

City Council



Date of meeting: 21 November 2022
 Title of Report: **Political Proportionality**
 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: AC.22/23(1)
 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.

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If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.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Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.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:

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Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 14/01/2021											

I. LEGISLATIVE REQUIREMENTS OF PROPORTIONALITY

- I.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.
- I.2. The Act provides four principles concerning political representation that must be observed 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.
- I.3. The legislation provides that the Council may make alternative arrangements to the 'proportionality' principles only by a unanimous vote, with no member voting against.
- I.4. 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.

2. OVERALL PROPORTIONALITY 2022/2023 (October) - NUMBER OF SEATS ON COUNCIL

Group	October 2022
Conservative	28 (49.1%)
Labour	24 (42.1%)
Green	2 (3.51%)
Independent Alliance	3 (5.25%)

* 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/uksi/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.

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

Local Government Act 1989 – Principles	Is this principle met?
a. that not all the seats on committees are allocated to the same political group	Principle Met
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;	Not applicable as there is no majority group.
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;	Principle met
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.	Principle met

Conservative 28 / Labour 24 / Green 2 / Independent Alliance 3 Greens are entitled to five seats on committees - suggestion for how that is distributed in this table. There remains 14 seats to be allocated.									Total Seats	Allocated Seats	Vacant Seats
Councillors	28	49.12%	24	42.11%	2	3.51%	3	5.26%			
Seat Allocation as % membership	65	65.33	56	56.00	5	4.67	7	7.00			
Planning Committee	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Taxi Licensing Committee	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Licensing Committee	6	6.39	6	5.47	0	0.46	1	0.68	13	13	0
Chief Officer Appointments Panel	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Chief Officer Disciplinary Panel	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Chief Officer Appeals Panel	3	3.44	4	2.95	0	0.25	0	0.37	7	7	0
Audit and Governance Committee	3	2.46	2	2.11	0	0.18	0	0.26	5	5	0
Tamar Bridge and Torpoint Ferry JC	2	2.46	2	2.11	0	0.18	1	0.26	5	5	0
Devon and Somerset Fire Authority	2	1.96	2	1.68	0	0.14	0	0.21	4	4	0
Growth and Infrastructure Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Performance Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Children's Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Health & Adult Care Scrutiny	6	6.39	5	5.47	1	0.46	1	0.68	13	13	0
Standards Advisory Board	3	2.95	3	2.53	0	0.21	0	0.32	6	6	0
Lord Mayors Selection Committee	4	3.44	3	2.95	0	0.25	0	0.37	7	7	0
Seats allocated	65	0	56	0	5	0	7	0	133	133	0

Regulatory Committees

Planning Committee	
13 councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Ian Darcy	Chair
Councillor Kathy Watkin	Vice Chair
Councillor Philip Partridge	
Councillor Patrick Nicholson	
Councillor James Stoneman	
Councillor Rebecca Smith	
Councillor Sarah Allen	
Councillor Zoe Reilly	
Councillor Bill Stevens	
Councillor Ian Tuffin	
Councillor Tina Tuohy	
Councillor Ian Poyser	
Councillor Nick Kelly	
Substitutes	
Councillor Vivien Pengelly	
Councillor Andrea Loveridge	
Councillor Lee Finn	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training	

Taxi Licensing Committee	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillor	
Councillor Nigel Churchill	Chair
Councillor Chip Tofan	Vice Chair
Councillor Phil Partridge	
Councillor Sally Haydon	
Councillor Eddie Rennie	
Councillor Ian Tuffin	
Conservative Vacancy	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed training	
Substitutes	
Councillor Andy Lugger	
Councillor Dan Collins	

Licensing Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Six Labour Councillors, One Independent Alliance Councillor	
Councillor Phil Partridge	Chair
Councillor David Salmon	Vice Chair
Councillor Nigel Churchill	
Councillor Stephen Hulme	
Councillor James Stoneman	
Councillor Vivien Pengelly	
Councillor Sarah Allen	
Councillor Dr Charlotte Cree	
Councillor Ian Tuffin	
Councillor Sue McDonald	
Councillor Eddie Rennie	
Councillor Dylan Tippetts	
Councillor Chaz Singh	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed planning training	
Substitutes	
Councillor Pat Patel	
Councillor Dr John Mahony	

Audit and Governance Committee	
Five councillors (proportional)	
Three Conservative Councillors, two Labour Councillors	
Councillor Andy Lugger	Chair
Councillor Mark Lowry	Vice Chair (Labour)
Councillor Chip Tofan	
Councillor Tudor Evans OBE	
Conservative Vacancy	
Any councillor may act as a substitute member if they have undergone the Council's prescribed training	
Substitutes	
Councillor Philip Partridge	
Councillor Lee Finn	
Councillor Jemima Laing	

Scrutiny Committees

Performance, Finance and Customer Focus Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Chris Penberthy	Chair
Councillor Lee Finn	Vice Chair
Councillor Dan Collins	
Councillor Stephen Hulme	
Councillor Chip Tofan	
Councillor Nigel Churchill	
Councillor Phillip Partridge	
Councillor Sally Haydon	
Councillor Mark Lowry	
Councillor Bill Stevens	
Councillor Brian Vincent	
Councillor George Wheeler	
Councillor Independent Alliance	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Health and Adult Social Care Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Mary Aspinall	Chair
Councillor Mark Deacon	Vice Chair
Councillor Natalie Harrison	
Councillor Phillip Partridge	
Councillor Patrick Nicholson	
Councillor Vivien Pengelly	
Councillor Lee Finn	
Councillor Pauline Murphy	
Councillor Zoe Reilly	
Councillor Ian Tuffin	
Councillor Sue McDonald	
Councillor George Wheeler	
Councillor Independent Alliance	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Education and Children's Social Care Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor Jemima Laing	Chair
Councillor Vivien Pengelly	Vice Chair
Councillor Andrea Loveridge	
Councillor Mark Deacon	
Councillor Phillip Partridge	
Councillor Chip Tofan	
Councillor Natalie Harrison	
Councillor Sarah Allen	
Councillor Tom Briars-Delve	
Councillor Sally Cresswell	
Councillor Dr Charlotte Cree	
Councillor Ian Poyser	
Councillor Mrs Terri Beer	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Growth and Infrastructure Overview and Scrutiny Committee	
Thirteen councillors (proportional)	
Six Conservative Councillors, Five Labour Councillors, One Green Councillor, One Independent Alliance Councillor.	
Councillor John Riley	Chair
Councillor Mark Coker	Vice Chair
Councillor David Salmon	
Councillor Chip Tofan	
Councillor Lee Finn	
Councillor Andy Lugger	
Councillor Phillip Partridge	
Councillor Neil Hendy	
Councillor Jeremy Goslin	
Councillor Charlotte Holloway	
Councillor Dylan Tippetts	
Councillor Ian Poyser	
Councillor Independent Alliance	
With the exception of Cabinet Members, any councillor may act as a substitute member	

Chief Officer Panels

Chief Officer Appointments Panel	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Richard Bingley	Chair
	Vice Chair
Councillor Vivien Pengelly	
Councillor Andy Lugger	
Councillor Mary Aspinall	
Councillor Tudor Evans OBE	
Councillor Jemima Laing	
Conservative Vacancy	
Cabinet Members must not be in the majority on the panel	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training	
Councillor Jonathan Drear	
Chief Officer Disciplinary Panel	
Seven councillors (proportional)	
Four Conservative Councillors, Three Labour Councillors	
Councillor Richard Bingley	Chair
Councillor Bill Wakeham	Vice Chair
Councillor John Riley	
Councillor Sally Haydon	
Councillor Mark Lowry	
Councillor Eddie Rennie	
Conservative Vacancy	
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training	
Chief Officer Appeals Panel	
Seven councillors (proportional)	
Three Conservative Councillors, Three Labour Councillors	
Councillor Dan Collins	Chair
Councillor Vivien Pengelly	Vice Chair
Councillor Patrick Nicholson	

Councillor Chris Penberthy
Councillor Pauline Murphy
Councillor Ian Tuffin
Labour Vacancy
Any councillor may act as a substitute member provided that they have undergone the Council's prescribed personnel training.

Joint Committees / Authorities

Tamar Bridge and Torpoint Ferry Joint Committee	
Five councillors (proportional)	
Two Conservative Councillors, two Labour Councillors, one Independent Alliance Councillor	
Councillor Jonathan Drean	Chair
Councillor Pat Patel	
Councillor Neil Hendy	
Councillor Mark Coker	
Councillor Chaz Singh	

Devon and Somerset Fire and Rescue Authority	
Four councillors (proportional)	
Two Conservative Councillors, two Labour Councillors	
Councillor Mark Shayer	
Councillor Jonathan Drean	
Councillor Labour Vacancy	
Councillor Neil Hendy	

Other Committees

Lord Mayor Selection Committee	
Seven councillors (proportional)	
Three Conservative Councillors, Three Labour Councillors, one Unallocated Vacancy	
Councillor Richard Bingley	Chair
Councillor Mark Shayer	Vice Chair
Councillor Rebecca Smith	
Councillor Mary Aspinall	
Councillor Tudor Evans OBE	
Councillor Pauline Murphy	
Conservative Vacancy	

Standards Advisory Group	
Six councillors (proportional)	
Three Conservative Councillors, three Labour Councillors	
Councillor John Mahony	Chair
Councillor Chip Tofan	Vice Chair
Councillor Rebecca Smith	
Councillor Eddie Rennie	
Councillor Sally Cresswell	
Councillor Neil Hendy	