NORWICH
City Council

Committee Name: Council

Committee Date: 24/05/2022

Report Title: Review of political proportionality

Portfolio: Councillor Kendrick, cabinet member for resources

Report from: Head of legal and procurement (Monitoring Officer)

Wards: All Wards

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Purpose

This report sets out the political balance for the civic year 2022-23, giving notice of changes to the council's political composition following the recent elections.

Recommendation:

To approve the political proportionality for the civic year 2022-23 and to amend the membership of the Standards Committee to consist of 7 Councillors.

Policy Framework

The Council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report meets the priority that Norwich City Council is in good shape to serve the city.

Report Details

Background

1. The Local Government and Housing Act 1989 requires the Council to review the representation of different political groups on committees and sub-committees at, or as soon as practicable after, the Annual Meeting of the Council; or in the event of a change to the council's political composition.

2. Following the recent elections, the political composition of the Council is now as follows:

Group	Members	Percentage
Labour Group	25	64.1
Green Group	11	28.2
Liberal Democrat Group	3	7.7
Total	**39**	**100.0**

3. In determining the allocation of seats on ordinary committees, the proportion that each political group forms of the total membership of the Council is applied to the total number of elected member seats on each committee, so far as is reasonably practicable. Fractional entitlements are rounded appropriately to ensure that this process of rounding does not result in advantage to one political group. The aggregate membership of all the ordinary committees must also be in line with the proportions on the Council.

4. The principles mentioned above, in relation to the seats on any body which fall to be filled by appointments made by the council, are:

   (a) that 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 paragraphs (a) and (b) above, that the number of seats on the ordinary committees of the council which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the council as is borne by the number of members of that group to the membership of the council; and

   (d) subject to paragraphs (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.

   (e) In the case of councillors who are not members of a group, a proportion of seats on committees equal to the proportion of council members who do not belong to a political group are reserved, with appointments to these seats being made by the council at its discretion.

5. Cabinet is excluded by law from the calculations under s.9GC Local Government Act 2000. Where the local authority chooses to disregard the rules of political proportionality for a particular committee then that

committee is also excluded from the calculations.

6. It is for the Council to establish the number of places in each committee and in so doing it will need to be mindful of the functions of the committee, the number of members it needs for the best possible governance and the overall availability of members to serve on committees.

7. **Appendix 1** sets out the allocation of places to the Council's committees, calculated in a manner that is consistent with the legislation and on the basis that the rules of political proportionality are applied to all ordinary committees.

8. Council are only required to confirm the number of seats allocated to each political group. Individual Councillors are then allocated to fill the committee places based on the wishes of the political groups.

9. Having reviewed the provisional political balance, officers are recommending an amendment to the Standards Committee to consist of 7 members, rather than 8 as expected in the constitution. As set out above, the Labour group are required to have a majority on each Committee and the overall proportionality works more effectively with the ratio of 4:2:1 on this Committee.

10. Good governance arrangements and effective decision-making processes are essential to the delivery of the Council's services and support meeting the objectives set out in the Council's corporate plan.

11. Approval of the scheme of political proportionality will (unless there are further changes in the meantime) enable the Council to appoint members to committees for the remainder of the civic year in accordance with the wishes of political groups.

Implications

Financial and Resources

12. There are no financial implications arising from the recommendations in this paper. Councillor allowances are set from existing budgets.

Legal

13. The annual review of the council's scheme of political proportionality is a statutory requirement under the Local Government and Housing Act 1989. It is also a requirement to review proportionality following an election or where a change to the political composition of the council changes.

14. The council may only choose to depart from political proportionality in appointing members to any of its committees if no member votes against the resolution at the meeting. Every effort has been taken to ensure that proportionality has been applied accurately and in accordance with the statutory formula.

15. It is open to the council when carrying out a review to adopt some arrangement other than that prescribed by the Act and regulations. Notice of such a proposal would have to be given in the summons, and a

decision would need to be made with no one voting against it.

Statutory Considerations

Consideration	Details of any implications and proposed measures to address:
Equality and Diversity	The rules regarding political proportionality ensure that the council's decision making structure reflects the overall political composition. However, it does not take account of any of the nine protected characteristics in in the Equalities Act 2010
Health, Social and Economic Impact	None
Crime and Disorder	None
Children and Adults Safeguarding	None
Environmental Impact	None

Risk Management

16. The recommendations ensure that the council complies with its statutory requirements and constitution, meets its corporate governance requirements and responds to changing circumstances.

17. An effective governance system for the council is essential to enable business to be transacted openly and in a timely manner. The appointment to the various committees and the implementation of the supporting processes seeks to do this.

18. The technical allocation of seats on a committee to a particular group takes no account of the individual performance, skills and experience of any member serving on a committee. Therefore, any movement of individual members between committees should not be seen as a statement of their abilities or contribution to the work of the committee. The need to apply political proportionality in accordance with the requirements of the legislation is the key driver behind for the impact on an individual member.

19. The recommendations in this report:

    a) lessen the risk arising from any legal challenge to the decision-making process by way of judicial review or other remedy

    b) reduce the risk of damage to the council's reputation due to a

perception of unfairness

c) help minimise the risk of committees being inquorate and the associated issues this raises, such as delays to decision making, the authority being unable to implement decisions in a timely manner and the cost of convening additional meetings.

Other Options Considered

No other options to be considered.

Reasons for the decision/recommendation

The annual review of the council's scheme of political proportionality is a statutory requirement under the Local Government and Housing Act 1989.

Background papers: None

Appendices: None

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Appendix 1

Allocation of Places to Committees for 2022/23 based on Committee Size and Political Proportionality

Proposed size of committees and calculation of seats (Proportionate number of seats on committees based on 39 elected members and current committee size).

	Labour	Green	Lib Dem	Total
Total number of councillors	**25**	**11**	**3**	**39**
Proportion as a whole (%)	**64.1**	**28.2**	**7.7**	**100**
Committees				
Scrutiny	**8**	**4**	**1**	**13**
Audit	**5**	**2**	**1**	**8**
Planning Applications	**8**	**4**	**1**	**13**
Licensing	**8**	**4**	**1**	**13**
Standards	**4**	**2**	**1**	**7**
Norfolk Joint Museums	**2**	**1**	**0**	**3**
Norfolk Joint records	**2**	**1**	**0**	**3**
Total number of seats	**37**	**18**	**5**	**60**
Proportion of committee seats (%)	**62**	**30**	**8**	**100**