

**HERTFORDSHIRE COUNTY COUNCIL
ANNUAL MEETING
TUESDAY 18 MAY 1999**

Agenda Item No:

5

**REVIEW OF PROPORTIONALITY AND CALENDAR OF MEETINGS FOR
1999/2000**

Report of the County Secretary

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1. Purpose of Report

- (1) To advise the Council on options for reviewing the allocation of places on committees and other member bodies between the two political groups.
- (2) As instructed by the Policy Committee, to propose a calendar of dates for member meetings in 1999/2000.

2. Proportionality

The Council is required by law to review (on specified occasions) the allocation of places on committees and sub-committees between the political groups. The allocation of places is governed by the rules of proportionality set out in the Local Government and Housing Act 1989.

The Council must carry out such a review at this Annual Meeting or as soon as practicable thereafter. Given the impending by-election on 10 June, Counsel's advice has been sought on the implications of this. Counsel advises:

- (a) That the Council may choose to review proportionality at this meeting. If it does so, it must allocate places on committees and sub-committees in equal numbers between the groups. A further review must be carried out by the Council after the by-election if the new member and his/her group leader request it.
- (b) That the Council may choose to defer the review of proportionality to a date after the by-election, provided it also defers any meetings of committees and sub-committees until after the review which follows the by-election. The Council may approve the establishment of a new structure of committees but must not appoint members to those committees until the next review.

- (c) That the further review after the by-election, and a deferred review, must be carried out by the full Council. The function cannot be delegated.

3. Calendar of Meetings

The Council will be considering recommendations from the Policy Committee on 28 April 1999 to establish a new member structure. The committee instructed that a proposed calendar of meetings for the new structure be presented to the Council.

The proposed calendar is set out in Appendices 1, 2 and 3. In the light of Counsel's advice, two options have been proposed for the calendar between this meeting and the review following the by-election. Appendix 1 shows dates which could be used if the Council decides to carry out a review at this meeting and wishes to arrange for committees and other bodies to meet before 10 June. Appendix 2 shows dates which could be used if the Council decides to defer the review. Appendix 3 shows dates for September 1999 onwards. Both Appendices 1 and 2 show a date for a Council Meeting at which a review could be carried out. (Appendix 1 proposes 15 June and Appendix 2 proposes the 17th.) These dates have been chosen because they are the first Committee dates following the by-election.

4. Panels & Task Groups

The legal rules relating to the review of proportionality do not apply to Panels and Task Groups, since they do not take decisions on behalf of the Council. The County Council has, however, always applied the rules to them as a matter of practice. The proposed calendar therefore treats them in the same way as committees.

Financial Implications

None.

Officer Suggested Resolutions

- EITHER
- a) (i) That the Council review proportionality at this meeting.
- (ii) That with effect from this meeting until the next review the Administration and Conservative Groups be allocated equal numbers of places on Committees, Sub-Committees, Panels, Task Groups and other member bodies.
- (iii) That members be appointed to each body by the Council as follows
- or* by the County Secretary in consultation with appropriate Spokespersons.

(iv) That the Council review the proportionality again at a meeting at 9.00 a.m. on 17 June 1999.

(v) That the Calendar of meetings at Appendix 1 and Appendix 3 be adopted.

OR

b) (i) That the Council defer the review of proportionality and appointment of members to member bodies to a meeting of the Council to be held at 9 a.m. on 15 June 1999.

(ii) That the calendar of meetings at Appendix 2 and Appendix 3 be adopted.