

APPENDIX 3

The statutory principles

EXTRACT OF SECTION 15 (5) PRINCIPLES **(LOCAL GOVERNMENT & HOUSING ACT 1989)**

Section 15 (5) of the Local Government and Housing Act 1989 states:-

'The principles mentioned in subsection (4) above, in relation to the seats on any body which fall to be filled by appointments made by any relevant authority or committee of a relevant authority, 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 a relevant authority which are allocated to each political group bears the same proportion to the total of all seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; 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.'

Translated this means:-

- (1) no one party body (unless disapplication of political balance rules without dissent by those present and voting);
- (2) the majority group gets the majority of seats allocated on a body;
- (3) the TOTAL seats on Ordinary Committees (when added together) are allocated in accordance with the strength of the political groups on the Council
- (4) the seats on each body are allocated in accordance with the strength of the political groups on the Council.

These principles conflict so the order they apply are as listed (i.e. earlier principles are given priority over later principles).