

# North Yorkshire Police, Fire and Crime Panel

21 July 2022

## Review of proportionality of Panel membership and preparation for Local Government Reorganisation in North Yorkshire

### 1 Purpose of Report

- 1.1 To update the Panel on the latest position regarding political proportionality of the Panel's membership following the recent County Council election.
- 1.2 To recommend that no further adjustments are made to Panel membership as a result of the review of proportionality for the 2022/23 financial year;
- 1.3 To invite the Panel to consider and agree proposals around the impact of Local Government Reorganisation on achieving the balanced appointment objective from April 2023.

### 2 Balanced appointment objective and the position for 2022/23

- 2.1 Under the Police Reform and Social Responsibility Act 2011, Police and Crime Panels ("Panels") are required to ensure that their membership reflects, as far as is practicable, both political and geographical proportionality, as well as necessary skills and experience. Specifically, local authority membership should represent all parts of the force area and "represent the political make-up of the relevant local authorities (when taken together)". A Panel should keep this under review and decide whether a variation in their numbers, by co-option, would assist in meeting what is referred to as "the balanced appointment objective". Following the County Council election in May 2022 and the change in appointment from Craven District Council in May, it is timely that the Panel reviews the impact on its own political make-up.
- 2.2 The Panel's core (statutory) elected membership is 10; one each appointed by NYCC and the seven district/borough councils within North Yorkshire, plus two from the City of York Council. Panels may request that councils consider appointing Members from a given political grouping, however realistically this decision is taken by the appointing authority alone. The only recourse that the Panel has for adjusting its membership to achieve a greater political balance, within the governing legislation, is to co-opt additional members from a given party via an application to the Home Office.
- 2.3 The current make-up of the Panel (as at June 2022) is: **Conservative – 4; Liberal Democrat – 3; Labour – 1; Independent – 2**. Since the last Panel meeting, there has been a reduction in seats for the Conservatives by one and an increase by one for Liberal Democrat. Below is a summary of the impact of the election and appointment changes on the Panel's political balance, versus what the notional entitlement should be, which the Panel is asked to consider further.

Fig. 1 – Current seat allocation versus entitlement by political group.

<b>Party</b>	<b>Actual</b>	<b>Seat entitlement</b>	<b>Variance</b>
Conservative	4	4.39	-0.39
Liberal Democrat	3	1.19	1.81
Labour	1	1.50	-0.50
Liberal	0	0.17	-0.17
Green	0	0.33	-0.33
Independents (see 2.5 below)	2	2.17	-0.17

- 2.4 The above table highlights that in the main, the discrepancies between actual seats and entitlement could probably be argued to be within tolerance. The only area where there is clearly over-representation currently is around the Liberal Democrat seats, which is partially a result of the recent district council appointment.
- 2.5 In relation to the named grouping of ‘Independents’ above, it should be noted that this figure attempts to indicate what the level of entitlement may be if all independent groupings plus unaffiliated independents across the force area were aggregated. In previous years, ‘Independent’ seat entitlement on the Panel has been calculated based on the notion of a single entity and Panel felt this to be broadly in tolerance when the numbers of ‘Independent’ Members across the force area were relatively low. However, there are now a much larger number of affiliated groups of ‘Independents’, in addition to those with no political affiliation across the force area.
- 2.6 While not a means of addressing the whole picture around political balance, there is an argument for giving consideration to ensuring a more accurate reflection of this picture going forward. Appendix A outlines how a more detailed analysis of these groupings/unaffiliated councillors would adjust the picture on proportionality. The current Independent Members on the Panel represent Richmondshire Together and the Independent Group (Ryedale). Appendix A highlights that Richmondshire Together and the Unaffiliated Independents forcewide carry the highest degree of entitlement overall.
- 2.7 If the Panel were concerned at the impact of over (or under) representation of any political entity on achieving the most robust political balance pre-Local Government Reorganisation, then the Panel would have to consider seeking an adjustment to the current weightings. As highlighted previously, the only means for achieving this would be through asking appointing authorities to consider an alternative political appointment or seeking a co-option via a

political party/group and through the Home Office, which can be a lengthy process.

- 2.8 Arguably, when weighing up the time – and difficulty – inherent in pursuing either of these options in the roughly eight-month period prior to Local Government Reorganisation (LGR) in North Yorkshire, doing so would not reap the benefits sought. On the basis that the Panel will also most likely want to focus on ensuring that it can retain its current knowledge base and expertise of membership in the lead-up to LGR, it would potentially also be a disbenefit to the Panel’s efficacy as a scrutiny body to look to make further membership changes at this stage.
- 2.9 Once LGR has taken effect, the Panel will of course need to make some necessary adjustments and be mindful that it is achieving the balanced appointment objective as far as practicable (see section 3, below), and it seems the most practical proposition to set this exercise to one side until that point.

### **Recommendation 1**

**That the Panel agrees to note the current position as regards political proportionality but that in view of the significant changes from 1<sup>st</sup> April 2023 it will retain the status quo until that point.**

## **3 What LGR means for the Panel and the balanced appointment objective**

- 3.1 Further to LGR, from 1<sup>st</sup> April 2023 the current seven district and borough councils and North Yorkshire County Council will be replaced by a single unitary body; North Yorkshire Council. As such, the two Appointing Authorities to the Panel at this point will be North Yorkshire Council and City of York Council.
- 3.2 The legal requirements incumbent on the Panel post-LGR remain as now. The core legal political membership of the Panel will be 10 councillor members and they must, when taken together, represent the political and geographical landscape of the North Yorkshire force area, in addition to having the right skills and experience of course. As such, it will be for North Yorkshire Council to ensure that it selects appointees who can continue to provide geographic coverage for the county of North Yorkshire (i.e. on the current district basis) and ensure political balance.
- 3.3. Having raised with the Home Office as to whether there are additional issues for Panel to consider post-LGR, they have highlighted that the Panel may need to review seat allocation across the two Appointing Authorities in relation to population size, as a move to unitary can impact on geographical balance.
- 3.4 The population of York is around 211,000. The population of North Yorkshire is approximately 620,000. York therefore roughly speaking has an entitlement from 2023/24 to 25% of the allocated councillor seats across the combined York and North Yorkshire area, i.e. 2.5.

- 3.4 The Panel may wish to give further consideration to the weighting of seat allocations from 2023. On the basis of an approximate 75/25% population split, the Panel could of course retain its current 8/2 ratio of North Yorkshire to York seats but clearly the population balance means that there is similarly an argument for increasing York’s allocation by one and reducing that for North Yorkshire by one.

**Recommendation 2**

**That the Panel considers whether to adjust the current weighting of seat allocation between North Yorkshire and York from April 2023.**

- 3.5 In terms of political balance, the position post-LGR changes things slightly, as demonstrated in Figure 2 below.

Fig. 2 – seat entitlement calculation for Panel from 1<sup>st</sup> April 2023

Party	Entitlement
Conservative	3.58
Green	0.58
Independents (ungrouped - forcewide)	0.51
Labour	2.12
Liberal	0.07
Liberal Democrat	2.41
North Yorkshire Independents	0.58
York Independent Group	0.15

- 3.6 Clearly the above is based on what is known currently around political groupings so there may be minor political changes over the next year and of course there will be elections in City of York in May 2023 which may impact further. However, as a starting point for the Panel from April 2023, this would in principle best reflect political balance as follows. The below assumes that independent groupings and unaffiliated Independents (when combined) are viewed as separate political entities in order to achieve a more robust outcome.

- **Conservative – 4**
- **Labour – 2**
- **Liberal Democrat – 2**
- **Independents (poss NY Independents) – 1**
- **Green - 1**

- 3.7 As the Panel will be losing three of its Members from 1<sup>st</sup> April 2023 who are district councillors, plans should ideally be put in place to take effect as soon as practicable after 1<sup>st</sup> April 2023 to ensure a full and robust membership complement on the Panel. However, as North Yorkshire Council will be

unable to formalise its appointments to Panel until its Annual Meeting (likely to be mid-May 2023), the Panel may have to accept that it carries these vacancies for a short interim period between beginning of April and end of May 2023.

- 3.8 Once the elections have taken place for City of York in May, in good governance terms then the position regarding proportionality will need to be reviewed again to ensure that no further tweaks will be required.

### **Recommendation 3**

**That the Panel looks to adjust its membership as highlighted in order to achieve better political balance post-LGR as soon as practicable after April 2023, on the basis that any position taken will need to be reviewed further in May/June 2022.**

## **4 Chair and Vice Chair of Panel.**

- 4.1 The Panel's Rules of Procedure provide for a Vice Chair to be appointed annually. Due to the tripartite nature of local government arrangements in the current Panel structure, it was agreed among council Leaders from 2012 that two Vice Chairs would be appointed to the Panel, thus satisfying the need for a representative from each of NYCC, City of York and the district councils to fill the seats of Chair and Vice Chair.
- 4.2 The papers provided at Items 1 and 5 (21 July 2022) highlight that it would be logical for the Chair/Vice Chair seat filled by a current district council representative to discontinue from 1<sup>st</sup> April 2023, leaving two seats taken by City of York and North Yorkshire Council respectively. Panel are therefore invited to agree to continue to appoint just one Vice Chair at the Panel's annual meeting in July 2023. The 'pros' of an additional Vice Chair are clearly a more resilient arrangement however it may be difficult to determine who takes up the third seat. In addition, on a purely financial basis, with the withdrawal of the annual income provided to the Panel from Hambleton DC next year which has previously supported administration, there would be a small financial saving to be made from the Panel / NYCC not providing an additional Vice Chair's allowance. In view of the extremely tight budget position for the Panel this may be of benefit.

### **Recommendation 4**

**That the Panel consider reducing its Vice Chairs to a single appointment from July 2023, with City of York and North Yorkshire Council taking up the Chair and Vice Chair appointments between them.**

## **5 Other considerations**

- 5.1 As 'continuing authority', North Yorkshire Council will provide support for Panel meetings. The Home Office has confirmed that the move to LGR does not affect or adjust any of the terms of agreement with them around the grant provided. It is anticipated that for 2022/23, the Panel will received an additional £920 per annum in recognition that we have co-opted a third

independent member in the last year but otherwise there will be no change to the terms.

## **6 Financial Implications**

6.1 There are no significant financial implications arising from this report.

## **7 Legal Implications**

7.1 There are no significant legal implications arising from this report.

## **8 Equalities Implications**

8.1 There are no significant equalities implications arising from this report.

## **9 Climate Change Implications**

9.1 There are no significant climate change implications arising from this report.

## **10 Recommendations**

That the Panel:

10.1 notes the update provided on the current position regarding political proportionality on the Panel;

10.2 agrees to retain the 'status quo' position of Panel membership for the remainder of the current financial year (prior to LGR);

10.3 considers further whether to adjust the weighting of seat allocation from 2023 between the North Yorkshire area and York;

10.4 agrees to look to align its councillor appointments in order to achieve the best political balance from 2023/24, and following the outcome of City of York elections;

10.5 agrees to appoint one Vice Chair only at the Panel's annual meeting in July 2023.

Diane Parsons  
Principal Scrutiny Officer  
North Yorkshire County Council

12<sup>th</sup> July 2022

### **Background Documents:**

- Appendix A - Re-calculation of seat entitlement to the Panel for 2022/23 based on identification of all grouped/ungrouped Independent Members.

## Appendix A

Re-calculation of seat entitlement to the Panel (2022/23) based on identification of all grouped/ungrouped Independent Members.

Party	Seats	Entitlement	Actual	Variance
Cluster of Independent Members (Scarborough BC)	4	0.11	0	-0.11
Conservative	158	4.39	4	-0.39
Green	12	0.33	0	-0.33
Green Party and Independent (RDC)	2	0.06	0	-0.06
Independent Group Craven	7	0.19	0	-0.19
Independent Group Hambleton	2	0.06	0	-0.06
Independent Group Ryedale	5	0.14	1	0.86
Independent Group Scarborough	7	0.19	0	-0.19
Independents (ungrouped - forcewide)	17	0.47	0	-0.47
Independents for Ryedale	3	0.08	0	-0.08
Labour	54	1.50	1	-0.50
Liberal	6	0.17	0	-0.17
Liberal Democrat	43	1.19	3	1.81
Liberal Democrat and Independent (Ryedale)	3	0.08	0	-0.08
North Yorkshire Independents	8	0.22	0	-0.22
Richmondshire Together	14	0.39	1	0.61
Ripon Independents	2	0.06	0	-0.06
Ryedale First Independents	2	0.06	0	-0.06
Selby Independents and the Yorkshire Party Group	4	0.11	0	-0.11
York Independent Group	2	0.06	0	-0.06
Yorkshire Coast Independents Alliance (SBC)	5	0.14	0	-0.14