

# Review of POLITICAL PROPORTIONALITY AND establishment OF Annual Council 20 May 2025

# ANNUAL COUNCIL

## PART I

### Review of Political Proportionality and Appointment of Committees

#### ADLDS

#### **1 Summary**

- 1.1 The purpose of this review is to undertake the annual review required to establish the Council's committees, establish the number of seats on each Committee and assign the seats to political groups

#### **2 Details**

- 2.1.1 Although the Council did not have whole of District elections in May 2025, the Local Government and Housing Act 1989 requires that the Council reviews the political balance on its committees at its annual meetings.
- 2.1.2 The political balance was last considered by the Council in September 2024. Since that time, the Council had by elections in both the Abbots Langley and Durrants Ward.
- 2.1.3 When making previous calculations on the political balance, the Council decided whether and where to allocate seats to independent members. The independent members have now formed a group, so must be taken into account when determining entitlements to seats on committees.
- 2.1.4 This review has to be conducted in line with both the 1989 Act and the Committee and Political Group Regulations 1990. They require the Council to ensure:
- i. That not all the seats on the body to which appointments are being made are allocated to the same political group;
  - ii. 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 is a majority of the authority's membership;
  - iii. Subject to (1) and (2) above, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
  - iv. Subject to (1) to (3) above, that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
- 2.1.5 In making calculations, the proportion that each political group forms of the total membership of the Council is applied to the total number of seats on each committee. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. So that this process of rounding does not result in disproportionate advantage to one political group, the aggregate membership of all the ordinary committees must also be in line with

the proportions on the Council. Ordinary Committees are those appointed by Council to make decisions.

2.1.6 As no group on the Council has a majority, it is principles iii and iv that are critical. This calculation, which needs to be made in accordance with the Council's constitution, along with the appointment to committees, is included at Appendix A to this report.

2.1.7 In addition, changes have been requested to the composition of Committees, which are set out below:

#### **a) Equalities Sub-Committee**

2.1.7.1 The Equalities Sub-Committee meets periodically to consider how the Council is managing its equalities duty, and to consider how the District as a whole is supporting those with protected characteristics.

2.1.7.2 Increasingly, external partners are engaged in the forum through providing presentations on their work, demonstrating the benefits of co-ordinated partnership working.

2.1.7.3 With this in mind, it is proposed to change the Equalities Sub-Committee to become an equalities forum, in a similar way to the seniors forum or environmental forum. This is not to diminish the work of the committee but instead to place partners on a more equal footing to participate in meetings and enable joint commitment to outcomes from the meetings for the benefit of the whole of the District.

2.1.7.4 If agreed, Council will be asked to appoint members to the Equalities Forum at the appropriate point in the meeting, rather than the Equalities Sub-Committee. Whilst this will be done, as required, in a politically proportionate way, it does not impact upon the calculation of the political balance.

#### **b) Constitution Sub-Committee**

2.1.7.5 The constitution sub-committee is convened to consider in greater detail proposed amendments to the Constitution. Except for minor amendments, which are delegated to the Monitoring Officer to make, only the Council can make amendments to the Constitution. Any amendments proposed by the constitution sub-committee are considered by the Policy and Resources Committee before being referred to Council.

2.1.7.6 More recent amendments to the constitution have been subject to review by the Policy and Resources Committee directly, before consideration by Council.

2.1.7.7 A request has been received by officers to not convene the sub-committee, and instead any constitutional amendments (excluding minor changes) moving forwards will be referred to the Policy and Resources Committee directly then to Council.

2.1.8 The Constitution sub-committee, as required, was appointed to in a politically proportionate way. However, as it was not a decision making body, this change does not impact upon the calculation of the political balance.

#### **Policy and Resources Committee**

2.1.9 The number of seats on this committee was amended in September 2024 to take into account the number of lead members and the political proportionality

of the Council at the time. As it is proposed to reduce the number of lead members, it is similarly proposed to reduce the number of seats on this committee.

### **3 Options and Reasons for Recommendations**

- 3.1 The council is required to review the political balance at its annual meeting. It must be done in a way that, as far as practicable, achieves the 4 criteria set out at paragraph 2.1.2 above; to do otherwise would require no member to vote against the proposal.
- 3.2 Officers have performed calculations, as set out in Appendix A and B, to determine the proposed political balance reflecting the changes set out above. Council is now requested to agree this, and in subsequent agenda items, appoint members to these committees.

### **4 Policy/Budget Reference and Implications**

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets.

**Financial, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications**

None specific.

### **5 Legal Implications**

- 5.1 The calculation of the political balance must be conducted in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Group) Regulations 1990. This report also takes into account other legislative requirements, e.g. the Licensing Act 2003.
- 5.2 Failure to agree the appointment of committees in a politically balanced way would significantly impact the Council's ability to operate and make decisions.

### **6 Recommendation**

- 6.1 Council agrees to appoint the committees with the membership and political proportionality as shown in Appendix A
- 6.2 Council agrees to appoint the Sub-Committees with the membership and political proportionality as shown in Appendix B
- 6.3 Council agrees:
  - a. To replace the Equalities Sub-Committee with an Equalities Forum
  - b. To not convene or make appointments to the Constitution Sub-Committee

- c. To authorise the Monitoring Officer to make any consequential amendments to the constitution arising from this report and other changes agreed by Council at the meeting.

Appendix A: Appointment of Committees, membership of committees and calculation of political proportionality

Appendix B: Appointment of Sub-Committees, membership of sub-committees and calculation of political proportionality

