

11 : REPORT OF THE HEAD OF SECRETARIAT

1 INTRODUCTION

1 Standing Order 17(3) states that in the year of the election of County Councillors, and before the Annual Meeting of the County Council, the Head of Secretariat shall consult with the retiring Chairman of the Council and group leaders on the size and membership of committees and report to the Annual Meeting of the Council immediately following the election. This report reflects the outcome of these discussions.

Constitution of Political Groups

2 Under the regulations which govern the constitution of political groups in a local authority, it is incumbent on the group leaders to communicate formally, and in writing, to the Head of Secretariat when:

- A political group is constituted, and group and deputy leaders are appointed;
- Changes in leaders and deputy leaders occur;
- Members join or leave groups, either through resignation from group membership, or membership of the Authority, or a majority of group members no longer wish an individual to be treated as a member of the group in question.

3 The Head of Secretariat has been advised that there are to be three political groups on Buckinghamshire County Council. They are:

Conservative Group – Group Leader, Mr DAC Shakespeare
Liberal Democrat Group – Group Leader, Mrs P M Crawford
Labour Group Leader – Group Leader, Mr T J Fowler

Allocation of Seats to Political Groups

4 The distribution of seats on committees is governed by Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, which require the allocation to accord with the rules on proportionality.

These rules incorporate a number of key principles as follows:

- a No political group can hold all the seats on a committee;
- b The majority of seats must be allocated to the majority group;
- c The total number of seats given to groups and all committees must be proportional to the membership of the Council as a whole (Rule of Aggregation);
- d The number of seats on each committee must be proportional to the membership of the Authority as a whole, insofar as this may be practicable.

5 On the basis of the notifications received from the Group Leaders, the sizes of the political groups, both in terms of number of members and what this represents as a percentage of the total seats on the County Council is as follows:

	Seats on Council	% of Total
Conservative	40	74.07%
Liberal Democrat	9	16.67%
Labour	5	9.26%

Determination of Committee Places

6 The calculation for determining entitlement to committee places is complicated by the fact that, in addition to calculating proportional entitlements for each committee, it is necessary to do so for the total number of committee places and then reconcile the two calculations. Within its new constitutional arrangements, the County Council, at its meeting in May, confirmed that there would be 11 standing committees of the Council. 10 of these are subject to the rules of proportionality, the exception being the Standards Committee, which is not governed by the legislation on proportionality. The size of each committee, as shown in the table below, is as previously approved by the County Council, save for the Lifelong Learning Overview and Scrutiny Committee. This committee has previously been set at 15 elected members (membership of 20

in total to include co-optees), but the view has been taken that it could now usefully be reduced to 13 elected members (18 in total). With this adjustment, there are now 89 seats across all committees to be allocated on a proportional basis. This results in the following initial distribution of seats amongst the 3 political groups.

Political Group	Seats on Council	% of Whole	Entitlement to Seats Actual	Entitlement to Seats Rounded
Conservative	40	74.07%	65.93	66
Liberal Democrat	9	16.67%	14.83	15
Labour	5	9.26%	8.24	8

7 An initial distribution of seats across all 10 committees produces the following results.

Committee	Size	Cons	Lib Dem	Lab
Buckinghamshire Environment	10	7	2	1
Personal Care	10	7	2	1
Lifelong Learning	13	10	2	1
Partnership	10	7	2	1
Corporate Performance	10	7	2	1
Development Control	10	7	2	1
Regulatory	7	5	1	1
Appeals and Complaints	5	4	1	0
Rights of Way	7	5	1	1
Senior Appointments and Bucks Pay Award	7	5	1	1
Total	89	64	16	9

8 It can be seen from the above table that some adjustments are necessary to achieve aggregated proportionality. The Conservative group needs to be allocated a further two seats at the expense of one each from the other two political groups. In addition, further changes are necessary to ensure that all

groups have representation on the Appeals and Complaints Committee.

9 In discussion with the group leaders, a number of changes have been agreed to achieve overall proportionality and maintain the correct balance on each committee as far as this is practicable. The table below shows these changes with the original figures in brackets – where changes have been made.

Committee	Size	Cons	Lib Dem	Lab
Buckinghamshire Environment	10	7	2	1
Personal Care	10	7	2	1
Lifelong Learning	13	10	2	1
Partnership	10	7	2	1
Corporate Performance	10	7	2	1
Development Control	10	8 (7)	1 (2)	1
Regulatory	7	6 (5)	1	0 (1)
Appeals and Complaints	5	3 (4)	1	1 (0)
Rights of Way	7	6 (5)	1	0 (1)
Senior Appointments and Bucks Pay Award	7	5	1	1
Total	89	66 (64)	15 (16)	8 (9)

10 Although not governed by the rules on proportionality, the intention is that seats on the Standards Committee should, nonetheless, be allocated on a proportionate basis. The proposal is for the Committee to comprise 7 elected members, including the Chairman or Vice-Chairman of the Council, (plus 2 independent members) and the allocation of seats across the groups would be as follows:

Committee	Cons	Lib Dem	Lab
Standards	5	1	1

11 In the light of the above information the County Council is invited to **resolve:-**

1 That the aggregate allocation of committee seats to the three party groups on the County Council be as follows:

Conservative	66
Lib Dem	15
Labour	8

2 That the number of seats on each committee allocated to each group be set out as in paragraph 9 and that the size of each committee be confirmed accordingly; and

Buckinghamshire Fire Authority

12 The County Council has 12 of the 17 places on the Fire Authority. Applying the rules on proportionality results in the following distribution of seats across the groups.

Committee	Cons	Lib Dem	Lab
Fire Authority	9	2	1

Other Member Bodies

13 The rules of proportionality legally only apply to those bodies – other than the Cabinet - that take executive action and therefore Policy Advisory Groups (PAGs) and other member bodies, including panels and working groups, are not affected. However, in the same way that it has been the practice in the past for this Authority to appoint to panels on a proportional basis, whenever reasonably practicable, the same should apply to Policy Advisory Groups and other member bodies.

14 The County Council is asked to **resolve:-**

That the principles of proportionality, as indicated in the Appendix, are broadly applied to Policy Advisory Groups and other member bodies, wherever possible.