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REVIEW OF COMMITTEE PROPORTIONALITY AND EXTERNAL COUNCIL APPOINTMENTS

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Exempt / confidential / not for publication	No
Council Plan reference	Not in Council Plan
Wards affected	All wards

Executive summary

This report has two parts. First it responds to the proposal to dissolve Corporate Parenting Panel and the Leader's (Councillor Peter Marland) intention to resign as an appointed member of Buckinghamshire and Milton Keynes Fire Authority.

The proposed dissolution of Corporate Parenting Panel as an advisory Committee of the Council triggers an informal administrative review of the political balance of committee seats to ensure that political balance remains, as is required by law.

Secondly, the intention of the Leader of the Council to resign as an appointed member of Buckinghamshire and Milton Keynes Fire Authority requires a Full Council resolution to confirm a subsequent appointment according to the wishes of the Labour Group. as there is no existing delegation to allow this to be done otherwise. The report also seeks a delegation to the Director Law and Governance so that the vacancy can be filled by the political group to whom the vacancy belongs without waiting for a Full Council meeting.

1. Decision/s to be made

- 1.1 That the Council notes that the dissolution of Corporate Parenting Panel as an advisory Committee of the Council leads to an overall reduced number of committee seats (132) comprised of the following allocations to each political group; Conservative (53), Labour (46) and Liberal Democrat (33).

- 1.2 That the Council notes that the revised allocation of seats continues to achieve political balance as set out in Table 1.
- 1.3 That the Council notes the resignation of Councillor Peter Marland from the Buckinghamshire and Milton Keynes Fire Authority and agrees the appointment of Councillor Shanika Mahendran.
- 1.4 That authority be delegated to the Director of Law and Governance in consultation with the Leaders of Political Groups and in accordance with the wishes of the relevant Political Group, to make appointments to the following bodies in the event that vacancies occur during the Council year:
 - a) Buckinghamshire and Milton Keynes Fire Authority;
 - b) Thames Valley Police and Crime Panel; and
 - c) Bedfordshire, Luton and Milton Keynes (BLMK) Joint Health Scrutiny Committee (or successor body).

2. Why is the decision needed?

- 2.1 The dissolution of Corporate Parenting Panel as a formal meeting of the Council reduces the number of committee seats overall and an informal administrative review is required to ensure that the objectives of section 15(5) of the Local Government and Housing Act 1989 (set out below), continue to be achieved:
 - a) Not all seats on each Committee are to be allocated to the same Group.
 - b) The majority of seats is to be allocated to a particular Group if the number of persons belonging to that Group is a majority on the Council.
 - c) Subject to the above paragraphs, the number of seats on the Committees allocated to each Group should bear the same proportion to the total of all the seats on the Committees as that borne by the number of Members of that Group to the Membership of the Council.
 - d) Subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to different political groups 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 Council.
- 2.2 The above requirements are sequential; i.e, c) - that the number of seats allocated to each political group overall must be proportionate, should be achieved first and then balance on individual committees must follow, as far as is practicable. Given composition of the Council, it is impossible to balance every committee perfectly as, this would require seats to be split (which is not possible), there is some adjustment or rounding on each committee to give effect to objective c).
- 2.4 The review shows that the dissolution of Corporate Parenting Panel does not cause the total seats allocated across remaining committees to be out of balance and therefore no changes of membership are required on any remaining committees.

Table 1

	Councillors	Current committee seats	Revised committee seats
Conservative	23 (40.35%)	57 (141/40.35 = 56.89)	53 (132/40.35 = 53.26)
Labour	20 (35.09%)	49 (141/35.09 = 49.47)	46 (132/35.09 = 46.31)
Liberal Democrats	14 (24.56%)	35 (141/24.56 = 34.63)	33 (132/24.56 = 32.42)
Total	57 (100%)	141	132

3. Implications of the decision

Financial		Human rights, equalities, diversity	
Legal	Y	Policies or Council Plan	
Communication		Procurement	
Energy Efficiency		Workforce	

(a) Legal implications

Whilst there has been no statutory trigger for a review (such as a by-election, or changes to the membership of political groups), it is important to undertake an informal administrative review to ensure that overall the number of committee seats allocated to each political group coincides with the proportion of seats held by each group overall, as required by s 15(5)(c) of the Local Government and Housing Act 1989.

A fire authority is a body prescribed by the Local Government and Housing Act 1989 (schedule 1, paragraph 2), which means that it must be filled in a politically proportionate way and in accordance with the wishes of the relevant political group. The practice of Council appointing its committee members and to prescribed bodies, is a matter of ordinarily accepted practice, although in reality, it has no discretion, given the legislative requirements for wishes of the relevant political group to be respected. The delegation at 1.4 is therefore reflective of legal requirements and existing practice.

(b) Other implications - None

4. Timetable for implementation

- 4.1 The proposed change to the membership of the Buckinghamshire Fire Authority will take effect immediately.

List of annexes and background papers

None.