

This paper seeks to assist Members in understanding the statutory political balance requirements by briefly setting out how political groups are established; how Councillors become members of a political group; the process for carrying out a review and determining the allocation of committee seats to groups; the principles and methodology to be applied to the allocations/appointments processes and the requirement to appoint in accordance with the wishes of groups.

### IMPLICATIONS OF MEMBERS DIVIDED INTO POLITICAL GROUPS

#### Where political groups exist:-

- (a) **All Committees** including the **Scrutiny** Committees have to be **constituted** so as to be **politically balanced** e.g. a political group composed of **one third of the whole membership** of the Council would be entitled to **one third of the seats** on a committee. In the case of a committee of **15** this would give the group **5** seats. **Sub-Committees** would **also** have to be politically balanced.

NB – The Cabinet is not a committee of the Council and the political balance requirements do not apply to it.

- (b) Each **Political Group** (and not the Council) **selects** (in relation to the seats allocated to that group) which councillors **sit on which committee/Sub-Committee** (save for those members **not** in a group).
- (c) Those members **not in a Group** receive a **proportionate allocation** of seats on each Committee/Sub-Committee and the **Council** determines the **appointment** of those independent members to Committees/Sub-Committees in whatever method it deems appropriate.
- (d) **Only** the **Standards Committee**, Sub-Committees / Panels which exist to deal with regulatory and licensing matters and staffing matters, and Member/Officer **Working Groups** are **exempt** from the political balance requirements.
- (e) Appointments to the relevant outside bodies i.e. **Brecon Beacons National Park Authority, Dyfed Powys Police and Crime Panel** and **Mid and West Wales Fire and Rescue Authority** are required to be **politically balanced** (appointments to other outside bodies are not required to be politically balanced)

To look at some points in slightly more detail.

A “**political group**” comes in to existence when at least **two** Councillors deliver to the Proper Officer, a notice in writing stating that they wish to be treated as a “**political group**”, stating the **name of the group** and the **name of its leader** and (optional) the name of one other authorised to act in place of the leader (the representative). By **signing** the notice Councillors **become members** of that Group. Only **one** political group need declare for the political balance regime to apply.

If one or more **political groups** are formed then the **Full County Council** must as soon as reasonably practical **REVIEW** the representation of political groups on the Council’s committees, and those relevant **outside** bodies referred to above. Where a **committee** has power to appoint to a **sub-committee** (or appoint to a relevant **outside** body) the **Committee** similarly must conduct a review. It is an **annual requirement to review** the

## Appendix 2

representation of the different political groups at the Annual Meeting. There is also a requirement to undertake this exercise whenever a Member forms a Group.

Once the review exercise is completed the Council/Committee must **DETERMINE** the **allocation of seats** on committees and sub-committees and appointments on relevant outside bodies **to the different political groups**. That **determination** must be carried out in a way which, **so far as reasonably practicable**, gives effect to the **PRINCIPLES** set out in the Local Government and Housing Act 1989, namely:-

- (a) that not all the seats on the Council's committees and sub-committees are allocated to the same political group (**no one-party committees/sub-committees**).
- (b) that if there is a majority group/party (**i.e. in the case of Powys a group with 35 or more members**) it should have a **majority of all the seats** on the Council's committees and sub-committees.
- (c) subject to (a) and (b) that the total **aggregate** number of seats on **all the committees** allocated to a particular political group reflect that group's **proportion** of the membership of the Council.
- (d) subject to (a) to (c) that the number of seats on each **individual** committee/sub-committee/outside body are allocated to a particular political group to reflect that group's **proportion** of the membership of the Council.

Once a determination has been made, it becomes the duty of the Council (or committee) to **exercise** the power to **MAKE APPOINTMENTS** as soon as practicable and to give effect to the **wishes of the political groups** as to **WHO** is to be appointed to the **individual seats** allocated to those groups. Similar arrangements apply to the appointment to the **relevant outside bodies**.

Theoretically the Council could, **if all 68 members agreed**, put in place **different arrangements**, in part or in whole, to those outlined in this paper in relation to allocating seats on Committees (and similarly Committees can put different arrangements in place for their Sub-Committees).