

17 March 2009

**Appointment of Council Bodies and
Allocation of Seats to Political
Groups under Section 15 of the Local
Government and Housing Act 1989**



Report of Lesley Davies, Acting Director of Corporate Services

Purpose of the Report

- 1 To appoint Committees and the Corporate Parenting Panel in accordance with the Council's Constitution and with the terms of reference set out therein, in readiness for Vesting Day.
- 2 To determine the allocation among the political groups represented on the Council of seats on such Committees in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989.

Background

- 3 Section 15 of the 1989 Act (Duty to Allocate Seats to Political Groups) sets out the requirements as to political proportionality on Council bodies and requires the Council, in allocating seats on committees and sub-committees of the Council to political groups, to give effect, so far as practicable, to the following four principles:
 - (i) that not all seats on the committee/sub-committee are allocated to the same political group,
 - (ii) that the political group having a majority of seats on the Council should have a majority on each committee and sub-committee,
 - (iii) that, subject to (i) and (ii) above, the number of seats on the Council's committees and sub-committees allocated to each political group, bears the same proportion to the total number of such committee/sub-committee seats as the number of members of that group bears to the membership of the full Council, and
 - (iv) that, subject to (i) to (iii) above, seats will be allocated on each committee and sub-committee in the same ratio as exists on the full Council.

- 4 Section 16 of the 1989 Act (Duty to Give Effect to Allocations) requires the Council to give effect to the allocations determined as set out above in accordance with the wishes of the relevant group.
- 5 The attached Appendix sets out a schedule of all committees, sub-committees and Scrutiny Committees detailing the proportionate distribution of seats among all groups (i.e. Labour Group, Liberal Democrat Group, Conservative Group, Durham Independent Group and the Durham County Council Independent Group. In each case the determination of seat numbers has followed the general principle of rounding up or down. There will therefore need to be some adjustment to the resulting distribution in order to correct the consequences of this and to give effect to the principles in Section 15 of the 1989 Act as set out in paragraph 3 above.
- 6 In addition, the seats on the Corporate Parenting Panel have in the past been allocated on the basis of political proportionality. This would result in the following distribution of the 40 seats on the Panel:-

Labour	22
Liberal Democrat	9
Durham Independent	5
Conservative	3
Durham County Council Independent	1

Recommendations

- 7
 - (i) that the Council appoints the Committees and Sub-Committees as shown in the Appendix in accordance with the Constitution and with the terms of reference set out therein;
 - (ii) that, in respect of the total number of seats on such Committees and Sub-Committees, the Council determines the total allocation of seats to each political group and individual and, subject to any necessary adjustments arising from that determination, agrees the indicative allocation of seats on each Committee and Sub-Committee as shown in the Appendix;
 - (iii) that I be authorised, in consultation with the relevant Group Leader, to determine the adjustments to be made to individual Committee and Sub-Committee allocations in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989;

- (iv) that I be authorised to allocate seats to political groups in respect of any further sub-committee which might be established from time to time, in accordance with the provisions of Sections 15 and 16 of the 1989 Act and
- (v) that the Council appoint the Corporate Parenting Panel with the allocation of seats set out in Paragraph 6 above and with the terms of reference set out in the Constitution and that such seats be filled in accordance with the wishes of the relevant political group.

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Appendix 1: Implications

Local Government Reorganisation

(Does the decision impact upon a future Unitary Council?)

Finance

Staffing

Equality and Diversity

Accommodation

Crime and disorder

Sustainability

Human rights

Localities and Rurality

Young people

Consultation

Health

Committee	Seats	Labour		Lib Dems		Durham Independent Group		Conservatives		Durham County Council Independent Group		
		68 seats 53.97%		27 seats 21.43%		17 seats 13.49%		10 seats 7.94%		4 seats 3.17%		
Overview and Scrutiny Management Board	26	14	14.03	6	5.57	3	3.51	2	2.06	1	0.82	26
Corporate Issues O/S Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Adults, Well Being and Health O/S Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Children and Young People's O/S Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Economy and Enterprise O/S Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Env & Sustainable Communities O/S Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Safer and Stronger Communities O/S Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Appeals & Complaints Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Highways Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Human Resources Ctte	21	11	11.33	4	4.50	3	2.83	2	1.67	1	0.67	21
Statutory Licensing Ctte	15	8	8.10	3	3.21	2	2.02	1	1.19	1	0.48	15
General Licensing & Registration Ctte	40	22	21.59	9	8.57	5	5.40	3	3.17	1	1.27	40
Area General Licensing & Registration Sub Ctte (North Durham)	8	4	4.32	2	1.71	1	1.08	1	0.64	0	0.25	8
Area General Licensing & Registration Sub Ctte (Central & East Durham)	8	4	4.32	2	1.71	1	1.08	1	0.64	0	0.25	8
Area General Licensing & Registration Sub Ctte (South & West Durham)	8	4	4.32	2	1.71	1	1.08	1	0.64	0	0.25	8
County Planning Countywide Ctte	16	9	8.64	3	3.43	2	2.16	1	1.27	1	0.51	16
Area Planning Ctte (North Durham)*	16	9	8.64	3	3.43	2	2.16	1	1.27	1	0.51	16
Area Planning Ctte (Central & East Durham) *	16	9	8.64	3	3.43	2	2.16	1	1.27	1	0.51	16
Area Planning Ctte (South & West Durham) *	16	9	8.64	3	3.43	2	2.16	1	1.27	1	0.51	16
Pension Fund Ctte	11	6	5.94	2	2.36	1	1.48	1	0.87	0	0.35	10
Chief Officer Appointments Ctte	11	6	5.94	2	2.36	1	1.48	1	0.87	0	0.35	10
Audit Ctte	5	3	2.70	1	1.07	1	0.67	0	0.40	0	0.16	5
TOTAL	385	206	207.78	77	82.50	51	51.94	33	30.57	16	12.20	
SEAT ALLOCATION		208	+2	82	+5	52	+1	31	-2	12	-4	
Standards Ctte	12	6	6.48	3	2.57	2	1.62	1	0.95	0	0.38	12
Corporate Parenting Panel	40	22	21.59	9	8.57	5	5.40	3	3.17	1	1.27	40

* Composition of Area Planning Committees based on 8 Countywide Members and 8 Local Members as overleaf.

Area Planning Committees

North Durham (Area 1)

	Labour	Liberal Democrat	DIG	Conservative	DCCIG
Chester-le-Street	9	0	2	3	0
Derwentside	11	1	10	0	0
Total	20	1	12	3	0
Local Allocation	4	1	2	1	0
County Allocation	5	2	0	0	1
Combined Allocation	9	3	2	1	1

Central and East Durham (Area 2)

	Labour	Liberal Democrat	DIG	Conservative	DCCIG
Durham	7	15	0	0	0
Easington	19	2	2	0	1
Total	26	17	2	0	1
Local Allocation	4	2	1	0	1
County Allocation	5	1	1	1	0
Combined Allocation	9	3	2	1	1

South and West Durham (Area 3)

	Labour	Liberal Democrat	DIG	Conservative	DCCIG
Sedgefield	15	3	3	1	0
Teesdale	1	0	0	5	0
Wear Valley	6	6	0	1	3
Total	22	9	3	7	3
Local Allocation	4	1	1	1	1
County Allocation	5	2	1	0	0
Combined Allocation	9	3	2	1	1