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

**Section 10**

**Equality and Diversity Implications**

There are no identifiable equality and diversity implications arising from this report.

**Section 11**

**List of Background Papers**

None

**Section 12**

**Report History**

**Annexes to the Report**

Annex 1 Political Balance Calculation as at 27 August, 2010

## POLITICAL BALANCE / ALLOCATION OF SEATS ON COMMITTEES ETC - FOLLOWING BY ELECTION ON 26 AUGUST, 2010

COMMITTEE	SEATS	LABOUR				CONSERVATIVE				LIBERAL DEMOCRATS				VACANT				TOTAL
		Pro Rata	Current	Proposed	Diff	Pro Rata	Current	Proposed	Diff	Pro Rata	Current	Proposed	Diff	Pro Rata	Current	Proposed	Diff	
<b>Council</b>	<b>41</b>	<b>14</b>				<b>10</b>				<b>17</b>				<b>0</b>				<b>41</b>
All Committees	122	41.66		42		29.76		30		50.59		50		0.00		0		122
* Planning Control	15	5.12	5	5	0	3.66	4	4	0	6.22	6	6	0	0.00	0	0	0	15
* Licensing & Public Protection	10	3.41	3	3	0	2.44	3	3	0	4.15	4	4	0	0.00	0	0	0	10
* Scrutiny	15	5.12	5	5	0	3.66	4	4	0	6.22	6	6	0	0.00	0	0	0	15
* Culture and Sport PDC	9	3.07	3	3	0	2.20	2	2	0	3.73	4	4	0	0.00	0	0	0	9
* Economic Devt and Planning PDC	9	3.07	3	3	0	2.20	3	3	0	3.73	3	3	0	0.00	0	0	0	9
* Environment PDC	9	3.07	3	4	1	2.20	1	1	0	3.73	4	4	0	0.00	1	0	-1	9
* Housing PDC	9	3.07	3	3	0	2.20	2	2	0	3.73	4	4	0	0.00	0	0	0	9
* Health and Wellbeing PDC	9	3.07	3	3	0	2.20	2	2	0	3.73	4	4	0	0.00	0	0	0	9
* Town Centre Regeneration PDC	9	3.07	3	4	1	2.20	2	2	0	3.73	3	3	0	0.00	1	0	-1	9
Audit & Governance	7	2.39	2	2	0	1.71	2	2	0	2.90	3	3	0	0.00	0	0	0	7
** Health Scrutiny	7	2.39	2	2	0	1.71	2	2	0	2.90	3	3	0	0.00	0	0	0	7
Rate Relief	7	2.39	2	3	1	1.71	1	1	0	2.90	3	3	0	0.00	1	0	-1	7
Standards	7	2.39	2	2	0	1.71	2	2	0	2.90	3	3	0	0.00	0	0	0	7
<b>ACTUAL SEAT ALLOCATION</b>		<b>41.66</b>		<b>42</b>	<b>3</b>	<b>29.76</b>		<b>30</b>	<b>0</b>	<b>50.59</b>		<b>50</b>	<b>0</b>	<b>0.00</b>		<b>0</b>	<b>-3</b>	<b>122</b>
*** Trade Union Consultative Forum	7	2.39	2	2	0	1.71	2	2	0	2.90	3	3	0	0.00	0	0	0	7
*** Delivering Change Panel	11	3.76	3	4	1	2.68	3	3	0	4.56	5	4	-1	0.00	0	0	0	11
*** Appeals & Complaints Panel	5	1.71	2	2	0	1.22	1	1	0	2.07	2	2	0	0.00	0	0	0	5

## KEY:

- \* These Committees shall have named substitutes of one Councillor from each political group
- \*\* New Committee w.e.f. 19/05/10. 7 Councillor, plus 1 Staffs County Cllr and 1 Outside Representative
- \*\*\* Although not a Council Committee, political balance calculation applies

