

MONMOUTHSHIRE COUNTY COUNCIL REPORT

SUBJECT: REPRESENTATION OF POLITICAL GROUPS - REVIEW
MEETING: COUNCIL
DATE: 19 MAY 2022
DIVISION/WARDS AFFECTED: ALL

1. PURPOSE

The Council is required to review at, or as soon as practicable after, the Council's annual meeting, the representation of different political groups on the bodies to which the Council makes appointments.

2. RECOMMENDATIONS

- 2.1 That the Council decides to accept the report (and appendices) as a review under Section 15 of the Local Government and Housing Act 1989 and to initially allocate ordinary committees with the numbers as indicated below as a fair representation:

Committee	Welsh Labour	Welsh Conservatives	Independent Group
Scrutiny (x4) (9)	16	15	5
Licensing & Regulatory (12)	6	5	1
Planning (16)	8	6	2
Democratic Services (12)	6	4	2
Audit (8)	4	3	1
note – there are also 4 lay members			
Aggregate Entitlement (84)	40	33	11

3. KEY ISSUES

- 3.1 The Council must determine the allocation to the different political groups of all the seats to be filled by appointment by the Council and exercise its power of appointment to the body concerned so as to give effect to such wishes about who is to be appointed to the seats on that body which are allocated to a particular group as are expressed by that group.
- 3.2 The Council is required “to make only such determinations as give effect, so far as reasonably practicable to” the following principles:
- (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 Council's membership;
 - (c) (subject to (a) and (b)), the number of seats on the ordinary committees which are allocated to each political group bears the same relationship to the total seats on all the committees as the number of members of that group bears to the Council's membership;

- (d) identical to (c) but relates to other bodies where the Council is entitled to fill seats by appointment.

3.3 The following are bodies to which s15 applies:

- (a) ordinary committees and sub-committees;
- (b) advisory committees and sub-committees of an advisory committee;
- (c) any such of the following bodies (or classes of bodies) which is a body at least 3 seats on which are from time to time to be filled by appointments made by the Council (so far as relevant to the Council):
 - (i) a fire authority constituted under a combination scheme;
 - (ii) a superannuation committee;
 - (iii) a National Parks Committee;
 - (iv) a joint committee (with one or more other authorities) whose function is to discharge council (as opposed to executive) functions and is not purely advisory.

This is not a full list but comprises the most likely classes of bodies to which the Council makes appointments. Thus it will be seen that if the Council is asked to make appointments to any other body the political balance rules do not apply even if the Council is asked to appoint 3 or more members.

3.4 In certain cases the Council/committee does not have to comply with the statutory requirements. The exceptions are as follows:

- (a) alternative arrangements approved by the Council following notice of the proposed arrangement being included in the agenda for the relevant meeting of Council and without any member of the Council/committee voting against the proposal (s17 and Reg. 20).
- (b) the committee or sub-committee is established exclusively to discharge functions or to advise in respect of part of the area of the authority and where that area of that part does not exceed one-half of the total area of the authority or the population of that part does not exceed one-half of the total population of the area. In addition, that part must consist of one or more electoral divisions and all the members of the authority who are elected for that electoral division (or those electoral divisions) (and only those members) are entitled to be members of the area committee or sub-committee.

3.5 In accordance with s70 of the Local Government (Wales) Measure 2011, the appointment of Scrutiny Committee Chairs will be done in accordance with the political balance of the Local Authority (rounded to the nearest whole number).

4. REASONS

To comply with the requirements of the Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990 as amended.

5. RESOURCE IMPLICATIONS

Nil

6. CONSULTEES

Political group leaders
SLT
Democratic Services

7. AUTHOR:

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