

## **Appointments for Annual Meeting of Council**

### **Pro rata explained:**

1. The statutory basis for pro rata memberships comes from the Local Government and Housing Act 1989 (LGHA). In essence there are four main principles for appointments to 'ordinary committees':
  - (a) not all seats to be allocated to the same group;
  - (b) if a group has a majority on the Council, it must have a majority of seats on Committees;
  - (c) subject to (a) and (b) above, the total number of seats on Committees must be allocated in the same proportions as the group memberships bear to the Council's membership;
  - (d) subject to (a) and (c) above, the number of seats on each Committee must be proportional to each group's membership of the Council;

The method by which the Council elects to Ordinary Committees was subject to report on 23 April 1996. A copy of that minute together with the Counsels opinion is attached:

2. The Council agreed:

### **Ordinary Committees - Individual Entitlements**

- "(a) That all political groups be allowed to take up the seats on individual committees (including small panels and boards) to which they are entitled, subject to any adjustment to the aggregate entitlement;
- (b) That, if there is no agreement under (a), the Council stipulates that relevant seats should be taken from any group with more seats than its entitlement but having the lowest proportion on the Council overall;

### **Ordinary Committees - Aggregate Adjustment**

- (c) That, if there is disagreement over the aggregate reallocations between groups on ordinary committees, the following procedure shall apply:
  - (i) The seats to be reallocated shall comprise initially seats on committees where representation is greater than entitlement, then if necessary seats on committees where representation matches entitlement and finally, where necessary, from Committees where representation is less than entitlement;
  - (ii) Reallocation of seats under (c) (i) above be to groups due to gain seats in descending order of priority according to their proportion of seats on the Council; ...."

### **Ordinary Committees – Non affiliated members**

3. Regulations made in 1990, (The Local Government (Committees and Political Groups ) Regulations 1990) inserted an additional section into the LGHA as follows:

"S 16 (2A) Where appointments fail to be made to seats on body to which [pro rata] applies otherwise than in accordance with a determination under [those rules] it shall be the duty of the authority or the committee, as the case may be, so as to exercise their power to make appointments as to secure that the persons appointed to those seats are not members of any political group"