

Teignbridge District Council
Annual Council
23 May 2023
Part i

Committee Appointments and Political Balance – Local Government and Housing Act 1989

Purpose of Report

To appoint councillors with effect from 23 May 2023

Recommendation(s)

The Council is recommended to resolve to appoint councillors to the committees and positions set out in the report and circulated.

Financial Implications

There are no financial implications arising from this report.
Head of Corporate Services and Chief Finance Officer
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Legal Implications

The purpose of this report is to comply with the Local Government and Housing Act 1989, which requires the allocation of seats on committees in accordance with the level of representation of political groups on the Council as a whole.

Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the representation of political groups on its committees where the members of the Council are split into different political groups. A council is deemed to be split into different political groups where there is at least one such group on the Council. There is a particular duty to conduct this review at the Annual General Meeting or as soon as practicable after that.

For political balance, a group is required to have at least two members in order to be formally constituted as a political group.

Section 15 of the Local Government and Housing Act 1989 sets out how committees must be constituted when the Council is divided into one or more political groups. The Council must give effect, as far as reasonably practicable, to the following four principles in constituting its committees or sub-committees:

- (a) that not all of the seats on any committee are allocated to the same political group;
- (b) that if a political group has a majority on the Council, it must have a majority of seats on all committees;

(c) that, subject to (a) and (b) above, the number of seats allocated to a political group across all the committees must reflect their proportion of the authority's membership; and

(d) that, subject to (a) to (c) above, the number of seats allocated to a political group on each committee is as far as possible in proportion to the group's membership of the authority.

The Local Government (Committees and Political Groups) Regulations 1990 (as amended) make provision for securing the political balance on councils and their committees and for determining the voting rights of members of certain committees

Once the allocations have been agreed, the appointment of individual members must be given effect in accordance with the wishes of the relevant Group as expressed through the Group's Leader / Deputy Leader.

Paul Woodhead
Head of Legal Services and Monitoring Officer
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Risk Assessment

Failure to allocate seats in line with the statutory principles set out in the Local Government and Housing Act 1989 would be in breach of statutory requirements and may result in error or legal challenge.

Democratic Services Team Leader & Deputy Monitoring Officer
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Environmental/ Climate Change Implications

There are no Environmental/Climate Change Implications arising out of this report.
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Appendices/Background Papers

Local Government (Committees and Political Groups_ Regulations 1990
Local Government and Housing Act 1990

1. Introduction

Following the District elections on 4 May 2023 membership of the political groups on the Council is as follows:-

Liberal Democrat Group	26 Seats
South Devon Alliance Group	10 Seats
Conservative Group	9 Seats
Independent No Group	1 Seat
Independent No Group	1 Seat
Total Seats	47

The various groups comprise the following Members:

Liberal Democrat Councillors (26)
Buscombe
H Cox
D Cox
Dawson
Farrand-Rogers
Foden
Goodman-Bradbury
Hayes
Henderson
Hook
Jackman
James
Jeffries
Keeling
Morgan
Nutley
Nuttall
Palethorpe
C Parker
Parrott
Rollason
Sanders
Swain
Taylor
Williams
Wrigley

South Devon Alliance Councillors (10)
Bradford
Daws
Gearon
Hall
Mullone
P Parker
Radford
Ryan
Taylor
MacGregor
Conservative Councillors (9)
Atkins
Bullivant
Lake
Peart
Purser
Rogers
Smith
Thorne
Webster
Independent Councillors – no Group
Clarance
Steemson

2. Committees

- 2.1 The committees which are subject to political balance requirements currently comprise:

Committee	No. of Members on the committee
Overview & Scrutiny Committee (1)	13
Overview & Scrutiny Committee (2)	13
Planning Committee	17
Licensing Committee	11
Audit Scrutiny Committee	8
Standards Committee	6
Strata Scrutiny	3

2.2 The committees which are not subject to political balance requirements:

Name of body other than ordinary committee	No. of Members on the committee
Procedures Committee	Membership: (a) The Chair of Council (who will Chair the Committee); (b) All Group Leaders; (c) Two additional members from each Group (who are appointed at Annual Council) provided that the Group comprises 10% or more of the Council full membership
Devon County Council Highways & Traffic Orders	3 to be determined

3. Allocations of seats and nominations

3.1 Allocations to committees subject to political balance requirements will be:-

Committee	Total Seats	Lib Dems	SDA	Cons	Ind	Ind
Overview & Scrutiny (1)	13	8	3	2	0	0
Overview & Scrutiny (2)	13	8	2	3	0	0
Planning	17	10	4	3	0	0
Licensing & Regulatory	11	7	2	2	0	0
Audit Scrutiny Committee	8	4	2	2	0	0
Standards	6	3	2	1	0	0
Strata Scrutiny	3	1	1	1	0	0
Total	71	41	16	14	0	0

3.2 Each political group was asked to provide its allocations for the committees. The nominations will be circulated prior to the meeting.