

Report to	Council
Date of meeting	14 May 2024
Lead Officer	Catrin Roberts, Corporate Support: People
Report author	Steve Price, Democratic Services Manager
Title	Annual Review of Political Balance and Appointment of Scrutiny Chairs

1. What is the report about?

1.1. This report contains information on committee-related issues.

2. What is the reason for making this report?

2.1. As the new municipal year starts in May it is appropriate for Council to consider changes in political balance in accordance with statutory requirements.

3. What are the Recommendations?

3.1. That Council considers the political balance arrangements for the allocation of committee seats.

3.2. That Council appoints 1 member to sit on the Standards Committee as a Denbighshire County Councillor.

4. Report details

Annual Review of Political Balance

4.1. The Local Government and Housing Act 1989 and supporting Regulations make provision for political balance in the membership of the Council to be reflected in the membership of the Council's committees (though Cabinet is not covered by this requirement in the Act).

- 4.2. The members of the Council are divided into different political groups, a group being two or more councillors who sign a notification to the authority declaring that they wish to be recorded as being a member of a particular group. The Council has an obligation to ensure that the number of seats on certain committees (these are identified by statute) are allocated to each political group in the same proportion as the number of members within a group to the membership of the Council. For example, if Group A's membership represents a third of the members of the Council, then Group A would be allocated a third of the seats on the committees that have to be politically balanced. This requirement can be set aside but only if no member of the Council votes against doing so.
- 4.3. The Council is required to consider at least annually how the membership of its committees relates to the size of the groups. The current political balance figures and membership of the groups are shown in appendixes 1 and 2 respectively.

Standards Committee

- 4.4. The regulations governing the composition of the Council's Standards Committee requires a committee of between five- and nine-members comprising persons who are independent of the Council (lay or independent Members), county councillors and a town and community council councillor. Denbighshire's Standards Committee has 7 members, 2 of whom are county councillors.
- 4.5. Councillor Hugh Irving had been appointed as one of the two county councillors on the Standards Committee but stood down earlier this year owing to the potential conflict of interest with his role as a group leader. This potential conflict arises from the new statutory functions of the Standards Committee to monitor compliance by leaders of political groups in respect of their new legal duty to take reasonable steps to promote and maintain high standards of conduct by members of their group.
- 4.6. Council is therefore asked to appoint 1 county councillor to the vacant seat on the Standards Committee. The committee meets at least 4 times a year and the appointment is not made under political balance rules.

Appointment of the Chairs of Scrutiny Committees

- 4.7 The Local Government (Wales) Measure 2011 provides the principles for the allocation of the Scrutiny Chairs.

- 4.8 To identify the number of Scrutiny chair positions to be allocated to the executive groups the total membership of the group or groups on Cabinet is divided by the total Council membership and this number is multiplied by the number of the Scrutiny committees (namely 3). The figure, if not a whole number, is rounded down.
- 4.9 The remaining Scrutiny Chair positions would be given to the non-Cabinet groups and the group allocations determined by applying the proportion of each non-Cabinet group to the total number of non-Cabinet members.
- 4.10 Neither the Measure nor the associated statutory guidance make provisions for changing or re-appointing scrutiny chairs, except where the political make-up of Cabinet changes or where a scrutiny chair is vacated for some reason. The appointment of chairs for a new municipal year is therefore a matter for the political groups to consider and to report any changes.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. Political balance arrangements are central to the democratic and committee systems which are essential elements of the Council's governance arrangements, including the Council's corporate priorities.

6. What will it cost and how will it affect other services?

- 6.1. There are no identified costs arising from the recommendations in this report to undertake an annual review of the allocation of committee seats according to political balance requirements.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. A Well-being Impact Assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

- 8.1. Council and the political groups within the Council are being consulted on the issues raised in this report.

9. Chief Finance Officer Statement

9.1. There are no additional costs arising from the recommendations in this report.

10. What risks are there and is there anything we can do to reduce them?

10.1. Failure to review the membership of committees would be detrimental to the Council's governance arrangements and contrary to statutory requirements.

11. Power to make the decision

11.1. Local Government and Housing Act 1989; Local Government (Wales) Measure 2011; Section 111 Local Government Act 1972; The Standards Committee (Wales) Regulations 2001.