

Date of meeting:	21 March 2022
Title of Report:	<b>Political Proportionality</b>
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Ross Jago, Head of Governance Performance and Risk
Contact Email:	Ross.jago@plymouth.gov.uk
Your Reference:	AC3.22/23
Key Decision:	No
Confidentiality:	Part I - Official

**Purpose of Report**

The purpose of this report is to advise Council of changes to the political proportionality of the Council and membership of committees.

The proposed proportionality meets the required principles so far as reasonably practicable, therefore a simple majority is required to approve.

**Recommendations and Reasons**

That Council approves the changes to committee membership set out at Appendix A of this report following changes in the political proportionality of the Council.

**Reason:** To maintain clarity of the Council's committee structure and membership

**Alternative options considered and rejected**

None. The Council is required to conduct proportionality reviews under Section 15 of the Local Government and Housing Act 1989.

**Relevance to the Corporate Plan and/or the Plymouth Plan**

Clarity on appointments to committees ensures that key projects and activities can be progressed in line with the Corporate and Plymouth Plans.

**Implications for the Medium Term Financial Plan and Resource Implications:**

None arising directly from this report.

**Financial Implications:**

None arising directly from this report.

**Carbon Footprint (Environmental) Implications:**

None arising directly from this report.

**Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:**

\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.  
None arising directly from this report.

### Appendices

\*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A								
B								

### Background papers:

\*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

### Sign off:

Fin		Leg	LS/38 297/A C/18/ 3/22	Mon Off	LS/38 297/A C/18/ 3/22	HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 25/02/2022											

# APPENDIX A – COMMITTEE APPOINTMENTS AND PROPORTIONALITY MARCH 2022



## 1. PURPOSE

1.1. This paper follows recent changes to the Conservative Group which have a bearing on the overall proportionality of the council.

## 2. LEGISLATIVE REQUIREMENTS OF PROPORTIONALITY

- 2.1. Section 15 (5) of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments. The Act requires that the review should be held at the Annual General Meeting or as soon as practicable after that meeting or when the membership of the Council changes.
- 2.2. The Act provides four principles concerning political representation that must be observed as far as reasonably practicable when conducting a review. These are:
- a) that not all the seats on committees are allocated to the same political group;
  - b) that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
  - c) subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority, and
  - d) Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.
- 2.3. The legislation provides that the Council may agree allocations outside the usual proportionality requirements provided that no member votes against them.
- 2.4. As the proposal detailed in this report does meet the proportionality requirements as far as reasonably practicable only require a simple majority is required.
- 2.5. The Committees and Panels to which the provisions of Section 15 of the Act apply, and the recommended allocation of seats on each, applying the principles of the Act as closely as is reasonably practicable, are shown in Section 2 below. The recommended allocation of seats reflects the four proportionality principles so far as reasonably practicable.

## 3. OVERALL PROPORTIONALITY 2021/2022 - NUMBER OF SEATS ON COUNCIL

	January 2021	February 2022
<b>Conservative</b>	24 (42.11%)	23 (40.35%)
<b>Labour</b>	23 (40.35%)	23 (40.35%)
<b>Independent #1</b>	1 (1.75%)	1 (1.75%)

<b>Independent #2</b>	1 (1.75%)	1 (1.75%)
<b>Independent #3</b>	1 (1.75%)	1 (1.75%)
<b>Independent #4</b>	1 (1.75%)	1 (1.75%)
<b>Independent #5</b>	1 (1.75%)	1 (1.75%)
<b>Independent #6</b>	1 (1.75%)	1 (1.75%)
<b>Independent #7</b>	1 (1.75%)	1 (1.75%)
<b>Independent #8</b>	1 (1.75%)	1 (1.75%)
<b>Independent #9</b>	1 (1.75%)	1 (1.75%)
<b>Independent #10</b>	1 (1.75%)	1 (1.75%)
<b>Independent #11</b>	N/A	1 (1.75%)

\* There are 57 members on Plymouth City Council. The Local Government and Housing Act 1989, which sets out how seats should be allocated to members on a Council, describes the distribution of seats between the political Groups into which the Council has divided itself. There is no seat entitlement to members who are not in a Group. The definition of what constitutes a group on a Council is covered in The Local Government (Committees and Political Groups) Regulations 1990 and can be found in the following link <https://www.legislation.gov.uk/uk/si/1990/1553/part/III/made>

A single representative does not constitute a Group which is defined as a number of persons bound together by common interests. As such, a single Member is not entitled to any Committee seats. This is consistent with practice previously employed by the Council in similar circumstances.

3.1. The application of the legislative principles is set out below:

<b>Local Government Act 1989 – Principles</b>	<b>Is this principle met?</b>
a. that not all the seats on committees are allocated to the same political group	<b>Principle Met</b> - Seats will be allocated between Labour and Conservative Groups
b. that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;	<b>Principle met</b> - as far as reasonably practicable (there is no majority group) due to the inclusion of the Tamar Bridge and Torpoint Ferry (on which we are unable to equalise numbers) in proportionality calculations we are unable to meet this principle fully.
c. subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority;	<b>Principle met</b> - as far as reasonably practicable due to the inclusion of the Tamar Bridge and Torpoint Ferry (on which we are unable to equalise numbers) in proportionality calculations we are unable to meet this principle fully
d. Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number	<b>Principle met</b> -as far as reasonably practicable, there is no majority group. Due to the inclusion of the Tamar Bridge and Torpoint Ferry in proportionality calculations we are unable to meet this principle fully.

of members of that group to the membership of the authority.	
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#### 4. 2021/22 ALLOCATION ACROSS COMMITTEES

	January 2021					March 2022				
	Con	Prop	Lab	Prop	Total	Con	Prop	Lab	Prop	Total
<b>Councillors</b>	24	42.11%	23	40.35%	49 (of 57)	23	40.35%	23	40.35%	46 (of 57)
<b>Seats Allocation as % membership</b>	<b>48 (48.00)</b>		<b>46 (45.99)</b>		<b>98 of 114 total seat</b>	<b>45 (44.78)</b>		<b>45 (44.78)</b>		<b>90 of 111 total seat</b>
<b>Planning</b>	7	53.8%	6	46.2%	13	6 (-1)	50.0%	6	50.0%	12 (-1)
<b>Taxi Licensing</b>	4	50.0%	4	50.0%	8	4	50.0%	4	50.0%	8
<b>Licensing</b>	8	53.3%	7	46.7%	15	7 (-1)	50.0%	7	50.0%	14 (-1)
<b>Chief Officer Appointments</b>	4	57.1%	3	42.9%	7	3 (-1)	50.0%	3	50.0%	6 (-1)
<b>Chief Officer Appeals</b>	3	50.0%	3	50.0%	6	3	50.0%	3	50.0%	6
<b>Chief Officer Disciplinary</b>	3	50.0%	3	50.0%	6	3	50.0%	3	50.0%	6
<b>Audit and Governance</b>	3	50.0%	3	50.0%	6	3	50.0%	3	50.0%	6
<b>Tamar Bridge</b>	3	60.0%	2	40.0%	5	3	40.0%	2	60%	5
<b>Police and Crime Panel</b>	2	100%	0	0.0%	2	1 (-1)	50.0%	1 (+1)	50.0%	2
<b>BILCO Scrutiny</b>	4	50.0%	6	50.0%	10	5 (+1)	50.0%	5 (-1)	50.0%	10
<b>Performance, Scrutiny</b>	4	50.0%	6	50.0%	10	5 (+1)	50.0%	5 (-1)	50.0%	10
<b>Children's Scrutiny</b>	5	50.0%	5	50.0%	10	5	50.0%	5	50.0%	10
<b>Health &amp; Care Scrutiny</b>	5	50.0%	5	50.0%	10	5	50.0%	5	50.0%	10
<b>Management Board</b>	2	50.0%	2	50.0%	4	2	50.0%	2	50.0%	4
<b>HoSW Scrutiny</b>	1	50.0%	1	50.0%	2	1	50.0%	1	50.0%	2
<b>Total seats allocated</b>	58	50.9%	56	49.1%	114	56	50.45%	55	49.54%	111
<b>Seats over allocation</b>	<b>12</b>		<b>8</b>			<b>11</b>		<b>10</b>		