

EAST HERTS COUNCIL

COUNCIL – 2 MARCH 2016

REPORT BY HEAD OF DEMOCRATIC AND LEGAL SUPPORT
SERVICES

REVIEW OF THE ALLOCATION OF SEATS ON COMMITTEES

WARD(S) AFFECTED: All

Purpose/Summary of Report

- **To review the Council's allocation of seats on committees following the resignation of a Member from the Conservative Group.**

RECOMMENDATION FOR DECISION: That:

(A)	the allocation of the number of seats on committees be as set out in Table Two below.
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1.0 Background

1.1 Council, at its Annual meeting in May 2015, approved the decision-making arrangements for the discharge of functions for the 2015/16 Civic Year.

1.2 A resignation from the Conservative Group by Councillor J Cartwright means that the Authority needs to review the allocation of seats on its committees.

2.0 Committees of the Council

2.1 The following committees were constituted by Council in May 2015, comprising the following number of Members:

Table One

Committee	Number of seats
Community Scrutiny	10
Corporate Business Scrutiny	10
Environment Scrutiny	10
Health and Wellbeing	10
Development Management	12
Licensing	15
Human Resources	7
Audit	7
Standards	5
Chief Officer Recruitment	5
East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from East Herts and 3 from Stevenage)	3
TOTAL	94

3.0 Political Groups

3.1 Where Members of the Council are divided into political groups, the provisions of the Local Government and Housing Act (LGHA) 1989 place a duty on the Council to review the allocation between those groups of seats on its Committees according to certain principles. The aim is to ensure that the political composition of the Committees, etc, reflects the composition of the Council. The rules of proportionality do not apply to the Executive. Nor do they apply to Full Council, which all elected Members are entitled to attend as a voting member.

3.2 There remains one political group constituted within East Herts Council. The Local Government (Committees and Political Groups) Regulations 1990 has a number of requirements as to what may be considered a political group, not least of which is that it must have at least two members (regulation 8(2)). The rules relating to proportionality in the LGHA 1989 specifically refer to political proportionality between political groups. Therefore a sole independent Member, such as Councillor J Cartwright, has **no entitlement to any seats** under the rules of proportionality.

3.3 Section 17 of the LGHA allows for the rules of proportionality to be waived should the Council vote in favour of this arrangement “without any member of the authority...voting against them”. However Councillor Cartwright has indicated that he does not wish for this rule to be waived and the Conservative Group will therefore be asked to nominate Councillors to take seats on the Corporate Business Scrutiny and Audit Committees to fill the vacancies created by Councillor Cartwright. Under article 4 of the Constitution, paragraph 4.2, Full Council exercises the function of “agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them”. The new allocation of seats is set out in Table Two below.

Table Two

<u>Committee</u>	<u>Seats</u>	<u>Conservative Group</u>
Community Scrutiny	10	10
Corporate Business Scrutiny	10	10
Environment Scrutiny	10	10
Health and Wellbeing	10	10
Development Management	12	12
Licensing	15	15
Human Resources	7	7
Audit	7	7
Standards	5	5
Chief Officer Recruitment	5	5
East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from East Herts and 3 from Stevenage)	3	3
TOTAL	94	94

4.0 Implications/Consultations

4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper ‘A’**.

Background Papers

None

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