

COMMITTEE APPOINTMENTS AND PROPORTIONALITY JANUARY 2023



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	January 2023
Conservative	23 (40.35%)
Labour	25 (43.86%)
Green	3 (5.26%)
Independent Alliance	5 (8.77%)

Independent Member

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/ukssi/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 – In order to meet this principle the Green Group have been allocated a seat on the Audit and Governance Committee and the Conservative Group have been allocated an additional seat on the TBTF Joint Committee.
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 as far as reasonably practicable – In order to meet this principle the Labour group have been allocated the remaining two vacancies following the application of principle C.

Conservative 23 / Labour 25 / Green 3 / Independent Alliance 5 Non-aligned Independents are excluded from seat allocation									Total Seats	Allocated Seats	Vacant Seats
Councillors	23	40.35%	25	43.86%	3	5.26%	5	8.77%			
Seat Allocation as % membership	54	53.67	58	58.33	7	7.00	12	11.67			
Planning Committee	5	5.25	6	5.70	1	0.68	1	1.14	13	13	0
Taxi Licensing Committee	3	2.82	3	3.07	0	0.37	1	0.61	7	7	0
Licensing Committee	5	5.25	6	5.70	1	0.68	1	1.14	13	13	0
Chief Officer Appointments Panel	3	2.82	3	3.07	0	0.37	1	0.61	7	7	0
Chief Officer Disciplinary Panel	3	2.82	3	3.07	0	0.37	1	0.61	7	7	0
Chief Officer Appeals Panel	3	2.82	3	3.07	0	0.37	1	0.61	7	7	0
Audit and Governance Committee	2	2.02	2	2.19	1	0.26	0	0.44	5	5	0
Tamar Bridge and Torpoint Ferry JC	3	2.02	2	2.19	0	0.26	0	0.44	5	5	0
Devon and Somerset Fire Authority	2	1.61	2	1.75	0	0.21	0	0.35	4	4	0
Growth and Infrastructure Scrutiny	5	5.25	6	5.70	1	0.68	1	1.14	13	13	0
Performance Scrutiny	5	5.25	6	5.70	1	0.68	1	1.14	13	13	0
Children's Scrutiny	5	5.25	6	5.70	1	0.68	1	1.14	13	13	0
Health & Adult Care Scrutiny	5	5.25	6	5.70	1	0.68	1	1.14	13	13	0
Standards Advisory Board	2	2.42	3	2.63	0	0.32	1	0.53	6	6	0
Lord Mayors Selection Committee	3	2.82	3	3.07	0	0.37	1	0.61	7	7	0
Seats allocated	54	0	60	0	7	0	12	0	133	133	0