

Bath & North East Somerset Council

MEETING:	Council	
MEETING DATE:	25th February 2025	
TITLE:	Proportionality Review	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 – revised political proportionality table		

1 THE ISSUE

- 1.1 The Council is required to formally undertake a statutory review of the political proportionality arrangements (as triggered under section 15 of the Local Government and Housing Act 1989) in respect of bodies that are required to be politically proportionate, following the recent by-election in Saltford.

2 RECOMMENDATION

The Council is asked to;

- 2.1 Agree a revised political proportionality table, offering a place on the Corporate Policy Development & Scrutiny Panel to the Unaligned Councillor, Cllr Chris Warren.
- 2.2 Expressly disapply the proportionality rule to the Restructuring Implementation Committee (with no Councillor voting against), as set out in section 5.9.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 There are no financial, property or people implications directly arising from this report.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 As described in paragraph 1.1.

5 THE REPORT

- 5.1 There has been a recent change in political group membership; - Councillor Alison Streatfeild-James resigned as a Councillor on 27th November 2024, triggering a by-election in the Saltford ward. The by-election took place on 16th

January 2025 and Councillor Chris Warren was elected. Councillor Warren is an independent (Unaligned) councillor (but not part of the Independent group).

- 5.2 As a result of this, an adjustment to committee memberships is needed so that a place is offered to Councillor Warren. The Liberal Democrat group need to lose one place from any of the bodies in the top table (of the attachment) to be offered to Councillor Warren so that their total number of committee places in the top table reduces from 38 to 37.
- 5.3 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.
- 5.4 The Liberal Democrat Group have indicated that they will relinquish a place on the Corporate Policy Development & Scrutiny Panel which can be offered to Councillor Chris Warren.

Proportionality rules

- 5.5 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. Thus, as there

are fifty five seats on Committee/Panels and one member who is not in a political group, one seat would be available to him.

- 5.6 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 withdraw that offer at any point. This is an informal arrangement and does not affect the formal proportionality numbers.

Proportionality - Alternative arrangements

- 5.7 Should the Council wish to make alternative arrangements, the Council may disapply the political balance requirements in whole or in part provided no Councillor votes against those alternative arrangements (section 17(1) of the Local Government and Housing Act 1989 and regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990).

- 5.8 These alternative arrangements cease to have effect each time a review is triggered in accordance with section 15 of the Act.

- 5.9 This is specifically requested with regard to the Restructuring Implementation Committee (constituted of the Group Leaders)

Disapplication of proportionality

- 5.10 The following bodies are not required to be politically proportionate; Area Committees, Health and Wellbeing Board, the Cabinet and any Licensing Committee or Sub-Committee appointed by the Licensing Act 2003.

Standards committee chairing arrangement

- 5.11 The Standards committee features in the proportionality table with chairing rights allocated to a political group. This is statutorily required for when a formal vote is needed, as independent members do not have voting rights. However, in order to preserve the non-political nature of the committee and maintain trust and confidence in its operation, the committee has operated with one of the independent members taking the chair and it is hoped that this arrangement will continue.

6 RATIONALE

- 6.1 To ensure fair representation.

7 OTHER OPTIONS CONSIDERED

- 7.1 Not applicable.

8 CONSULTATION

- 8.1 The Chief Executive, Monitoring Officer and Group Leaders were consulted in preparing this report.

9 RISK MANAGEMENT

- 9.1 Not applicable.

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Background papers	<i>The Constitution</i>
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