



# Ryedale District Council

---

**REPORT TO:** COUNCIL

**DATE:** 6 SEPTEMBER 2007

**REPORTING OFFICER:** Janet Waggott  
CHIEF EXECUTIVE

**SUBJECT:** SIZE AND POLITICAL COMPOSITION OF COMMITTEES

---

## 1.0 PURPOSE OF REPORT

- 1.1 To review the political composition of Committees following the bye-election held in the Sheriff Hutton Ward on 16 August 2007, the subsequent receipt of a Notice of Wish to join a political group from Councillor Eric Hope and request for a review of the political proportionality of Committees.
- 1.2 To achieve minimal change and reflect as closely as possible the composition most recently agreed at the Annual Meeting of Council on the 17 May 2007 and the Council meeting on 12 July 2007.

## 2.0 RECOMMENDATIONS

That Council decides the political composition of the Committees.

The Officer recommendations are as follows:

1. That the size of the Committees is that specified in New Annex AA/1;
2. That the Council divides Committee seats between political groups in accordance with the allocation shown at the attached New Annex AA/1;
3. That the membership of the Committees remains the same as appointed at the Councils Annual Meeting on 17 May 2007 as modified by the Council Meeting on 12 July 2007 subject to the following changes:
  - (i) The appointment of a Conservative Member to the Community Services & Licensing Committee;
4. That the membership of the Licensing Committee be the same Members as appointed to the Community Services and Licensing Committee as amended above.
5. The Chairmen and Vice Chairmen of Committees remains the same.
6. That membership of the Standards Committee remains unchanged.
7. That the Chief Executive be authorised to make consequential amendments to the Constitution arising from the changes referred to above.

### **3.0 REASONS SUPPORTING DECISION**

To comply with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

### **4.0 BACKGROUND**

- 4.1** Members will be aware that the allocation of seats on Committees to each political group on the basis of political proportionality and the appointment of Members to Committees took place at the Annual Council meeting on 17 May 2007 and reviewed at the Council meeting on 12 July 2007. The table showing the allocation of seats to political groups made at the Annual Meeting of Council on 17 May 2007 is attached as Annex A. The existing allocation of seats to political groups and the appointment of Members to Committees as finalised at the Meeting of Council on 12 July 2007 is attached as New Annex A/1 and Annex B.
- 4.2** Members are advised that the following events mean that the calculations on political proportionality need to be reviewed:-
- 4.2.1 The election of Councillor Hope for the Sheriff Hutton Ward at the District Council bye-election on 16 August 2007; and
- 4.2.2 The receipt of a Notice of Wish to Join a Political Group dated 21 August 2007 served pursuant to regulation 9 of the Local Government (Committees and Political Groups) Regulation 1990. This notice indicates that Councillor Hope wishes to join the Conservative Group. The notice also requests a review of political proportionality on Committees.
- 4.3** Ryedale District Council is to be treated as being divided into different political groups for the purposes of the Local Government and Housing Act 1989, because at least one political group has been constituted in the prescribed way.
- 4.4** The Local Government & Housing Act 1989 and associated regulations, requires the distribution of seats on committees and sub-committees to be on the basis of political proportionality so far as it is "reasonably practicable" between the political groups of the Council unless every member of the Council agrees that some other basis of allocation should be used.
- 4.5** The distribution of committee places between the groups needs to have regard to these rules.
- 4.6** A political group is any group of two or more councillors who notify the Chief Executive that it wishes to be considered as a political group. In law it is a "group" only for the purposes of allocating places on Committees. It is a matter for individual groups to decide whether to get together for political purposes such as a coalition.
- 4.7** In making appointments to Committees the Council must be guided by the following principles:-
- (a) Not all seats on the Committees can be allocated to one political party;
  - (b) The majority of seats should be awarded to a group having a majority on the Council;
  - (c) Subject to (a) and (b) the total number of places allocated on all Committees must be proportionate to the political strength on the Council as a whole;
  - (d) Subject to (c) the places on each Committee must be proportionate to political strength.

**4.8** One effect of the rules is that there is no requirement for all political groups to be represented on all Committees unless the figures justify such representation. If the committee size means a smaller group does not get a place, then that is not unlawful. It is a matter for the Council to decide on the size of Committees and the distribution of places between the groups, and for the political groups to determine their individual membership. It should also be noted that an ungrouped Member receives any seat which is available after seats have been allocated to political groups

**4.9** Political proportionality on committees is achieved in the following two stages:-

4.9.1 the first stage is the allocation of numbers of seats on committees to each political group.

4.9.2 the second stage is the giving effect to such allocations by appointing individual Members.

The political proportionality rules apply to the following committees of the Council with the exception of the Standards Committee:-

<b>Committee</b>	
1.	Policy & Resources Committee
2.	Community Services & Licensing Committee
3.	Overview & Scrutiny Committee
4.	Planning Committee

## **5.0 REPORT**

### **ISSUES AND ANALYSIS**

**5.1** Following the bye-election at the Sheriff Hutton Ward, the strength of the political groups on the Council of 30 Members is as follows :-

Conservative

14 (46.67%)

Liberal Democrat

8 (26.67%)

Independents

5 (16.67%)

Liberals

2 (6.67%)

**5.2** The new Annex AA/1 proposes the following minor adjustments to Committee sizes to achieve political proportionality on Committees with the minimum disruption to the past appointment of Members to Committees. The changes may be summarised as follows:-

5.2.1 Increasing the size of the Community Services and Licensing Committee from 10 Members to 11 Members. This allows space for an extra one Member of the Conservative Group resulting from the increase in size of the Conservative Group following the Conservative gain in the District Council bye-election in the Sheriff Hutton Ward.

**5.3** The new Annex AA/1 sets out the proposed allocation of Committee seats to the political groups. The underlying justification for this proposal is as follows:-

5.3.1 allocation of seats to political groups, have in the past, been made on the basis that political groups should be represented on both a policy committee and the Overview & Scrutiny Committee. This has been considered to fairly reflect the overall work of the Council;

5.3.2 Whilst securing political proportionality, it causes the minimum disruption and change to the appointment of Members to Committees at the Annual meeting of Council on 17 May 2007 as revised at the Council Meeting on 12 July 2007.

**5.4** Rule d) set out in paragraph 4.7 above, gives precedence to there being political balance across the total number of committee places available rather than on each committee. New Annex AA/1 reflects this.

**5.5** As a single Member and not a political group, the ungrouped Member is not entitled to two seats. He is entitled to what is left after the groups have their share of seats.

The legal obligation to ensure that there is proportionality in the political composition of committees extends only to proportionate representation of members of political groups and does not require ungrouped single members to be proportionally represented.

**5.6** Council is advised that there are alternative options to that recommended. The decision about which option to adopt is a decision for Council. Alternative options include:-

5.6.1 That the Committee size of the Community Services & Licensing Committee be increased from 10 to 11 with the Conservative group being allocated a seat on that Committee. The ungrouped Member could be allocated a seat on the Overview & Scrutiny Committee instead of the Policy & Resources Committee.

The Independent group would gain a seat on the Policy & Resources Committee and lose a seat on both the Overview & Scrutiny Committee and Planning Committee.

This is shown attached as Alternative Option 2.

5.6.2 That the Committee size of the Community Services & Licensing Committee be increased from 10 to 11 with the Conservative group being allocated a seat on that Committee. The ungrouped Member could be allocated a seat on the Overview & Scrutiny Committee instead of the Policy & Resources Committee.

The Liberal Group could have one seat on each of the Policy Committees and one seat on the Planning Committee with no seat on the Overview & Scrutiny Committee.

The Independent Group would lose a seat on the Planning Committee.

This is shown attached as Alternative Option 3.

- 5.7** Regulation 15 of the Local Government (Committees and Political Groups) Regulations 1990 makes provision for appointments to Committees in circumstances where a political group has failed to express its wishes in relation to the appointment of its members to Committees.

If any group does not make a nomination the procedure is as follows:-

- 5.7.1 The Council meeting on 6 September 2007 would review the allocation of seats to all political groups;
- 5.7.2 The next day the proper officer gives the group formal notice of the allocation of seats to that political group;
- 5.7.3 The group then has three weeks beginning with the date on which notice is received to make nominations;
- 5.7.4 There would be a vacancy in respect of the Committee seats allocated to the group not making a nomination of a Member for the seat until the next subsequent Council meeting on 8 November 2007;
- 5.7.5 In the absence of a group making nominations within the three week period mentioned above, Council may make such appointment to that Committee seat as it thinks fit. In that event the political group may not have a seat on the Committee(s).

## **7.0 FINANCIAL IMPLICATIONS**

**None**

### **Background Papers:**

Local Government Act 2000.

New Council Constitutions - Guidance Pack Volumes 1 and 2 published by DETR on 27 October 2000 with subsequent amendments.

### **OFFICER CONTACT:**

Please contact Anthony Winship, Council Solicitor, if you require any further information on the contents of this Report. The Officer can be contacted at Ryedale House, Telephone 01653 600666 ext. 267 or e-mail: <a href="mailto:anthony.winship@ryedale.gov.uk">anthony.winship@ryedale.gov.uk</a>
--

**ANNEX A**

**DIVISION OF MAIN COMMITTEE  
SEATS FOR 2007/2008**

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources		Community Services & Licensing Committee		Overview & Scrutiny Committee		Planning Committee		Total (43 Members)	
Conservative	<b>5</b>	(4.82)	<b>5</b>	(4.82)	<b>4</b>	(4.34)	<b>7</b>	(6.75)	<b>21</b>	(20.75)
Independent	<b>1*</b>	(1.72)	<b>2</b>	(1.72)	<b>2</b>	(1.55)	<b>3*</b>	(2.41)	<b>8*</b>	(7.41)
Liberal	<b>0</b>	(0.34)	<b>0</b>	(0.34)	<b>1</b>	(0.31)	<b>0</b>	(0.48)	<b>1</b>	(1.48)
Lib Dem	<b>3</b>	(2.76)	<b>3</b>	(2.76)	<b>2</b>	(2.48)	<b>4</b>	(3.86)	<b>12</b>	(11.86)
Ryedale Residents	<b>1</b>	(0.34)	<b>0</b>	(0.34)	<b>0</b>	(0.31)	<b>0</b>	(0.48)	<b>1</b>	(1.48)
	<b>10</b>		<b>10</b>		<b>9</b>		<b>14</b>		<b>43</b>	

NB: Assumptions:

- (i) \* The figure has been adjusted upwards/downwards to the next whole number or downwards to zero to achieve political proportionality across the committees as a whole;
- (ii) All political groups are represented on P&R and Overview & Scrutiny ;
- (iii) Size of Planning Committee comprises 14 Members;
- (iv) Of the two single ungrouped Members namely Councillor Andrews & Councillor Clark:-
  - (a) One of two single Members is on the Policy & Resources Committee
  - (b) The remaining single Member is on the Overview & Scrutiny Committee.
- (v) Size of P&R comprises 10 seats.
- (vi) Size of O&S comprises 9 seats.

**DIVISION OF MAIN COMMITTEE  
SEATS FOR 2007/2008**

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources	Community Services & Licensing Committee	Overview & Scrutiny Committee	Planning Committee	Total (44 Seats)
Conservative	<b>5*</b> (4.48)	<b>4</b> (4.48)	<b>4</b> (4.03)	<b>7</b> (6.72)	<b>20</b> (19.71)
Independent	<b>1*</b> (1.72)	<b>2</b> (1.72)	<b>2</b> (1.55)	<b>3</b> (2.59)	<b>8</b> (7.58)
Liberal	<b>0</b> (0.69)	<b>1</b> (0.69)	<b>1</b> (0.62)	<b>1</b> (1.03)	<b>3</b> (3.03)
Lib Dem	<b>3</b> (2.75)	<b>3</b> (2.75)	<b>2</b> (2.48)	<b>4</b> (4.14)	<b>12</b> (12.12)
Ryedale Residents	<b>1</b> (0.34)	<b>0</b> (0.34)	<b>0</b> (0.31)	<b>0</b> (0.52)	<b>1</b> (1.51)
	<b>10</b>	<b>10</b>	<b>9</b>	<b>15</b>	<b>44</b>

NB: Assumptions:

- (i) \*The figure has been adjusted upwards/downwards to the nearest whole number or downwards to zero to achieve political proportionality across the committees as a whole;
- (ii) Size of Planning Committee comprises 15 Members;
- (iii) Size of P&R comprises 10 seats. Size of CSL is 10 seats.
- (iv) Size of O&S comprises 9 seats.

**RYEDALE DISTRICT COUNCIL**  
**COMMITTEE MEMBERSHIP – 2007/2008**

LEADER OF THE COUNCIL - CLLR. K A KNAGGS  
CHAIRMAN OF COUNCIL - CLLR.MS N WARRINER  
VICE-CHAIRMAN OF COUNCIL - CLLR. J R RAPER

**COMMUNITY SERVICES & LICENSING COMMITTEE**

<b><u>Conservative</u></b>	<b><u>Independent</u></b>	<b><u>Liberal</u></b>	<b><u>Liberal Democrat</u></b>	<b><u>Ryedale Residents</u></b>
Mrs V M Arnold (VC) J R Bailey Mrs L Cowling (CH) Mrs J Frank	A E Hemesley B Maud	J S Clark	Mrs P J De Wend Fenton Mrs M Hodgson Mrs D E Keal	----
<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>
G Acomb B G Cottam K A Knaggs	C R Wainwright	T B Woodward	A A Aslett H L Keal	----

**LICENSING COMMITTEE**

<b><u>Conservative</u></b>	<b><u>Independent</u></b>	<b><u>Liberal</u></b>	<b><u>Liberal Democrat</u></b>	<b><u>Ryedale Residents</u></b>
Mrs V M Arnold J R Bailey Mrs L Cowling Mrs J Frank	A E Hemesley B Maud	J S Clark	Mrs P J De Wend Fenton Mrs M Hodgson Mrs D E Keal	----

**POLICY & RESOURCES COMMITTEE**

<b><u>Conservative</u></b>	<b><u>Independent</u></b>	<b><u>Liberal</u></b>	<b><u>Liberal Democrat</u></b>	<b><u>Ryedale Residents</u></b>
G Acomb S Arnold B G Cottam K A Knaggs E L Legard (VC)	C R Wainwright (CH)	---	A A Aslett Mrs L M Burr H L Keal	P J Andrews
<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>	<b><u>Substitutes</u></b>
J R Bailey Mrs J Frank	A E Hemesley B Maud	---	Mrs D E Keal	----

## OVERVIEW & SCRUTINY COMMITTEE

<u>Conservative</u>	<u>Independent</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>Ryedale Residents</u>
D E Cussons <b>(VC)</b>	D Jackson		Mrs E L Shields <b>(CH)</b>	---
J R Raper	Ms N Warriner	Vacancy	Mrs J Wilford	
J Windress				
G E Hawkins				

## PLANNING COMMITTEE

<u>Conservative</u>	<u>Independent</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>Ryedale Residents</u>
J R Bailey	D Jackson		A A Aslett	---
B G Cottam <b>(CH)</b>	B Maud <b>(VC)</b>		Mrs L M Burr	
D E Cussons	Ms N Warriner	T B Woodward	H L Keal	
Mrs J Frank			Mrs J Wilford	
K A Knaggs				
J R Raper				
J Windress				
<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>
G Acomb	A E Hemesley	J S Clark	Mrs E L Shields	---
S Arnold	C R Wainwright		Mrs P J De Wend Fenton	
Mrs L Cowling				

## STANDARDS COMMITTEE

<u>Conservative</u>	<u>Independent</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>Ryedale Residents</u>
B G Cottam	B Maud	---	A A Aslett	---
D E Cussons			Mrs P J De Wend Fenton	

### **Independent/Parish Members of Standards Committee**

Mrs G Baker (Independent)  
Mr I Hamilton (Independent) **CH**  
Mr C Langley (Independent)  
Mrs G De Barr (Parish) **VC**  
Mr H Spencer (Parish)  
**CH - Denotes Chairman**  
**VC - Denotes Vice-Chairman**

**DIVISION OF MAIN COMMITTEE**  
**SEATS FOR 2007/2008**

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources	Community Services & Licensing Committee	Overview & Scrutiny Committee	Planning Committee	Total (45 Seats)
Conservative	<b>5</b> (4.67)	<b>5</b> (5.13)	<b>4</b> (4.20)	<b>7</b> (7.00)	<b>21</b> (21.00)
Independent	<b>1*</b> (1.67)	<b>2</b> (1.83)	<b>2</b> (1.50)	<b>3</b> (2.50)	<b>8</b> (7.50)
Liberal	<b>0</b> (0.67)	<b>1</b> (0.73)	<b>1</b> (0.60)	<b>1</b> (1.00)	<b>3</b> (3.00)
Lib Dem	<b>3</b> (2.67)	<b>3</b> (2.93)	<b>2</b> (2.40)	<b>4</b> (4.00)	<b>12</b> (12.00)
Ungrouped Member	<b>1</b> (0.33)	<b>0</b> (0.37)	<b>0</b> (0.30)	<b>0</b> (0.50)	<b>1</b> (1.50)
	<b>10</b>	<b>11</b>	<b>9</b>	<b>15</b>	<b>45</b>

NB: Assumptions:

- (vii) \* The figure has been adjusted upwards/downwards to the nearest whole number or downwards to zero to achieve political proportionality across the committees as a whole;
- (viii) Size of Planning Committee comprises 15 Members;
- (ix) Size of P&R comprises 10 seats. Size of CSL is 11 seats.
- (x) Size of O&S comprises 9 seats.

**ALTERNATIVE OPTION 2**

**DIVISION OF MAIN COMMITTEE  
SEATS FOR 2007/2008**

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources	Community Services & Licensing Committee	Overview & Scrutiny Committee	Planning Committee	Total (44 Seats)
Conservative	<b>5</b> (4.67)	<b>5</b> (5.13)	<b>4</b> (4.20)	<b>7</b> (6.53)	<b>21</b> (20.53)
Independent	<b>2</b> (1.67)	<b>2</b> (1.83)	<b>1*</b> (1.50)	<b>2</b> (2.33)	<b>7</b> (7.33)
Liberal	<b>0</b> (0.67)	<b>1</b> (0.73)	<b>1</b> (0.60)	<b>1</b> (0.93)	<b>3</b> (2.93)
Lib Dem	<b>3</b> (2.67)	<b>3</b> (2.93)	<b>2</b> (2.40)	<b>4</b> (3.73)	<b>12</b> (11.73)
Ungrouped Member	<b>0</b> (0.33)	<b>0</b> (0.37)	<b>1</b> (0.30)	<b>0</b> (0.47)	<b>1</b> (1.47)
	<b>10</b>	<b>11</b>	<b>9</b>	<b>14</b>	<b>44</b>

NB: Assumptions:

- (xi) \* The figure has been adjusted upwards/downwards to the nearest whole number or downwards to zero to achieve political proportionality across the committees as a whole;
- (xii) Size of Planning Committee comprises 14 Members;
- (xiii) Size of P&R comprises 10 seats. Size of CSL is 11 seats.
- (xiv) Size of O&S comprises 9 seats.

**ALTERNATIVE OPTION 3**

**DIVISION OF MAIN COMMITTEE  
SEATS FOR 2007/2008**

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources	Community Services & Licensing Committee	Overview & Scrutiny Committee	Planning Committee	Total (44 Seats)
Conservative	<b>5</b> (5.13)	<b>5</b> (5.13)	<b>4</b> (3.73)	<b>7</b> (6.53)	<b>21</b> (20.53)
Independent	<b>2</b> (1.83)	<b>2</b> (1.83)	<b>1</b> (1.33)	<b>2</b> (2.33)	<b>7</b> (7.33)
Liberal	<b>1</b> (0.73)	<b>1</b> (0.73)	<b>0</b> (0.53)	<b>1</b> (0.93)	<b>3</b> (2.93)
Lib Dem	<b>3</b> (2.93)	<b>3</b> (2.93)	<b>2</b> (2.13)	<b>4</b> (3.73)	<b>12</b> (11.73)
Ungrouped Member	<b>0</b> (0.37)	<b>0</b> (0.37)	<b>1</b> (0.27)	<b>0</b> (0.47)	<b>1</b> (1.47)
	<b>11</b>	<b>11</b>	<b>8</b>	<b>14</b>	<b>44</b>

NB: Assumptions:

- (xv) \* The figure has been adjusted upwards/downwards to the nearest whole number or downwards to zero to achieve political proportionality across the committees as a whole;
- (xvi) Size of Planning Committee comprises 14 Members;
- (xvii) Size of P&R comprises 11 seats. Size of CSL is 11 seats.
- (xviii) Size of O&S comprises 8 seats.