

# Allerdale Borough Council

**Council – 23 February 2022**

## **Governance Updates – Supplement Report**

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<b>Portfolio holder</b>	Councillor M Fitzgerald, PH Policy, Governance and People Resources
<b>Report from</b>	Sharon Sewell, Chief Officer Place & Governance, Monitoring Officer
<b>Wards affected</b>	All wards
<b>Is this a key decision</b>	No

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### **1.0 The reason for the decision**

- 1.1 Following the local by-election for the Allerdale Borough Stainburn and Clifton Ward this report sets out the consequent change to the allocation of seats on committees and panels.

### **2.0 Recommendations**

- 2.1 That the distribution of seats across committees as set out in paragraph 4.9 and 4.11 of the report be approved, to accord with the rules on proportionality as far as is practicable;
- 2.2 That the political groups confirm memberships in line with paragraph 4.12.

### **3.0 Background and Introduction**

- 3.1 Cllr Janet King was disqualified as an Allerdale Borough Councillor for the Stainburn and Clifton Ward on 30 December 2021 by virtue of non-attendance at meetings for more than 6 months. Councillor King was a member of the Allerdale Independent Group.
- 3.2 The by-election for Stainburn and Clifton Ward was held on Thursday 17 February 2022, Labour candidate Jimmy Grisdale was successfully elected to this seat and has subsequently joined the Council's Labour Group which has resulted in a change to the composition of the Council. It is therefore necessary for the Council to review the allocation of the seats on Council committees and panels so that they comply with the provisions of the Local Government and Housing Act 1989.

3.3 Also to note, as detailed in the previous report, the following changes to group memberships;

- Moorclose, Westfield and Mossbay Independents group established – members Councillor Stephen Stoddart and Councillor Lynda Williams
- Councillor Owen Martin resigned from the Allerdale Conservative Group to become an Independent non-aligned member
- Councillor Carmel Bell resigned from the Allerdale Conservative Group to become an Independent non-aligned member.

#### **4.0 Content**

4.1 Section 15 of the Local Government and Housing Act 1989 sets out how committees must be constituted when the Council is divided into one or more political groups.

4.2 The Local Government (Committees and Political Groups) Regulations 1990 make provision for securing the political balance on councils and their committees and for determining the voting rights of members of certain committees. These Regulations make no reference to the treatment of councillors who are not members of a political group in councils which are divided into political groups.

4.3 Council is now required to review the allocation of seats on committees to political groups.

4.4 The first stage of the review is to make a calculation of the numerical allocation of seats based on the percentage of seats to which each political group would be entitled when applying the normal rounding up/down rules. Once this has been worked out, then the places on each committee have to be proportionate to the number of seats that each political group has on the Council.

4.5 There is no strict entitlement calculation applicable to councillors who are not members of a political group; however, following the calculations and allocation of seats to political groups, the Council may exercise its discretion by appointing the non-grouped members to any seats not otherwise allocated, provided that no councillor votes against the proposal. In doing this, the Council may also allocate seats to those committees requiring a balancing adjustment.

4.6 On 24 June 2021 Councillor Stephen Stoddart resigned from his seat on the Overview and Scrutiny Committee and all other Council committees going forward and is therefore not included in the calculations.

4.7 On 16 August 2021 Councillor Will Wilkinson resigned from the Allerdale Independent Group and has previously removed himself from all Council committees for a twelve month period. He has therefore not been included in the calculations.

4.8 Councillor Owen Martin and Councillor Carmel Bell and the Moorclose, Westfield and Mossbay Independent Group have confirmed they do not wish to hold any further Council committee seats.

4.9 The political make-up of the Council and entitlement to seats is now as follows:

<b>Political Group</b>	<b>Seats on Council</b>	<b>Entitlement to Committee Seats</b>
Allerdale Conservatives	16	24
Labour	15	23
Allerdale Independents	13	19
Moorclose, Westfield and Mossbay Independents	2	0
St Michaels Independent	1	0
Independent	2	0
<b>Total</b>	<b>49 = Total</b>	<b>66 = Total</b>

4.10 Following the recalculations;

- the Allerdale Conservatives Group has lost 1 seat
- the Labour Group has gained 3 seats
- the Allerdale Independent Group has lost 2 seats

4.11 The impact on the individual committees and panels is as follows:

<b>Committee</b>	<b>Size</b>	<b>Allerdale Conservatives</b>	<b>Labour</b>	<b>Allerdale Independents</b>
Audit Committee	<b>7</b>	3	2	2
Chief Officers Employment Panel	<b>5</b>	2	2	1
Development Panel	<b>12</b>	4	4	4
Discretionary Housing Payments	<b>3</b>	1	1	1
Licensing Committee	<b>15</b>	5	5	5
Overview & Scrutiny Committee	<b>12</b>	4	4	4
Personnel Tribunal	<b>5</b>	2	2	1
Standards Committee	<b>7</b>	3	3	1
<b>Total</b>	<b>66</b>	<b>24</b>	<b>23</b>	<b>19</b>

4.12 The political groups now need to make the following changes:

- The Allerdale Conservative Group will need to remove one member from the Licensing Committee;

- The Labour Group will need to add one member to the Licensing Committee, one member to the Personnel Tribunal and one to the Standards Committee;
- The Allerdale Independent Group will need to remove one member from the Personnel Tribunal and one member from the Standards Committee.

## **5.0 Delivery arrangements**

5.1 Not applicable to this report.

## **6.0 Implications and Impact**

### **6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes**

### **6.2 Finance/Resource implications**

These costs can be met from existing resources.

### **6.3 Legal and governance implications**

Appointments to committees are made in line with the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990.

### **6.4 Risk analysis**

A scored and mitigated risk log

<b>Risk</b>	<b>Consequence</b>	<b>Controls required</b>	<b>Mitigated score</b>
Political membership not fully represented	Inability to hold meetings	Nominations provided by Group Leaders. Provision for substitute members where appropriate	Low

### **6.5 Increasing satisfaction and service**

Not applicable to this report.

### **6.6 Equality impacts**

Equality impacts have been considered.

### **6.7 Health and Safety impacts**

There are no health and safety implications directly associated with this report.

### **6.8 Health, wellbeing and community safety impacts**

There are no health, wellbeing and community safety implications directly associated with this report.

**6.9 Environmental/sustainability impacts**

There are no environmental/sustainability implications directly associated with this report.

**6.10 Other significant implications**

None

**Appendices attached to this report**

<b>Appendix number</b>	<b>Title of appendix</b>
N/A	

**Background documents available**

<b>Name of background document</b>	<b>Where it is available</b>
N/A	

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