



## Annual Report on Committee Proportionality and Appointments

Thursday 26 May 2016

Report from the Monitoring Officer

### Political Proportionality

1. At the previous County Council AGM held on 21 May 2015, Council agreed the allocation of Committee seats in line with legal requirements on political proportionality. There have been no further changes to the political group structures – Mr C Ditta has left the Liberal Democrat Party and joined the East Wycombe Independents, but remains with the Liberal Democrat, Independent and Buckingham Labour Group. Appendix 1 sets out the seat allocations by political groups for 2016/17.
2. 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. It is incumbent on the County Council to satisfy itself each year that the rules on proportionality continue to be properly applied.
3. The Regulations state that seats on Committees must be allocated to each political group in the same proportion to the number of seats held by each of those groups on the County Council (rules of aggregation as well as being in the correct proportions on each Committee individually, in so far as this may be practicable).
4. The political balance of the Council is 37 Conservatives, 4 UKIP, 3 Liberal Democrats, 2 Independents, 2 East Wycombe Independents and 1 Labour. There are four political groups comprising 37 (The Conservative Group), 6 (The Liberal Democrat, Independent and Buckingham Labour Group), 4 (The UKIP Group) and 2 (The Independent Group).
5. Following the agreement of all political groups the final allocations proposed are listed below (Appendix 1 sets out the background calculations).

**Table 1: Final allocations of Seats**

Committee	Size	Conservative	Lib Dem, Independent and Buckingham Labour	UKIP	Independent
Development Control	8	6	1	1	0
Pension Fund	6	5	1	0	0
Regulatory & Audit	8	6	1	1	0
Rights of Way	8	6	1	1	0
Senior Appointments	7	5	1	1	0
Select – Children’s Social Care & Learning	11	9	1	0	1
Select – Health & Adult Social Care	11	8	1	1	1
Select – Finance, Performance & Resources	8	6	1	1	0
Select – Transport, Environment & Communities	8	6	1	0	1
<b>Total</b>	<b>75</b>	<b>57</b>	<b>9</b>	<b>6</b>	<b>3</b>

**Other Council Committees**

6. There are currently no other Council Committees where proportionality applies. If a new Council Committee is created and proportionality applies, it will be applied on the basis as set out in Appendix 1.

**Buckinghamshire Fire Authority**

7. The County Council has 12 places on the Fire Authority which, applying the rules on proportionality, results in the following distribution of seats across the groups.

**Table 2: Fire Authority Seats**

Committee	Size	Conservative	Lib Dem, Independent and Buckingham Labour	UKIP	Independent
Fire Authority	12	9 (9.06)	1 (1.46)	1 (0.98)	1 *(0.49)

\*Strict rounding results in a remainder of one seat. The largest fractional part belongs to the Independent Group so this remainder has been allocated to that group.

## **Other Member Bodies**

8. It is the current policy of the County Council that notwithstanding that the rules of proportionality do not apply to non-decision making bodies, all member bodies should be appointed on a proportional basis whenever reasonably practicable. At its last meeting the Council agreed that it would wish this policy to be continued.

## **Substitution Arrangements**

9. At last year's AGM the Council also agreed substitution arrangements to Council Committees in accordance with legal requirements arising from s102 of the Local Government Act 1972. These substitution arrangements remain in place and for the Council's information are as follows:
- Substitutions must be made at least the day before the meeting concerned in writing to the relevant clerk of the Council Committee (under delegated powers of the Monitoring Officer). No requests for substitutions at the meeting on the day will be allowed.
  - Substitution requests must be in writing by email from the Group Leader (or the Group Leader's nominated member for handling substitutions for example the Deputy Leader). There is no requirement for a hardcopy signature or any additional forms.
  - All County Councillors are potential substitutes onto Council Committees.
  - By convention Select Committees do not normally require substitute members. This is because Select Committees are not decision-making bodies and work by consensus to scrutinise and support policy development on a cross-party basis.
  - Other points to note on substitutions are: Cabinet is legally not allowed to have substitutions but deputies can attend and speak (but not vote) at Cabinet Meetings; and the Development Control Committee is the only statutory committee where there is an additional requirement for Members to have attended training before substituting.

## **Recommendations**

- 1. To confirm the political balance in the distribution of seats across Committees be as set out in Tables 1 and 2, to accord with the rules on proportionality.**
- 2. To agree the appointments to Council Committees in accordance with the rules on political proportionality, in line with the proposals put forward by each of the political group leaders for the municipal year 2016/17.**
- 3. To agree to delegate to the Monitoring Officer powers to vary the membership of a committee at any point on a permanent or casual basis upon the written nomination of a Group Leader.**

**SARAH ASHMEAD  
MONITORING OFFICER**

Appendix 1 – Background Calculations on Political Balance

Appendix 2 – List of Committee Appointments (*paper to be tabled at the Council meeting*)