

**Full Council**

**15<sup>th</sup> July 2021**

Report of the Monitoring Officer

**Update on Allocation of Seats and Appointments to the Council  
Structure for 2021/22**

**Summary**

1. At Annual Council on 27<sup>th</sup> May 2021 Members resolved that the allocation of seats for 2021/22 be approved with the exception of Councillor D Taylor's allocated seats on Audit and Governance Committee and Economy and Place Policy and Scrutiny Committee.

**Background**

2. At Annual Council which took place on 27<sup>th</sup> May 2021 Council resolved that the allocation of seats be approved, with the exception of Audit and Governance and Economy and Place Policy and Scrutiny Committee, which would be taken at a later date.
3. Councillor D Taylor has since confirmed that he does not wish to accept a seat on Audit and Governance Committee, therefore an invitation for nominations will be considered at Full Council.
4. Councillor D Taylor has also confirmed that he wishes to accept the seat on Economy and Place Policy and Scrutiny Committee.

**Options**

5. Options open to the Council are:
  - (i) To decide whether to make an appointment on Audit and Governance Committee.
  - (ii) To approve or not approve the allocation of the seat to Councillor D Taylor on Economy and Place Policy and Scrutiny Committee.
  - (iii) To make any other appointments which may arise from the vote relating to the seat on Audit and Governance Committee.

## **Implications**

### **Financial**

Not applicable to this report.

### **Human Resources (HR)**

Not applicable to this report.

### **Equalities**

The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civic partnership, pregnancy and maternity, race religion and belief, sex and sexual orientation.

### **Legal Implications**

Section 15 of the Local Government and Housing Act 1989 imposes a duty on the Council to allocate seats on its ordinary and advisory committees to party groups, giving effect, “so far as is reasonably practicable”, to principles set out in the Act. These principles are:

- a) Not all the seats on the body are allocated to the same political group;
- b) That the majority of the seats on the body is 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 (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees as is borne by the number of members of that group to the membership of the authority;

- d) Subject to (a) to (c) above, that the number of the 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.

The Council is statutorily obliged to make appointments to committees, advisory committees, sub Committees and certain other prescribed bodies in accordance with these political balance rules. These rules may only be waived where no Member votes against the proposal. As with previous years, it is suggested that the rules be waived in relation to appointments to the Joint Standards Committee, in the interests of fairness, independence and equality on this Committee.

A failure to meet the above legal requirements brings with it a risk of the Council operating with no agreed political management arrangements (in the form of a decision making and scrutiny structure) should Annual Council fail to make any such arrangements.

### **Crime and Disorder, Information Technology and Property**

Not applicable to this report.

### **Recommendations**

6. Full Council is asked to:

- (i) To decide whether to make an appointment on Audit and Governance Committee.
- (ii) To approve or not approve the allocation of the seat to Councillor D Taylor on Economy and Place Policy and Scrutiny Committee.
- (iii) To make any other appointments which may arise from the vote relating to the seat on Audit and Governance Committee.

Reason: To fulfil the Council's statutory and constitutional requirements.

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Report  
Approved

Date 7 July 2021

**Specialist Implications Officer(s):**

**Wards Affected:** *List wards or tick box to indicate all*

All

**For further information please contact the author of the report**  
**Background Papers:**

- Meeting of Annual Council dated 27<sup>th</sup> May 2021.

**Appendices**

**None**