

Bath & North East Somerset Council

MEETING:	Council	
MEETING DATE:	18th July 2024	
TITLE:	Proportionality Review	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 - Proposed revised proportionality table (showing tracked changes)		

1 THE ISSUE

1.1 There has been a change in political balance in the Council so, in line with the requirements of the Local Government & Housing Act 1989, this needs review.

2 RECOMMENDATION

Council is asked to;

2.1 Approve the revised political proportionality table or propose an alternative structure.

3 THE REPORT

3.1 There has been a recent change to political group membership; - Councillor Hale resigned from the Conservative group on 26th May 2024 and is now an Independent councillor (and has joined the Independent group).

3.2 As a result of this, an adjustment to committee memberships is needed. The Conservative group need to lose one place from any of the bodies in the top table (of the attachment) so that their total number of committee places in the top table reduces from 3 to 2.

- 3.3 As we do not have an amount of committee places that matches the number of members, there is always some rounding up/rounding down to be done to the figures that the percentages produce. The Independent group have indicated that they do not wish to increase their number of committee places and neither does the Liberal Democrat group. What is proposed therefore, in the attached table, formalises the current informal arrangement of the Conservative group 'lending' their place on Children, Adults, Health & Wellbeing Policy Development and Scrutiny Panel to Labour, and it being allocated properly to Labour (and removed from the Conservative group).
- 3.4 The allocation of seats between the bodies listed in the top table (compulsory cumulative proportionality) is traditionally managed through discussion between Group Leaders. As long as the Total numbers in the bottom column of the top table are correct, there is discretion as to how these are allocated within these bodies.
- 3.5 It remains the position that, if a seat is allocated to a member/group, it is within their gift to offer their place to another group (or non-aligned member) and can withdraw that offer at any point. This is an informal arrangement and does not affect the formal proportionality numbers.

Proportionality rules

- 3.6 The law gives detailed guidance on the principles to be applied in calculating the allocation of seats on Committees and Sub Committees but the basic principles are:-
- a) not all the seats on the body shall be allocated to one particular party;
 - b) the majority of the seats on the body shall be 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, the number of seats on the ordinary Committees of the Authority which are allocated to a political group shall bear the same proportion to the total of all the seats on the ordinary Committees of that Authority as is borne by the number of members of that group to the membership of that Authority;
 - d) subject to paragraphs (a) to (c) above, the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the Authority.
 - e) Notwithstanding (a) to (d) above the Act does not restrict the ability of the Council, or Committees where they are authorised by the Council, to decide on the size and number of seats on Committees and Sub Committees, and to make the actual appointments. A Committee or Sub Committee must, however comprise at least two voting members.
 - f) The law also deals with the allocation of committee places to members who do not belong to any political group formally recognised by the Council. It indicates that, where there are members of the Council who do not belong to a political group, a proportion of seats on each body to which appointments are

made, equal to the proportion of authority members who do not belong to a political group, will be allocated to the Member(s) concerned. There are no such members on this occasion.

4 STATUTORY CONSIDERATIONS

4.1 This report fulfils the necessary statutory requirements.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 There are no direct financial implications of the proposals.

6 RISK MANAGEMENT

6.1 A risk assessment has not been undertaken.

7 EQUALITIES

7.1 There are no direct equalities implications of this issue.

8 CLIMATE CHANGE

8.1 There are no direct climate change implications of proposals.

9 OTHER OPTIONS CONSIDERED

9.1 None.

10 CONSULTATION

10.1 The Chief Executive, Monitoring Officer, Group Leaders and Political and Group Assistants were consulted in preparing this report.

Contact person	<i>Jo Morrison, Democratic Services Manager</i>
Background papers	Current table (re-approved at May AGM); https://democracy.bathnes.gov.uk/documents/s81753/Political%20proportionality%20table.pdf
Please contact the report author if you need to access this report in an alternative format	